

# **AN ANALYSIS OF JUVENILE COURT PRACTICES IN SELECTED COUNTIES**



**PREPARED BY  
THE TENNESSEE BUREAU  
OF INVESTIGATION'S  
CRIME STATISTICS UNIT**

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# Introduction

The Tennessee Bureau of Investigation received a grant to study juveniles transferred to adult court versus juveniles that remained in juvenile court for the same offenses.

The scope of this study was narrowed down to the following counties: Shelby, Davidson, Montgomery, Rutherford, and Washington. These counties had the highest number of juveniles transferred to adult court. Information was submitted by each of these counties regarding sex, race, date of birth, offense, and dispositions for the calendar year of 1997. This study compared the following offenses: First Degree Murder, Aggravated Robbery, Felony Theft of Property, Aggravated Burglary, Schedule II Cocaine, Aggravated Assault, Robbery, and Especially Aggravated Robbery. Severity of the offense and the frequency that juveniles were transferred to adult court on the offense were the factors considered in selecting these offenses.

The criminal and juvenile courts in each respective county submitted data on juvenile crime in that county to the Crime Statistics Unit. Because of the variations of records management systems, some of the disposition data was coded differently by different counties. All data was standardized to accommodate the different records management systems for each county. Data was also received from the Administrative Office of the Courts regarding the juveniles that were transferred to adult court. The Tennessee Department of Correction provided data on juveniles who were transferred to the custody of the Tennessee Department of Correction.

## **NATIONALLY<sup>1</sup>**

Tennessee is one of 46 states that give juvenile court judges discretion to waive jurisdiction in individual cases involving minors, to allow prosecution in adult court. Tennessee is also one of 16 states that permit the transfer of a juvenile to adult court for any criminal offense (provided the accused juvenile is of sufficient age).

<b>16 States Permit Waivers For Any Criminal Offense (provided the accused Juvenile is of sufficient age)</b>			
Alabama	Alaska	Delaware	Florida
Georgia	Idaho	Illinois	Iowa
Kansas	Maryland	Mississippi	North Dakota
Tennessee <sup>2</sup>	Washington	Wisconsin	Wyoming

**Table 1**

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<sup>1</sup>Source: Trying Juveniles as Adults in Criminal Court: An Analysis of State Transfer Provision, Office of Juvenile Justice and Delinquency Prevention, December 1998.

<sup>2</sup>TCA § 39-13-506(b)-Statutory Rape prevents a juvenile accused of statutory rape from being transferred for trial in adult court.

Seventeen (17) states allow or require adult prosecution for any felony, six (6) states allow or require adult prosecution for any felony of a particular grade and nine (9) states authorize or mandate adult handling of specified offenses that do not necessarily involve violence, such as:

- escape
- soliciting a minor to join a street gang
- aggravated driving under the influence
- auto theft
- perjury
- treason

**Tennessee Juvenile Law**

Discretionary Waiver: TCA § 37-1-134

Following a hearing, a child meeting age/offense criteria may be transferred to adult criminal court if the juvenile court finds that there are reasonable grounds to believe that ;

1. the child committed the offense alleged;
2. the child is not committable to a mental institution; and
3. the interests of the community require that the child be placed under legal restraint.

Various factors are listed in the law to be considered by the court in making these findings. Generally, the juvenile court’s decision is not immediately appealable; however, if a non-lawyer makes the decision to transfer the case, a special provision entitles the child to an immediate *de novo* rehearing at the criminal court level.

<b>Summary of Tennessee Juvenile Law Age and Offense</b>		
<b>Offense Category</b>	<b>Minimum Age</b>	<b>Offense Detail</b>
Any Criminal	16	Any criminal offense <sup>3</sup>
Murder	None specified	First or second degree murder or the attempt
Person	None specified	Rape, aggravated rape, aggravated or especially aggravated robbery, kidnapping, aggravated or especially aggravated kidnapping, or the attempt to commit any of these offenses

**Table 2**

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<sup>3</sup>TCA §39-13-506(b) prevents a juvenile charged with statutory rape from being transferred to adult court.

Reverse Waiver: TCA §37-1-159

A child who has been transferred from juvenile court by the decision of a non-lawyer is entitled to an immediate rehearing on the transfer issue at the criminal court level, provided they file a motion for rehearing within 10 days of the transfer order. The rehearing is *de novo* the issue, the standards and the factors to be considered are the same as at the juvenile court level, and the criminal court need not give any weight to the juvenile court's original decision. Following the hearing, the criminal court may either accept jurisdiction or remand the case to the juvenile court. If the court remands, the State may appeal immediately on the ground of abuse of discretion; otherwise, the appeal of the court's decision must await a final conviction.

Once an Adult, Always: TCA §37-1-134

A transfer to adult court terminates juvenile court jurisdiction over the child for any subsequent offense, unless the transfer is followed by an acquittal or a dismissal of the charge that resulted in the transfer.



## SUMMARY OF FINDINGS

A total of 2,708 juveniles were processed in the juvenile courts of the selected counties for the selected offenses in 1997. One hundred-eighty two (182) juveniles or 6.7% were transferred to criminal court. Of the 2,708 juveniles processed by the juvenile courts 2,009 were black, 633 were white, and 66 were members of races other than white or black. A breakdown of the 2,708 juveniles by sex reveals that 2,285 of the offenders were male and 423 were female. The average age of a juvenile offender processed by a juvenile court was 16.

The most frequently committed selected offense was Felony Theft of Property (30.8%). The average juvenile was processed by the juvenile courts in the selected counties in 85 days. Five percent (5%) of all cases involving the selected offenses ended with the juvenile either detained or placed on supervised probation. Seven percent (7%) of all cases in juvenile court ended with the juvenile dismissed, not prosecuted, or released from custody.

The 182 juveniles transferred to criminal court in the selected counties committed 321 of the selected offenses. Seventeen percent (17%) of those offenses were pled down to lesser charges in criminal court. Of the 182 juvenile offenders transferred to criminal court, 151 were black, 29 were white, and 2 were members of other races. A breakdown of the 182 juveniles transferred to criminal court by sex reveals that 174 were male and 8 were female. The average age of the juvenile offender transferred to criminal court in the selected five counties studied was 17.

The most frequently committed selected offense for which a juvenile was transferred to criminal court was Aggravated Robbery (48%). The average juvenile was processed by the criminal court in 372 days. Thirty-nine percent (39%) of cases involving the selected offenses processed by the criminal courts ended with the juvenile offender either incarcerated or placed on supervised probation. Six percent (6%) of all cases in criminal court ended in dismissal or acquittal. Violent crimes comprised 77% of transfers to criminal court on the selected offenses.

Of the selected counties, Shelby County had the highest rate of cases per 10,000 people of 22.6. Davidson and Shelby Counties were the only two counties that transferred a juvenile under 16 years of age to criminal court. The Montgomery County Juvenile Court transferred the highest rate (31.5%) of juveniles charged with the selected offenses to criminal court. The Davidson County Juvenile Court had the lowest rate (3.8%) of transfer among the five counties. Ninety-four percent (94%) of all juveniles transferred to adult court with a charge of Drugs-Schedule II were transferred by the Rutherford County Juvenile Court.



# Analysis of Juvenile Court Practices by County

## Comparison of County Court Systems<sup>4</sup>

The criminal courts in the selected counties:

- Processed 2,708 juveniles on the selected offenses in juvenile court.
- 2,526 (93%) remained in the custody of the juvenile court.
- Transferred 182 (7%) juveniles to criminal court on one of the selected offenses.

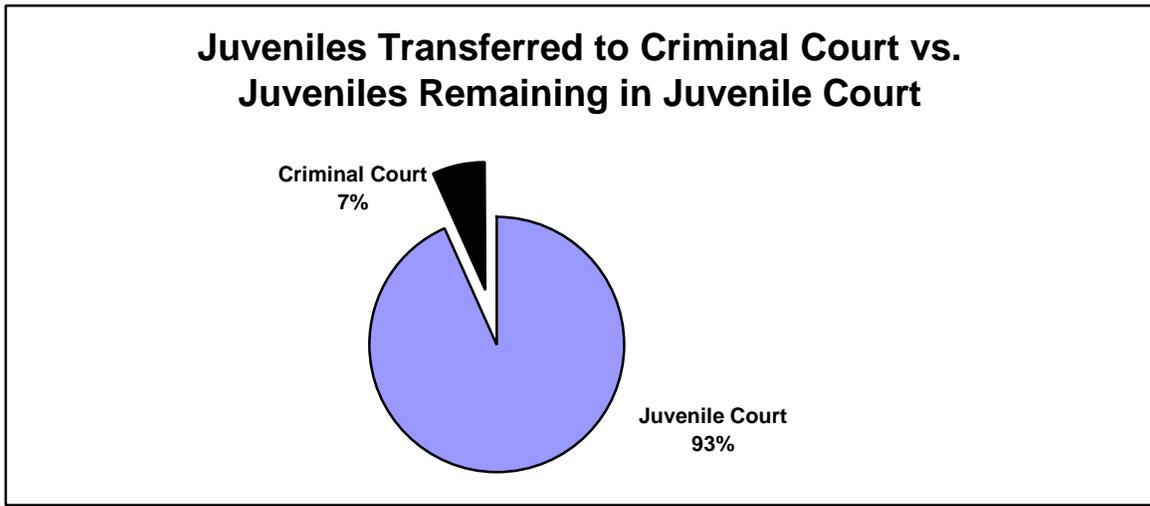


Figure 1

<b>Selected Offenses by Court System in the Selected Counties<sup>5</sup></b>				
Offense	Juvenile Court	Criminal Court	Total	% of Total Transferred to Criminal Court
Aggravated Assault	781	57	838	7%
Aggravated Burglary	657	23	680	3%
Aggravated Robbery	199	152	351	43%
Especially Aggravated Robbery	11	14	25	56%
Murder-First Degree	4	9	13	69%
Robbery	137	14	151	9%
Schedule II-Cocaine	372	16	388	4%
Felony Theft of Property	1,052	36	1,088	3%
<b>Total</b>	<b>3,213</b>	<b>321</b>	<b>3,534</b>	<b>10%</b>

Table 3

<sup>4</sup> Totals will only include the five selected counties: Davidson, Montgomery, Rutherford, Shelby, and Washington Counties.

<sup>5</sup> The number of juveniles processed will not equal the number of offenses committed because a juvenile may commit more than one offense.

Table 4 reveals that Shelby County had the highest incident rate of juvenile crime processed by the juvenile court on the selected offenses.<sup>6</sup>

<b>Juvenile Crime Rate on Selected Offenses in Selected Counties</b>			
<b>County</b>	<b>1997 Population<sup>7</sup></b>	<b>Juvenile Offenses<sup>8</sup></b>	<b>Rate</b>
Davidson	510,786	1,168	22.3
Montgomery	124,252	95	7.6
Shelby	865,970	1,961	22.6
Rutherford	159,243	268	16.8
Washington	101,558	42	4.1
Total	1,761,809	3,534	20.1

**Table 4**

Black males comprised the largest race/sex group type processed by the juvenile court. Black males accounted for 62% of all juveniles who remained in the custody of the juvenile court. Black males also accounted for 80% of all juveniles referred to criminal court.

<b>Juveniles Remaining in the Juvenile System on the Selected Offenses by Race and Sex</b>						
<b>Race/Sex</b>	<b>Davidson</b>	<b>Montgomery</b>	<b>Rutherford</b>	<b>Shelby</b>	<b>Washington</b>	<b>Total</b>
Black Male	415	12	40	1,096	2	1,565
Black Female	72	6	8	207	0	293
White Male	203	17	89	159	25	493
White Female	49	9	9	39	5	111
Other Male	33	5	11	3	1	53
Other Female	5	1	3	2	0	11
Total	777	50	160	1,506	33	2,526

**Table 5**

<b>Juveniles Transferred to the Criminal Court on Selected Offenses System by Race and Sex</b>						
<b>Race/Sex</b>	<b>Davidson</b>	<b>Montgomery</b>	<b>Rutherford</b>	<b>Shelby</b>	<b>Washington</b>	<b>Total</b>
Black Male	25	15	14	90	1	145
Black Female	1	0	0	5	0	6
White Male	3	7	9	5	3	27
White Female	1	0	0	1	0	2
Other Male	1	1	0	0	0	2
Other Female	0	0	0	0	0	0
Total	31	23	23	101	4	182

**Table 6**

<sup>6</sup> Incident Rate=  $\frac{\text{The Number of Juvenile Crimes} \times 10,000}{\text{Population}}$

<sup>7</sup> Source: U.S. Department of Commerce, Bureau of the Census

<sup>8</sup> This total will only include the selected offenses and encompass only those offenses processed by the county juvenile court in 1997.

In all five counties the average age of a juvenile processed in juvenile court was 15, while the average age of a juvenile transferred to criminal court was 17.

Juveniles transferred to adult court varied in range from 14 to 16.<sup>9</sup> The youngest juvenile transferred to criminal court in Rutherford and Montgomery Counties was 16. The youngest juvenile transferred to criminal court in Davidson County was 15. The youngest juvenile transferred to criminal court in Shelby County was 14. All four of the juveniles transferred by the Washington County Juvenile Court were 17.

<b>Ages of Juveniles Transferred to Adult Court for the Selected Offenses</b>				
<b>County</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>
Davidson	0	1	9	21
Montgomery	0	0	2	21
Rutherford	0	0	4	19
Shelby	1	5	21	74
Washington	0	0	0	4
<b>Total</b>	<b>1</b>	<b>6</b>	<b>36</b>	<b>139</b>

**Table 7**

The Juvenile Court in Montgomery County transferred the highest percentage of juveniles processed by the juvenile court to criminal court, while Davidson County transferred the smallest percentage of juveniles to criminal court.

<b>Juveniles Transferred to Criminal Court as Percentage of Total Juveniles Referred to Criminal Court for the selected Offenses</b>			
<b>County</b>	<b>Number of Juveniles Referred</b>	<b>Number of Juveniles Transferred</b>	<b>% of Juveniles Transferred</b>
Davidson	808	31	3.8%
Montgomery	73	23	31.5%
Shelby	1,607	101	6.3%
Rutherford	183	23	12.6%
Washington	37	4	10.8%
<b>Overall</b>	<b>2,708</b>	<b>182</b>	<b>6.8%</b>

**Table 8**

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<sup>9</sup> All ages are the age of the juvenile at the time the offense was committed.

Among the selected offenses, the offense accounting for the most referrals to juvenile court was Felony Theft of Property. Felony Theft of Property accounted for 30.8% of all referrals to juvenile court.

<b>Total Selected Offenses for Selected Counties</b>						
<b>Offense</b>	<b>Davidson</b>	<b>Montgomery</b>	<b>Rutherford</b>	<b>Shelby</b>	<b>Washington</b>	<b>Total</b>
Aggravated Assault	271	34	29	499	5	838
Aggravated Burglary	174	14	53	433	6	680
Aggravated Robbery	93	15	9	233	1	351
Murder-First Degree	0	1	0	12	0	13
Drugs-Schedule II	0	0	39	346	3	388
Robbery	34	0	12	105	0	151
Theft of Property	596	29	25	311	27	1,088
Esp. Agg. Robbery	0	2	1	22	0	25
<b>Total</b>	<b>1,168</b>	<b>95</b>	<b>268</b>	<b>1,961</b>	<b>72</b>	<b>3,534</b>

**Table 9**

Among those selected offenses aggravated, robbery occurred most often in criminal court. Aggravated Robbery comprised nearly 50% of all cases transferred to juvenile court. The only counties in which Aggravated Robbery was not the most prevalent offense on which a juvenile was transferred were Rutherford and Washington Counties. These were the only two counties to transfer a juvenile to adult court for Drugs-Schedule II. Ninety-four percent (94%) of all juveniles transferred for Drugs-Schedule II were transferred by the Rutherford County Juvenile Court.

<b>Total Cases of Juveniles Transferred to Criminal Court on the Selected Offenses by County</b>						
<b>Offense</b>	<b>Davidson</b>	<b>Montgomery</b>	<b>Rutherford</b>	<b>Shelby</b>	<b>Washington</b>	<b>Total</b>
Aggravated Assault	12	5	4	35	1	57
Aggravated Burglary	8	8	2	4	1	23
Aggravated Robbery	36	9	3	103	1	152
Murder-First Degree	0	1	0	8	0	9
Drugs-Schedule II	0	0	15	0	1	16
Robbery	1	0	10	3	0	14
Felony Theft of Property	26	5	5	0	0	36
Esp. Agg. Robbery	0	2	0	12	0	14
<b>Total</b>	<b>83</b>	<b>30</b>	<b>39</b>	<b>165</b>	<b>4</b>	<b>321</b>

**Table 10**

Among the selected offenses the violent crimes are Aggravated Assault, Aggravated Robbery, Murder-First Degree, Robbery, and Especially Aggravated Robbery. Overall violent crime comprised 77% of all offenses transferred to criminal court in the five counties. The only court, in which violent crime was not the primary reason for referral to criminal court, was the Rutherford County Juvenile Court.<sup>10</sup> The primary reason for transfer to criminal court in Rutherford County was Felony Theft of Property.

<b>Violent Crime as a Percentage of Total Transfers in the Selected Counties</b>			
<b>County</b>	<b>Total Transferred</b>	<b>Total Violent Crimes Transferred</b>	<b>% of Violent Crime to Total Crime</b>
Davidson	83	49	59%
Montgomery	30	17	57%
Rutherford	39	17	44%
Shelby	165	161	98%
Washington	4	3	75%
Overall	321	247	77%

**Table 11**

The average sentence length for all juveniles transferred to criminal court in the selected counties on the selected offenses was 5.2 years. The Washington County Juvenile Court imposed the longest sentence on average of 10.8 years. Murder-First Degree had the longest average sentence length of 19 years.

<b>Average Sentence Lengths (Years) Juveniles Transferred to Criminal Court for Selected Counties<sup>11</sup></b>						
<b>Offense</b>	<b>Davidson</b>	<b>Montgomery</b>	<b>Rutherford</b>	<b>Shelby</b>	<b>Washington</b>	<b>Average</b>
Aggravated Assault	5.1	3.25	4.0	2.8	17.0	3.6
Aggravated Burglary	4.0	3.5	4.0	2.5	6	3.6
Aggravated Robbery	7.2	4.0	4.7	6.1	17.0	6.3
Murder-First Degree	0	0	0	19.0	0	19.0
Drugs-Schedule II	0	0	4.1	0	3.0	4.1
Robbery	0	0	3.1	1.0	0	2.6
Felony Theft of Property	4.7	3.5	0	0	0	4.7
Especially Aggravated Robbery	0	8.0	3.0	4.8	0	5.3
Average	5.7	4.0	3.7	5.4	10.8	5.2

<sup>10</sup> Violent Crimes involve force or threat of force. The violent crimes among the selected offenses are: First Degree Murder, Aggravated Assault, Aggravated Robbery, Robbery, and Especially Aggravated Robbery.

<sup>11</sup> Average sentence lengths only include sentence lengths for those cases that had a disposition involving sentencing time.



## Davidson County

The Juvenile Court in Davidson County:

- Processed 808 juveniles on the selected offenses in juvenile court.<sup>12</sup>
- Transferred 31 juveniles to criminal court on the selected offenses.

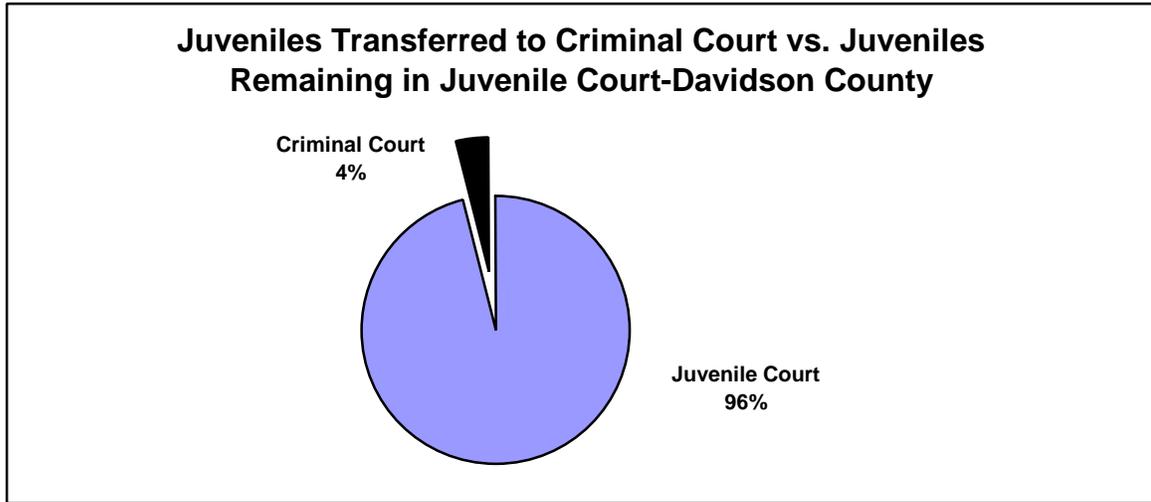


Figure 2

<b>Davidson County Offenses by Court System<sup>13</sup></b>			
<b>Offense</b>	<b>Juvenile Court</b>	<b>Criminal Court</b>	<b>% Transferred to Criminal Court</b>
Aggravated Assault	259	12	4%
Aggravated Burglary	166	8	5%
Aggravated Robbery	57	36	39%
Robbery	33	1	3%
Felony Theft of Property	570	26	4%
<b>Total</b>	<b>1,085</b>	<b>83</b>	<b>7%</b>

Table 12

<sup>12</sup> In the data provided to TBI by the Davidson County Juvenile Court, all Homicide Offenses were combined into the category of Criminal Homicide. This category may include more types of homicide than First Degree Murder, therefore the offense of First Degree Murder was excluded from the Davidson County analysis.

<sup>13</sup> The number of juveniles processed will not equal the number of offenses committed because a juvenile may commit more than one offense.

### Juvenile Court<sup>14</sup>

The Davidson County Juvenile Court retained custody of 777 juvenile offenders on the selected offenses in 1997. A profile of the average offender retained by the Davidson County Juvenile Court is:

- Black male
- 15 years of age<sup>15</sup>
- Charged with Felony Theft of Property
- The juvenile court took approximately 99 days from the offense date to dispose of the juvenile case.

Figure 3 indicates that 86% of juveniles in Davidson County Juvenile Court in 1997 on the selected offenses was between 14 and 17 years of age.

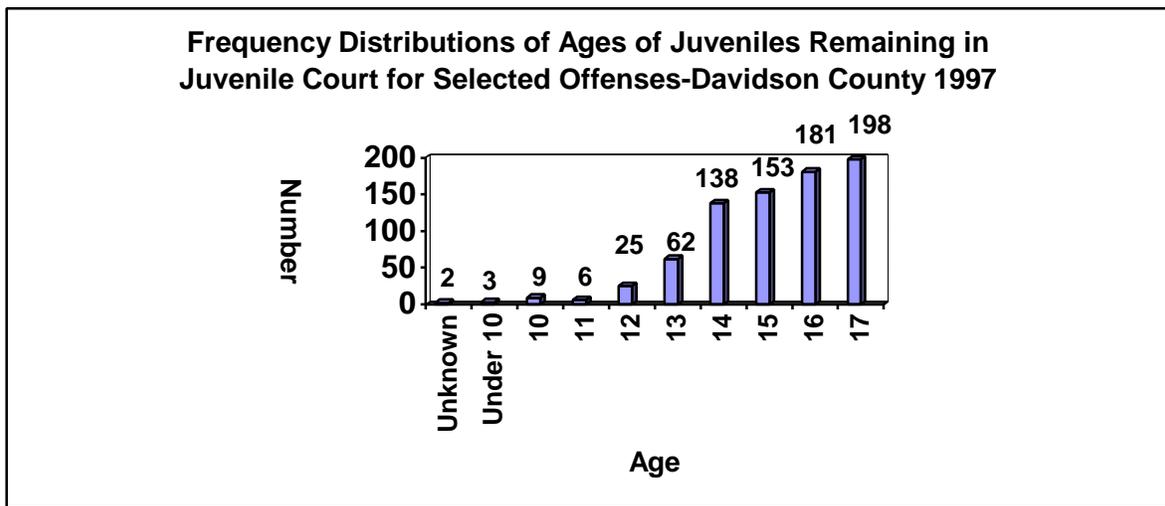


Figure 3

Offense	Black Male	Black Female	White Male	White Female	Asian Male	Asian Female	Other Male	Other Female
Aggravated Assault	109	36	84	14	8	1	5	2
Aggravated Burglary	59	9	91	6	1	0	0	0
Aggravated Robbery	44	0	10	2	1	0	0	0
Robbery	26	1	4	0	0	0	2	0
Theft of Property(Felony)	341	37	126	36	18	2	9	0
Total	579	83	316	58	28	3	16	2

Table 13

<sup>14</sup> Information is based on data provided by the Davidson County Juvenile Court.

<sup>15</sup> For the purposes of this report all ages will be the age of the offender at the time the offense was committed.

The average ages of an offender in Davidson County Juvenile Court on the following offenses are:

- Aggravated Assault 16
- Aggravated Burglary 16
- Aggravated Robbery 16
- Robbery 15
- Felony Theft of Property 16

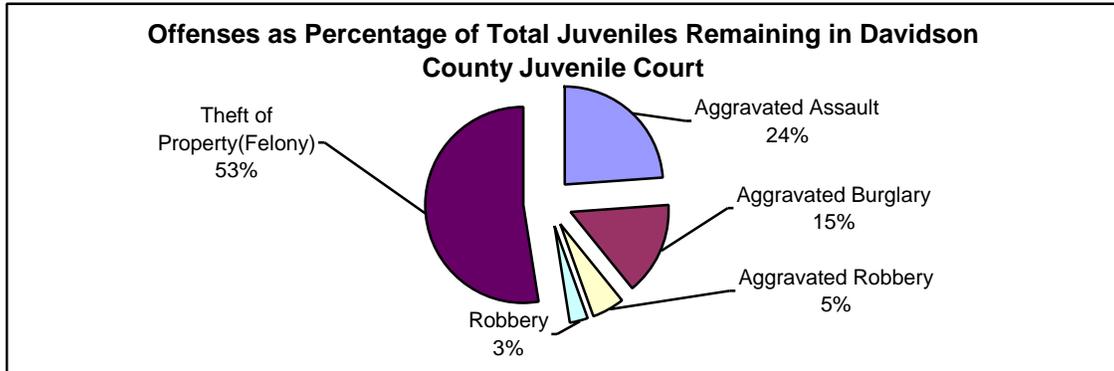


Figure 4

The average time to process a juvenile through the Davidson County Juvenile Court by offense is:

- Aggravated Assault 96 days
- Aggravated Burglary 113 days
- Aggravated Robbery 84 days
- Robbery 130 days
- Felony Theft of Property 97 days

Dispositions by Offense-Davidson County Juvenile Court					
Disposition	Aggravated Assault	Aggravated Burglary	Aggravated Robbery	Robbery	Felony Theft of Property
State Custody <sup>16</sup>	3	2	1	0	9
Community Service	21	4	3	1	43
Released <sup>17</sup>	96	56	18	9	173
Pre-trial Diversion	7	3	0	0	11
Probation	70	48	7	18	211
Probation + Commitment to State	0	0	0	0	1
Restitution	2	6	2	0	5
Other	60	45	26	5	110
Pending	0	2	0	0	7
Total	259	166	57	33	570

Table 14

<sup>16</sup> Includes all juveniles remanded to the custody of state agencies such as the Tennessee Department of Children’s Services for detainment, however those juveniles given probation are not included.

<sup>17</sup> Includes the dispositions of dismissed, retired, nolle prosequi, and held open without further action.

### Criminal Court<sup>18</sup>

The Davidson County Criminal Court received custody of 31 juvenile offenders on the selected offenses in 1997. A profile of the average offender remanded to the Davidson County Criminal Court is:

- Black male
- 17 years of age
- Charged with Aggravated Robbery
- The criminal court took approximately 543 days from the offense date to dispose of the juvenile case.

Figure 5 indicates that all of the juveniles transferred to the Davidson County Criminal Court in 1997 on the selected offenses were between 15 and 17 years of age.

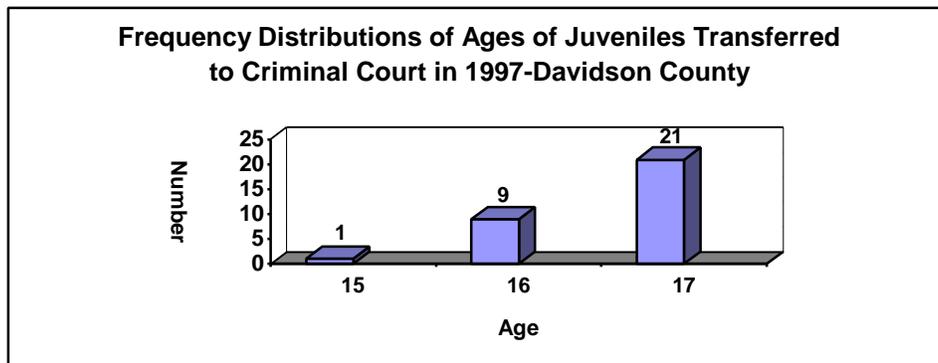


Figure 5

Offense	Black Male	Black Female	White Male	White Female	Other Male
Aggravated Assault	12	0	0	0	0
Aggravated Burglary	1	1	7	0	0
Aggravated Robbery	28	0	3	2	2
Robbery	1	0	0	0	0
Theft of Property(Felony)	26	0	0	0	0
Total	68	1	10	2	2

Table 15

The average ages of an offender in Davidson County Criminal Court on the following offenses are:

- Aggravated Assault 17
- Aggravated Burglary 17
- Aggravated Robbery 17
- Robbery 17
- Felony Theft of Property 17

<sup>18</sup> Information is base on data provided by the Davidson County Court Clerks Office.

The average time to process a juvenile through the Davidson County Criminal Court by offense is:

- Aggravated Assault 588 days
- Aggravated Burglary 469 days
- Aggravated Robbery 493 days
- Robbery 789 days
- Felony Theft of Property 604 days

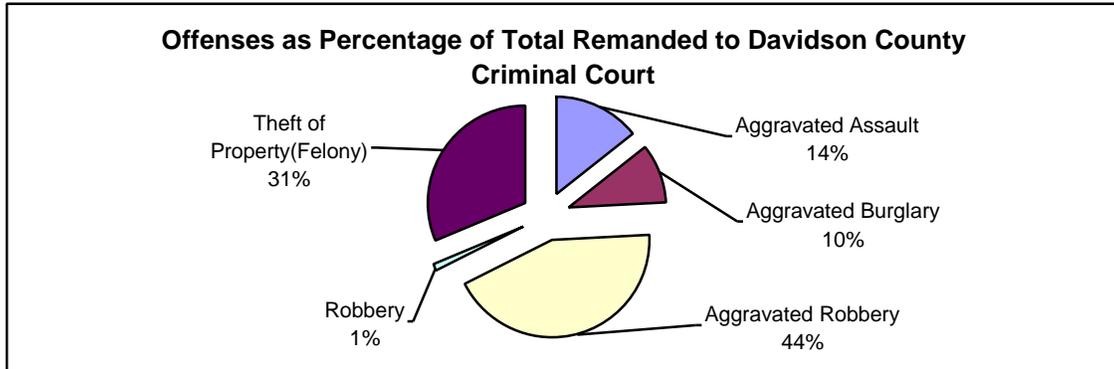


Figure 6

Disposition	Aggravated Assault	Aggravated Burglary	Aggravated Robbery	Robbery	Felony Theft of Property
DOC Incarceration	6	7	19	0	5
Probation	4	0	4	0	1
Acquitted	0	0	0	0	9
Dismissed	0	0	1	0	0
Pending	2	1	12	1	11
Total	12	8	36	1	26

Table 16

Disposition	DOC Incarceration	Probation
Aggravated Assault	5.5	4.5
Aggravated Burglary	4	0
Aggravated Robbery	8.2	5.3
Robbery	0	0
Theft of Property	6.4	3

Table 17

<sup>19</sup> All sentencing information is in years.

Eight of the juveniles in Davidson County Criminal Court were convicted of lesser felonies than the charge on which they were transferred.

- All eight of these juveniles were transferred to criminal court on the charge of Aggravated Robbery.

<b>Plea Bargaining-Davidson County Criminal Court</b>			
<b>Conviction Offense</b>	<b>Number</b>	<b>Average Sentence</b>	<b>% Difference w/ Non Pled Cases<sup>20</sup></b>
Facilitating Aggravated Robbery	3	6	17%
Robbery	3	4	44%
Felony Theft of Property	2	2	72%

### **Comparison of Juvenile Court to Criminal Court**

- Juvenile offenders in juvenile court were on average two years younger than their counterparts transferred to criminal court.
- The criminal court took an average of 444 days longer from the time of the offense to process the juvenile offender.
- Fifty-nine (59%) percent of the offenses committed by juveniles transferred to criminal court on the selected offenses were violent crimes.
- Twenty percent (20%) of all dispositions in juvenile court were either probation or detention with state authorities, while probation and incarceration comprised 55% of all dispositions in criminal court.
- In 16% of the cases in juvenile court, the court released the offender from custody.
- In 12% of the cases in criminal court, the juvenile was released from custody, but only one was by decision of the court. The other 9 were released on acquittal from a jury.

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<sup>20</sup> This number is the % difference between the sentence length on a juvenile charged with an offense who did not plea bargain versus a juvenile who did plea his offense down to a lesser charge.

Determined by the formula:

$$\frac{(\text{Average sentence length of non-pled cases}) - (\text{Average sentence length of pled cases})}{\text{Average sentence length of pled cases}}$$

# Montgomery County

The Juvenile Court in Montgomery County:

- Processed 73 juveniles on the selected offenses in juvenile court.
- Transferred 23 juveniles to criminal court on the selected offenses.

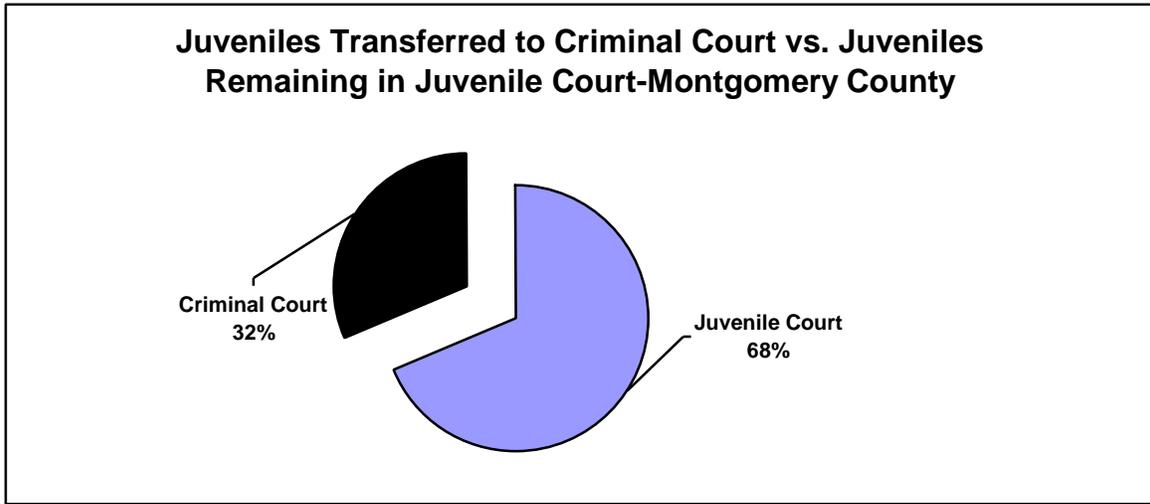


Figure 7

Montgomery County Offenses by Court System <sup>21</sup>			
Offense	Juvenile Court	Criminal Court	% Transferred to Criminal Court
Aggravated Assault	29	5	15%
Aggravated Burglary	6	8	57%
Aggravated Robbery	6	9	60%
Especially Aggravated Robbery	0	2	100%
First Degree Murder	0	1	100%
Felony Theft of Property	24	5	17%
Total	65	30	68%

Table 18

## Juvenile Court<sup>22</sup>

The Montgomery County Juvenile Court retained custody of the 50 juvenile offenders on the selected offenses in 1997. A profile of the average offender retained by the Montgomery County Juvenile Court is:

- White male
- 15 years of age
- Charged with Felony Theft of Property
- The juvenile court took approximately 70 days from the offense date to dispose of the juvenile case.

<sup>21</sup> The number of juveniles processed will not equal the number of offenses committed because a juvenile may commit more than one offense.

<sup>22</sup> Information is based on data provided by the Montgomery County Juvenile Court.

Figure 8 indicates that 78% of juveniles in Montgomery County Juvenile Court in 1997 on the selected offenses was between 14 and 17 years of age.<sup>23</sup>

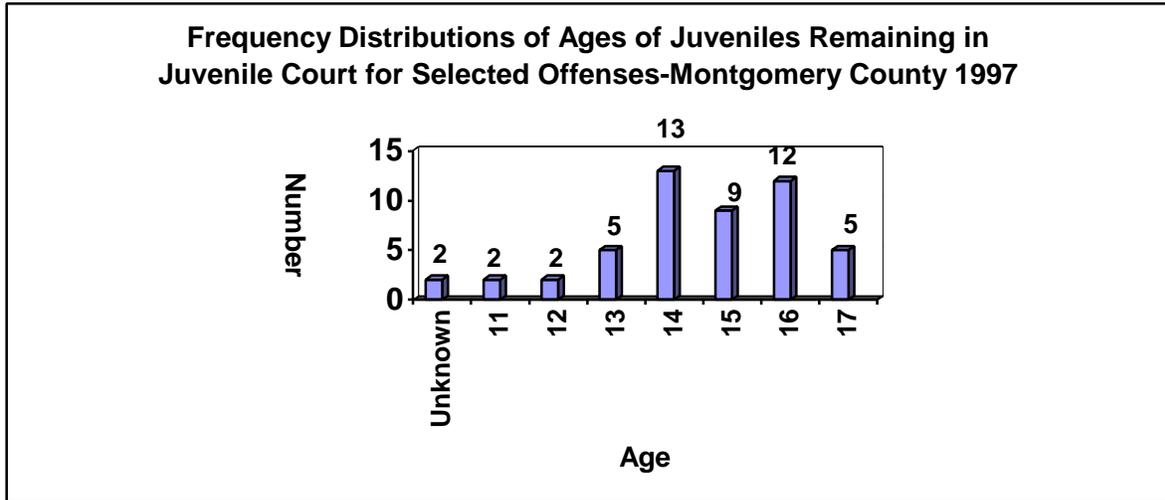


Figure 8

**Offense by Race and Sex Montgomery County Juvenile Court**

Offense	Black Male	Black Female	White Male	White Female	Other Male	Other Female
Aggravated Assault	6	6	10	3	3	1
Aggravated Burglary	1	1	2	0	2	0
Aggravated Robbery	5	0	1	0	0	0
Theft of Property(Felony)	7	1	9	6	0	1
Total	19	8	22	9	5	2

Table 19

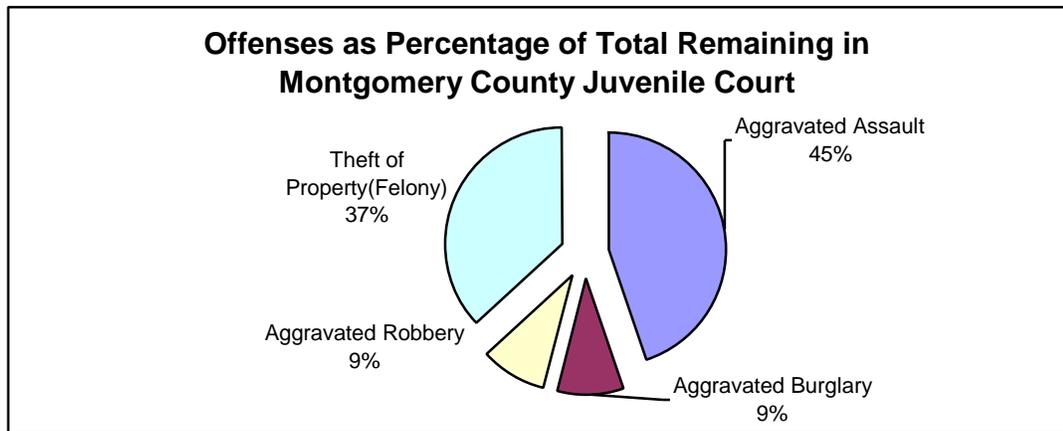


Figure 9

<sup>23</sup> An age of unknown means that: either the juvenile's date of birth or the date of the offense were not provided by the court system.

The average ages of an offender in Montgomery County Juvenile Court on the following offenses are:

- Aggravated Assault 15
- Aggravated Burglary 16
- Aggravated Robbery 15
- Felony Theft of Property 15

The average time to process a juvenile through the Montgomery County Juvenile by offense is:

- Aggravated Assault 83 days
- Aggravated Burglary 133 days
- Aggravated Robbery 8 days
- Felony Theft of Property 52 days

<b>Dispositions by Offense Montgomery County Juvenile Court</b>				
<b>Disposition</b>	<b>Aggravated Assault</b>	<b>Aggravated Burglary</b>	<b>Aggravated Robbery</b>	<b>Felony Theft of Property</b>
State Custody	5	1	1	10
Community Service	2	0	0	0
Released	6	1	1	2
Pre-trial Diversion	0	2	0	0
Probation	11	0	0	5
Restitution	0	0	0	1
Other	5	1	2	5
Pending	0	1	2	1
<b>Total</b>	<b>29</b>	<b>6</b>	<b>6</b>	<b>24</b>

**Table 20**

**Criminal Court<sup>24</sup>**

The Montgomery County Criminal Court received custody of 23 juvenile offenders on the selected offenses in 1997. A profile of the average offender in the Montgomery County Criminal Court is:

- Black male
- 17 years of age
- Charged with Aggravated Robbery
- The criminal court took approximately 294 days from the offense date to dispose of the juvenile case.

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<sup>24</sup> Information is base on data provided the Montgomery County Court Sheriff’s Office.

Figure 10 indicates that all of the juveniles transferred to the Montgomery County Criminal Court in 1997 on the selected offenses were between 16 and 17 years of age.

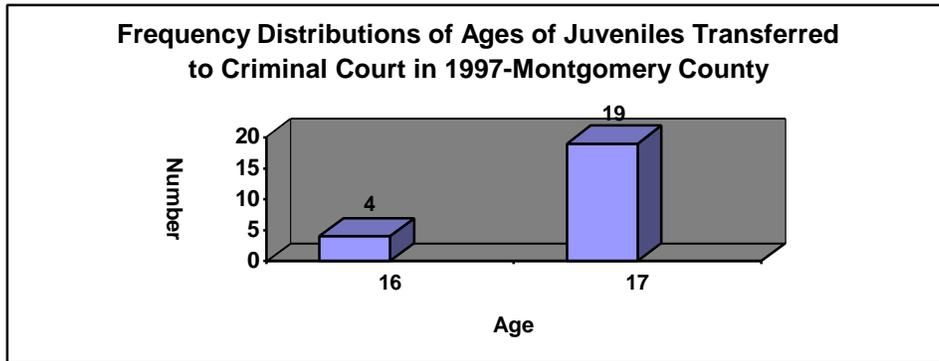


Figure 10

Offense	Black Male	Black Female	White Male	White Female	Other Male
Aggravated Assault	4	0	1	0	0
Aggravated Burglary	3	0	4	0	1
Aggravated Robbery	9	0	0	0	0
Especially Aggravated Robbery	1	0	1	0	0
Murder-First Degree	0	0	1	0	0
Theft of Property(Felony)	2	0	3	0	0
Total	19	0	10	0	1

Table 21

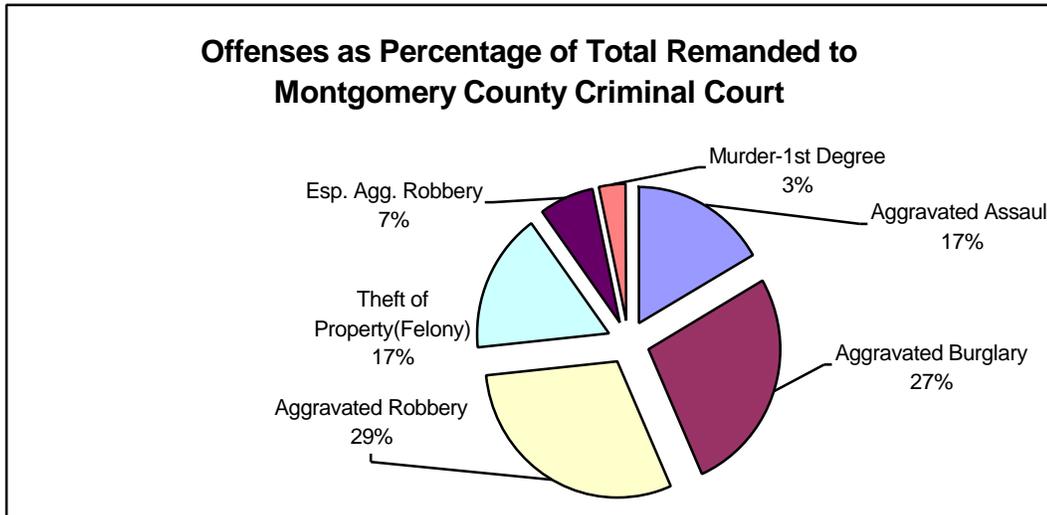


Figure 11

The average ages of an offender in Montgomery County Criminal Court on the following offenses are:

- Aggravated Assault 17
- Aggravated Burglary 17
- Aggravated Robbery 17
- Especially Aggravated Robbery 17
- Murder-First Degree 17
- Felony Theft of Property 17

The average time to process a juvenile through the Montgomery County Criminal Court by offense is:

- Aggravated Assault 275 days
- Aggravated Burglary 283 days
- Aggravated Robbery 305 days
- Especially Aggravated Robbery 210 days
- Murder-First Degree 517 days
- Felony Theft of Property 303 days

<b>Dispositions by Offense-Montgomery County Criminal Court</b>						
<b>Disposition</b>	<b>Aggravated Assault</b>	<b>Aggravated Burglary</b>	<b>Aggravated Robbery</b>	<b>Especially Aggravated Robbery</b>	<b>Felony Theft of Property</b>	<b>Murder First-Degree</b>
DOC Incarceration	0	1	0	2	0	0
Probation	1	3	1	0	1	0
Community Corrections	0	0	4	0	0	0
Dismissed	0	0	4	0	0	0
Pending	1	0	0	0	1	1
Pre-trial Diversion	3	3	0	0	2	0
Suspended	0	1	0	0	1	0
<b>Total</b>	<b>5</b>	<b>8</b>	<b>9</b>	<b>2</b>	<b>5</b>	<b>1</b>

**Table 22**

<b>Dispositions by Offense &amp; Sentencing Montgomery County Criminal Court<sup>25</sup></b>					
<b>Disposition</b>	<b>DOC Incarceration</b>	<b>Probation</b>	<b>Community Corrections</b>	<b>Pre-trial Diversion</b>	<b>Suspended</b>
Aggravated Assault	0	4	0	3	0
Aggravated Burglary	8	2	0	3.3	4
Aggravated Robbery	0	4	8	0	0
Especially Aggravated Robbery	8	0	0	0	0
Murder-First Degree	0	0	0	0	0
Theft of Property	0	3	0	3.5	4

**Table 23**

<sup>25</sup> All sentencing information is in years.

Six of the juvenile cases in Montgomery County Criminal Court were convicted of lesser felonies than the charge on which they were transferred. The following number of offenses were reduced in Montgomery County Criminal Court:

- Aggravated Burglary 3
- Aggravated Robbery 1
- Especially Aggravated Robbery 2

<b>Plea Bargaining Montgomery County Criminal Court</b>				
<b>Offense-transfer</b>	<b>Offense-Conviction</b>	<b>Number</b>	<b>Average Sentence</b>	<b>% Difference w/ Non Pled Cases<sup>26</sup></b>
Aggravated Burglary	Aggravated Assault	2	3	8%
Aggravated Burglary	Assault	1	1	71%
Aggravated Robbery	Robbery	1	4	44%
Especially Aggravated Robbery	Aggravated Robbery	2	8	0%

**Comparison of Juvenile Court to Criminal Court**

- Juvenile offenders in juvenile court were on average two years younger than their counterparts transferred to criminal court.
- The criminal court took an average of 224 days longer from the time of the offense to process the juvenile offender.
- Fifty seven percent (57%) of the offenses committed by juveniles transferred to criminal court were violent crimes.
- Sixty-six percent (66%) of all dispositions in juvenile court were either probation or detention with state authorities, while probation and incarceration comprised 45% of all dispositions in criminal court.
- In 15% of the cases in juvenile court, the court released the offender from custody.
- In 14% of the cases in criminal court, the juvenile was released from custody.

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<sup>26</sup> This number is the % difference between the sentence length on a juvenile charged with an offense who did not plea bargain versus a juvenile who did plea his offense down to a lesser charge.

Determined by the formula:

$$\frac{(\text{Average sentence length of non-pled cases}) - (\text{Average sentence length of pled cases})}{\text{Average sentence length of pled cases}}$$

## Rutherford County

The Juvenile Court in Rutherford County:

- Processed 183 juveniles on the selected offenses in juvenile court.
- Transferred 23 juveniles to criminal court on the selected offenses.

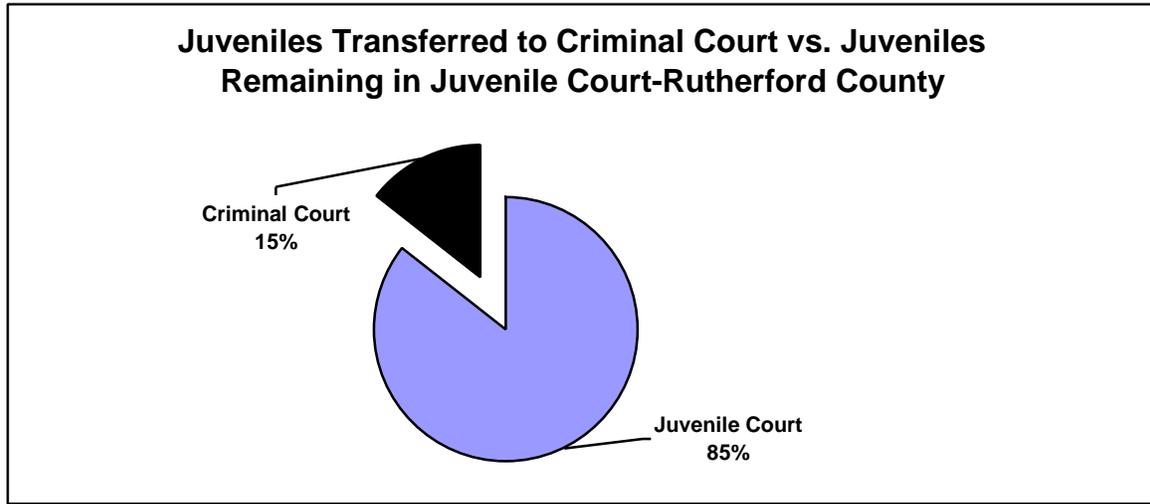


Figure 12

<b>Rutherford County Offenses by Court System<sup>27</sup></b>			
<b>Offense</b>	<b>Juvenile Court</b>	<b>Criminal Court</b>	<b>% Transferred to Criminal Court</b>
Aggravated Assault	25	4	14%
Aggravated Burglary	51	2	4%
Aggravated Robbery	6	3	33%
Drugs-Schedule II	24	15	38%
Especially Agg Robbery	1	0	0%
Robbery	2	10	83%
Felony Theft of Property	120	5	4%
<b>Total</b>	<b>229</b>	<b>39</b>	<b>15%</b>

Table 24

### Juvenile Court<sup>28</sup>

The Rutherford County Juvenile Court retained custody of 160 juvenile offenders on the selected offenses in 1997. A profile of the average offender retained by the Rutherford County Juvenile Court is:

- White male
- 15 years of age
- The juvenile court took approximately 70 days from the offense date to dispose of the juvenile case.
- Charged with Felony Theft of Property

<sup>27</sup> The number of juveniles processed will not equal the number of offenses committed because a juvenile may commit more than one offense.

<sup>28</sup> Information is based on data provided by the Rutherford County Juvenile Court.

Figure 13 indicates that 83% of juveniles in Rutherford County Juvenile Court in 1997 on the selected offenses was between 14 and 17 years of age.

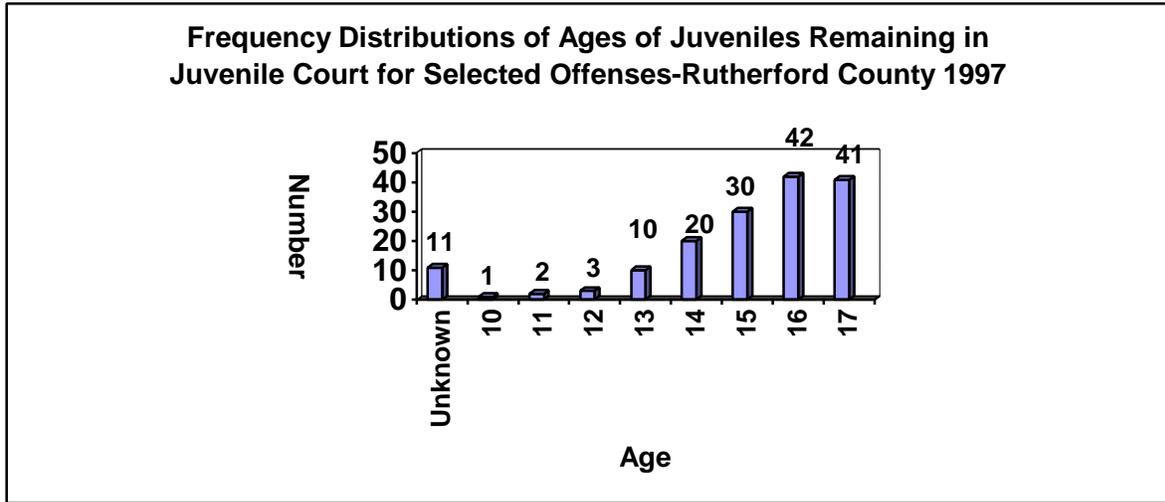


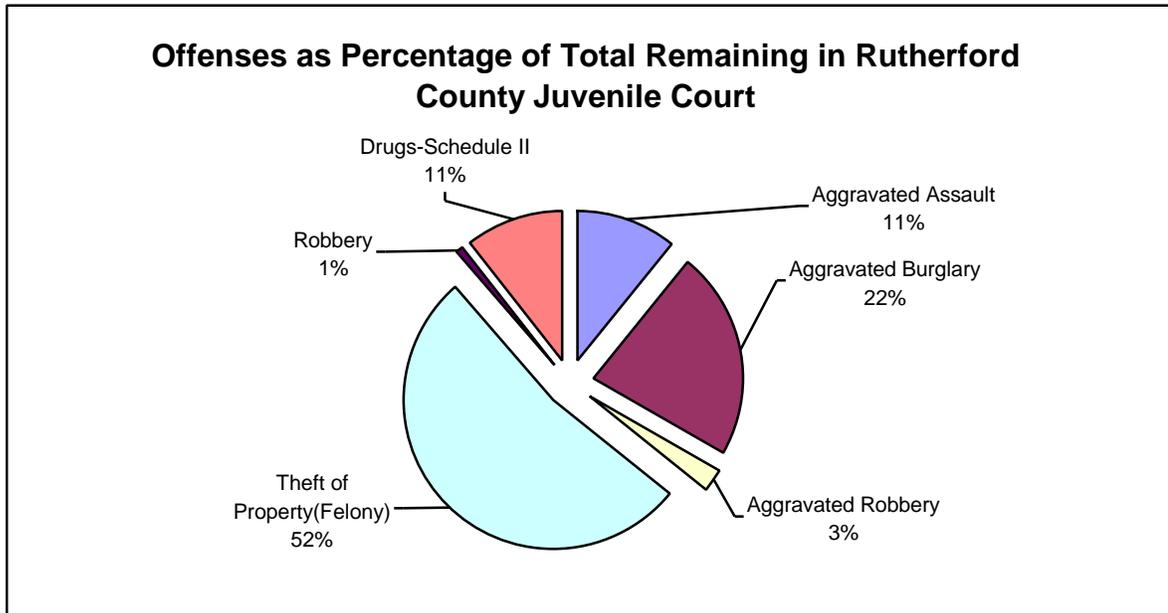
Figure 13

Offense	Black Male	Black Female	White Male	White Female	Other Male	Other Female
Aggravated Assault	5	0	17	2	1	0
Aggravated Burglary	5	0	33	6	5	2
Aggravated Robbery	2	0	4	0	0	0
Drugs-Schedule II	18	2	4	0	0	0
Especially Aggravated Robbery	0	0	1	0	0	0
Robbery	0	0	2	0	0	0
Theft of Property(Felony)	21	7	75	3	11	3
Total	51	9	136	11	17	5

Table 25

The average ages of an offender in Rutherford County Juvenile Court on the following offenses are:

- Aggravated Assault 15
- Aggravated Burglary 15
- Aggravated Robbery 16
- Drugs-Schedule II 16
- Especially Aggravated Robbery 16
- Robbery 17
- Felony Theft of Property 15



**Figure 14<sup>29</sup>**

The average time to process a juvenile through the Rutherford County Juvenile Court by offense is:

- Aggravated Assault                      75 days
- Aggravated Burglary                      50 days
- Aggravated Robbery                      54 days
- Drugs-Schedule II                      99 days
- Especially Agg Robbery                      38 days
- Robbery                      47 days
- Felony Theft of Property                      52 days

<b>Dispositions by Offense-Rutherford County Juvenile Court</b>							
Disposition	Aggravated Assault	Aggravated Burglary	Aggravated Robbery	Drugs-Schedule II	Especially Aggravated Robbery	Robbery	Theft of Property
State Custody	0	2	0	1	1	0	4
Community Service	0	1	0	0	0	0	1
Released	8	2	5	11	0	0	13
Probation	14	33	0	7	0	2	60
Pre-trial Diversion	2	4	0	0	0	0	11
Other	1	3	0	2	0	0	17
Pending	0	6	1	3	0	0	14
<b>Total</b>	<b>25</b>	<b>51</b>	<b>6</b>	<b>24</b>	<b>1</b>	<b>2</b>	<b>120</b>

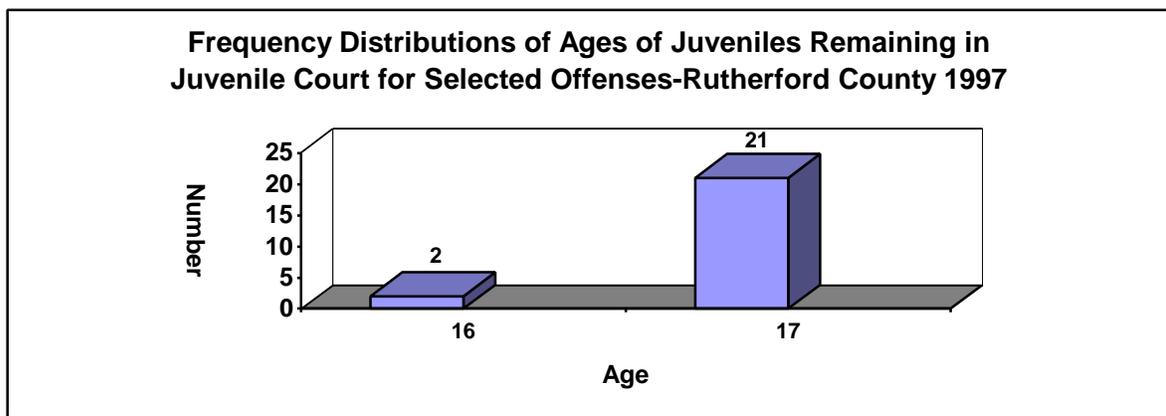
<sup>29</sup> Especially Aggravated Robbery totals were statistically insignificant.

**Criminal Court<sup>30</sup>**

The Rutherford County Criminal Court received custody of 23 juvenile offenders on the selected offenses in 1997. A profile of the average offender remanded to the Rutherford County Criminal Court is:

- Black male
- 17 years of age
- Charged with Drugs-Schedule II
- The criminal court took approximately 171 days from the offense date to dispose of the juvenile case.

Figure 15 indicates that all of the juveniles transferred to the Rutherford County Criminal Court in 1997 on the selected offenses were between 16 and 17 years of age.



**Figure 15**

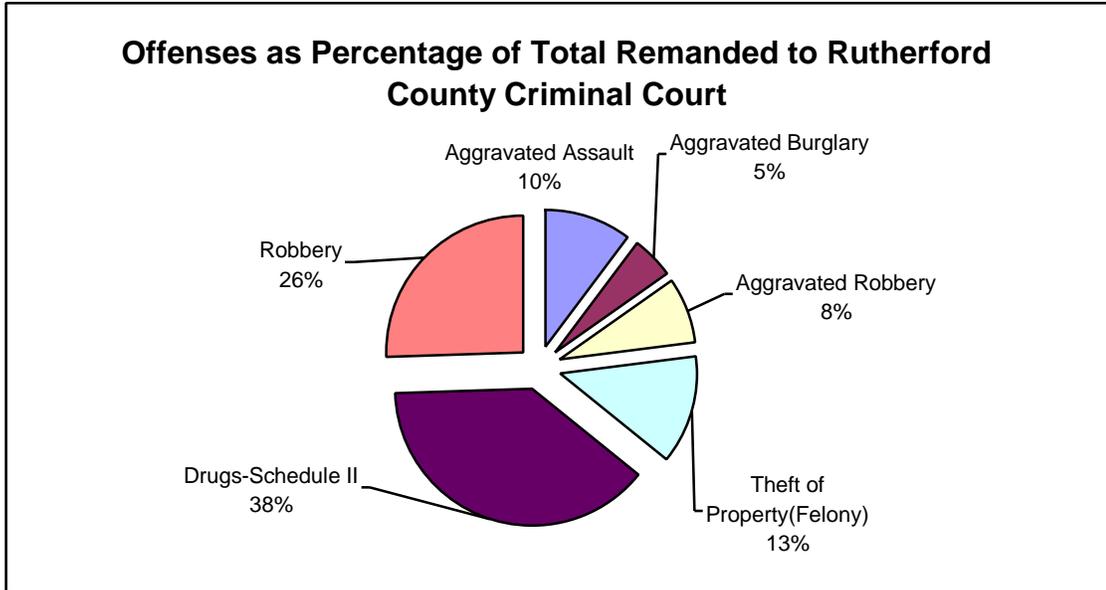
<b>Offense</b>	<b>Black Male</b>	<b>White Male</b>
Aggravated Assault	3	1
Aggravated Burglary	0	2
Aggravated Robbery	3	2
Drugs-Schedule II	13	0
Robbery	2	8
Theft of Property(Felony)	3	2
Especially Aggravated Robbery	0	0
<b>Total</b>	<b>24</b>	<b>15</b>

**Table 26**

<sup>30</sup> Information is base on data provided the Rutherford County Court Clerk’s Office.

The average ages of an offender in Rutherford County Criminal Court on the following offenses are:

- Aggravated Assault 17
- Aggravated Burglary 17
- Aggravated Robbery 17
- Drugs-Schedule II 17
- Robbery 17
- Felony Theft of Property 17



**Figure 16**

The average time to process a juvenile through the Rutherford County Criminal Court by offense is:

- Aggravated Assault 525 days
- Aggravated Burglary 166 days
- Aggravated Robbery 65 days
- Drugs-Schedule II 116 days
- Robbery 182 days
- Felony Theft of Property 119 days

<b>Dispositions by Offense Rutherford County Criminal Court</b>						
<b>Disposition</b>	<b>Aggravated Assault</b>	<b>Aggravated Burglary</b>	<b>Aggravated Robbery</b>	<b>Drugs Schedule II</b>	<b>Robbery</b>	<b>Felony Theft of Property</b>
DOC Incarceration	0	0	0	5	4	1
Probation	0	2	3	7	5	4
Community Corrections	1	0	0	2	0	0
Dismissed	0	0	0	0	0	0
Pending	3	0	0	0	0	0
Pre-trial Diversion	0	0	0	1	0	0
Restitution	0	0	0	0	1	0
<b>Total</b>	<b>4</b>	<b>2</b>	<b>3</b>	<b>15</b>	<b>10</b>	<b>5</b>

**Table 27**

<b>Dispositions by Offense &amp; Sentencing Rutherford County Criminal Court<sup>31</sup></b>				
<b>Disposition</b>	<b>DOC Incarceration</b>	<b>Probation</b>	<b>Community Corrections</b>	<b>Pre-trial Diversion</b>
Aggravated Assault	0	0	4	0
Aggravated Burglary	0	4	0	0
Aggravated Robbery	0	4.7	0	0
Drugs-Schedule II	6.6	3.3	0	2
Robbery	3.3	3	0	0
Theft of Property	0	2.8	4	0

**Table 28**

Eleven of the juveniles in Rutherford County Criminal Court were convicted of lesser felonies than the charge on which they were transferred. The offenses on which a juvenile was transferred are:

- Aggravated Assault 4
- Aggravated Burglary 2
- Aggravated Robbery 3
- Drugs-Schedule II 1
- Robbery 1

<sup>31</sup> All sentencing information is in years.

<b>Plea Bargaining Rutherford County Criminal Court</b>				
<b>Offense-transfer</b>	<b>Offense-conviction</b>	<b>Number</b>	<b>Average Sentence</b>	<b>% Difference w/non-pled cases<sup>32</sup></b>
Aggravated Assault	Reckless Endangerment	4	4	0%
Aggravated Burglary	Burglary	2	4	0%
Aggravated Robbery	Robbery	3	4.7	0%
Robbery	Burglary	1	3	10%
Drugs-Schedule II	Simple Possession	1	1	77%

**Table 29**

**Comparison of Juvenile Court to Criminal Court**

- Juvenile offenders in juvenile court were on average two years younger than their counterparts transferred to criminal court.
- The criminal court took an average of 101 days longer from the time of the offense to process the juvenile offender.
- Forty-four percent (44%) of the offenses committed by juveniles transferred to criminal court were violent crimes.
- Fifty-four percent (54%) of all dispositions in juvenile court were either probation or detention with state authorities, while probation and incarceration comprised 85% of all dispositions in criminal court.
- In 17% of the cases in juvenile court, the court released the offender from custody.
- In 3% of the cases in criminal court the juvenile was released from custody.

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<sup>32</sup> This number is the % difference between the sentence length on a juvenile charged with an offense who did not plea bargain versus a juvenile who did plea his offense down to a lesser charge.

Determined by the formula:

$$\frac{(\text{Average sentence length of non-pled cases}) - (\text{Average sentence length of pled cases})}{\text{Average sentence length of pled cases}}$$



# Shelby County

The Juvenile Court in Shelby County:

- Processed 1,607 juveniles on the selected offenses in juvenile court.
- Transferred 101 juveniles to criminal court on the selected offenses.

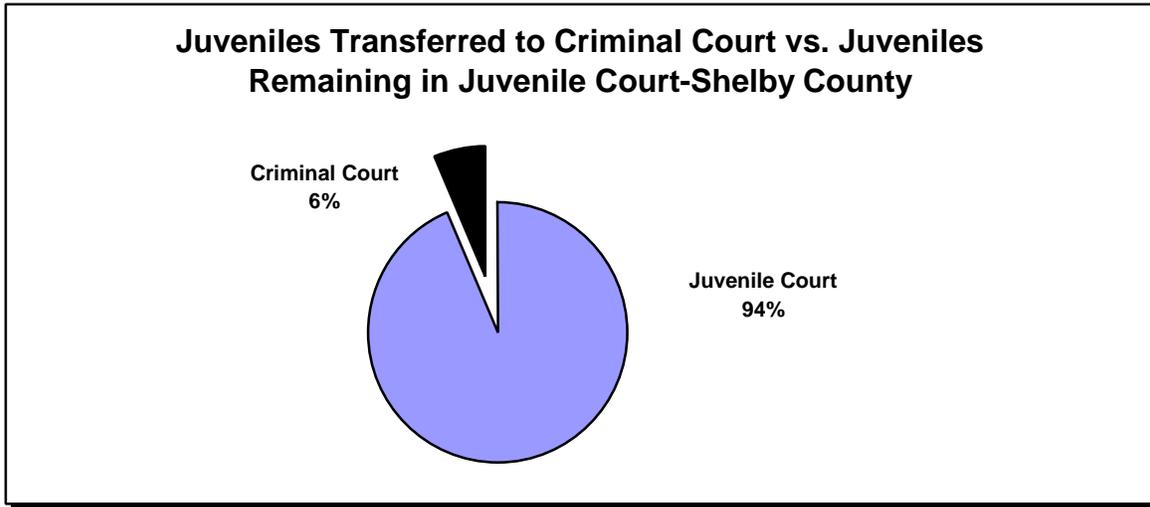


Figure 17

Shelby County Offenses by Court System <sup>33</sup>			
Offense	Juvenile Court	Criminal Court	% Transferred to Criminal Court
Aggravated Assault	464	35	7%
Aggravated Burglary	429	4	1%
Aggravated Robbery	130	103	44%
Especially Agg Robbery	10	12	55%
Drugs-Schedule II	346	0	0%
Murder-First Degree	4	8	67%
Robbery	102	3	3%
Felony Theft of Property	311	0	0%
Total	1,796	165	8%

Table 30

<sup>33</sup> The number of juveniles processed will not equal the number of offenses committed because a juvenile may commit more than one offense.

### Juvenile Court<sup>34</sup>

The Shelby County Juvenile Court retained custody of 1,506 juvenile offenders on the selected offenses in 1997. A profile of the average offender retained by the Shelby County Juvenile Court is:

- Black male
- 15 years of age
- Charged with Aggravated Assault
- The juvenile court took approximately 77 days from the offense date to dispose of the juvenile case.

Figure 18 indicates that 84% of juveniles in Shelby County Juvenile Court in 1997 on the selected offenses was between 14 and 17 years of age.

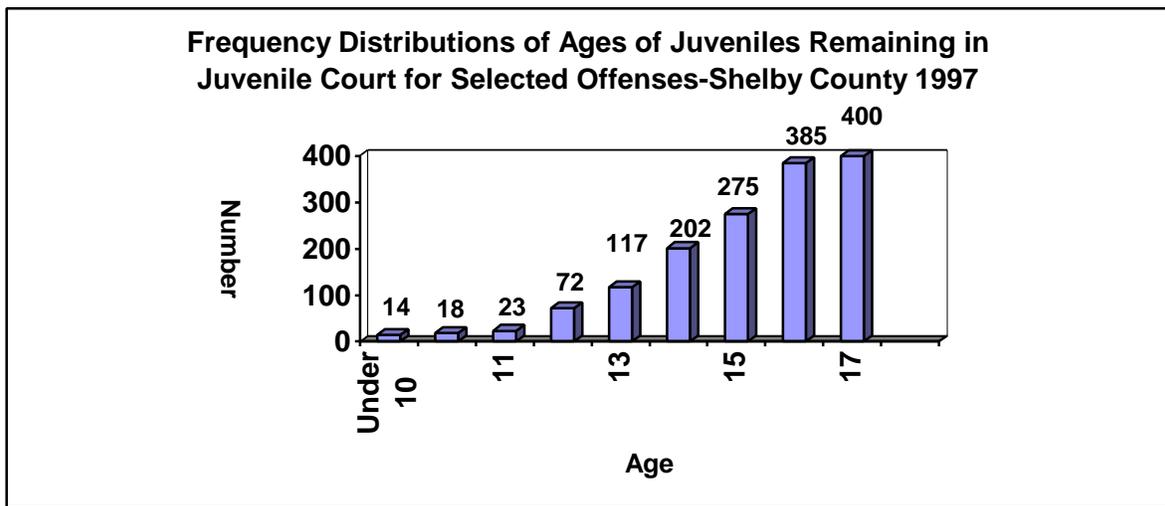


Figure 18

Offense	Black Male	Black Female	White Male	White Female	Other Male	Other Female
Aggravated Assault	285	103	64	10	2	0
Aggravated Burglary	326	11	68	21	1	2
Aggravated Robbery	119	4	5	2	0	0
Especially Agg Robbery	10	0	0	0	0	0
Drugs-Schedule II	311	24	9	2	0	0
Murder-First Degree	4	0	0	0	0	0
Robbery	81	13	8	0	0	0
Theft of Property(Felony)	201	78	27	5	0	0
Total	1,337	233	181	40	3	2

Table 31

<sup>34</sup> Information is based on data provided by the Shelby County Juvenile Court.

The average ages of an offender in Shelby County Juvenile Court on the following offenses are:

- Aggravated Assault 15
- Aggravated Burglary 15
- Aggravated Robbery 16
- Especially Agg Robbery 15
- Drugs-Schedule II 16
- Murder-First Degree 17
- Robbery 15
- Felony Theft of Property 15

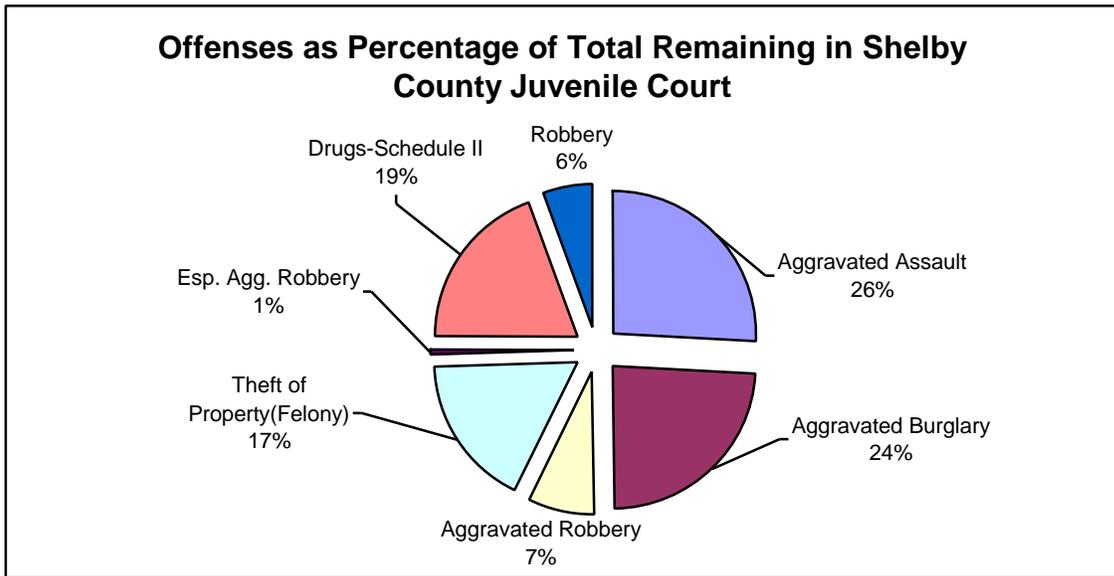


Figure 19<sup>35</sup>

The average time to process a juvenile through the Shelby County Juvenile Court in by offense is:

- Aggravated Assault 91 days
- Aggravated Burglary 69 days
- Aggravated Robbery 53 days
- Especially Aggravated Robbery 11 days
- Drugs-Schedule II 94 days
- Murder-First Degree 3 days
- Robbery 88 days
- Felony Theft of Property 62 days

<sup>35</sup> Murder-First Degree was a statistically insignificant part of the total number of juveniles remaining in the Shelby County Juvenile Court.

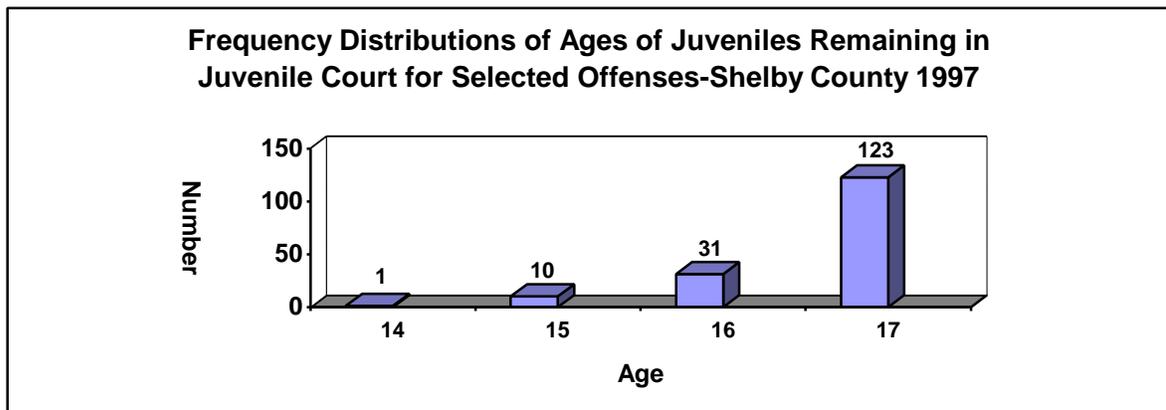
<b>Dispositions by Offense-Shelby County Juvenile Court</b>						
<b>Offense</b>	<b>State Custody</b>	<b>Community Service</b>	<b>Released</b>	<b>Probation</b>	<b>Held Open W/O Further Action</b>	<b>Other</b>
Aggravated Assault	44	3	119	44	1	253
Aggravated Burglary	16	5	73	89	0	246
Aggravated Robbery	17	1	62	4	0	46
Especially Agg Robbery	3	0	7	0	0	0
Drugs-Schedule II	0	0	0	0	346	0
Murder-First Degree	0	0	4	0	0	0
Robbery	6	0	36	4	0	56
Theft of Property	0	0	0	14	297	0
<b>Total</b>	<b>86</b>	<b>9</b>	<b>301</b>	<b>155</b>	<b>644</b>	<b>601</b>

### **Criminal Court<sup>36</sup>**

The Shelby County Criminal Court received custody of 101 juvenile offenders on the selected offenses in 1997. A profile of the average offender remanded to the Shelby County Criminal Court is:

- Black male
- 17 years of age
- Charged with Aggravated Robbery
- The criminal court took approximately 467 days from the offense date to dispose of the juvenile case.

Figure 20 indicates that all of the juveniles transferred to the Shelby County Criminal Court in 1997 on the selected offenses were between 14 and 17 years of age.



**Figure 20**

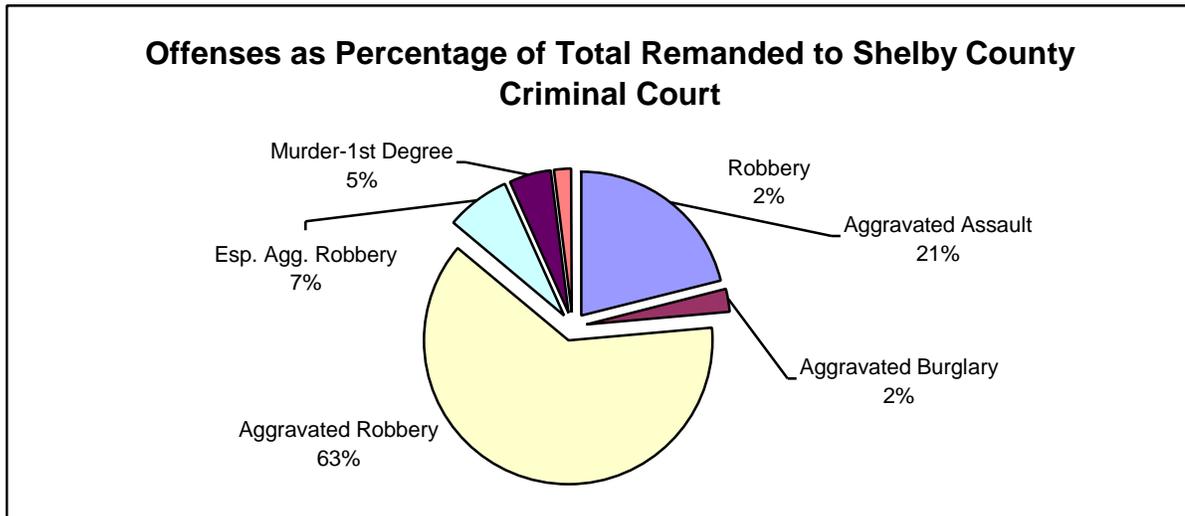
<sup>36</sup> Information is base on data provided the Shelby County Court Clerk's Office.

<b>Offense by Race and Sex-Shelby County Criminal Court</b>				
<b>Offense</b>	<b>Black Male</b>	<b>Black Female</b>	<b>White Male</b>	<b>White Female</b>
Aggravated Assault	28	1	1	5
Aggravated Burglary	4	0	0	0
Aggravated Robbery	94	3	6	0
Especially Agg Robbery	10	2	0	0
Murder-First Degree	8	0	0	0
Robbery	3	0	0	0
Total	147	6	7	5

**Table 32**

The average ages of an offender in Shelby County Criminal Court on the following offenses are:

- Aggravated Assault 17
- Aggravated Burglary 17
- Aggravated Robbery 17
- Especially Aggravated Robbery 17
- Murder-First Degree 17
- Robbery 17



**Figure 21**

The average time to process a juvenile through the Shelby County Criminal Court by offense is:

- Aggravated Assault 455 days
- Aggravated Burglary 529 days
- Aggravated Robbery 468 days
- Especially Aggravated Robbery 446 days
- Murder-First Degree 531 days
- Robbery 439 days

<b>Dispositions by Offense-Shelby County Criminal Court</b>						
<b>Disposition</b>	<b>Aggravated Assault</b>	<b>Aggravated Burglary</b>	<b>Aggravated Robbery</b>	<b>Especially Aggravated Robbery</b>	<b>Murder First Degree</b>	<b>Robbery</b>
DOC Incarceration	18	2	70	5	3	1
Probation	7	1	6	1	0	0
Acquittal	0	0	1	0	0	0
Dismissed	0	0	3	3	0	2
Pending	10	1	23	3	4	0
Life-DOC Incarceration	0	0	0	0	1	0
<b>Total</b>	<b>35</b>	<b>4</b>	<b>103</b>	<b>12</b>	<b>8</b>	<b>3</b>

**Table 33**

<b>Dispositions by Average Sentence Length-Shelby County Criminal Court</b>						
<b>Disposition</b>	<b>Aggravated Assault</b>	<b>Aggravated Burglary</b>	<b>Aggravated Robbery</b>	<b>Especially Aggravated Robbery</b>	<b>Murder First Degree</b>	<b>Robbery</b>
DOC Incarceration	4	4.5	8.8	9.6	13.3	3
Probation	1.4	1	1.8	10	0	0
Life-DOC Incarceration	0	0	0	0	36	0
<b>Total</b>	<b>2.8</b>	<b>2.5</b>	<b>6.2</b>	<b>4.8</b>	<b>19</b>	<b>3</b>

**Table 34**

Twenty-five of the juvenile cases in Shelby County Criminal Court were convicted of lesser felonies than the charge on which they were transferred. The charges that were pled down in criminal court are:

- Aggravated Assault 4
- Aggravated Burglary 1
- Aggravated Robbery 11
- Especially Aggravated Robbery 5
- Murder-First Degree 3
- Drugs-Schedule II 1

<b>Plea Bargaining Criminal Court</b>				
<b>Offense-transfer</b>	<b>Offense-conviction</b>	<b>Number</b>	<b>Average Sentence</b>	<b>% Difference w/non-pled cases<sup>37</sup></b>
Aggravated Assault	Facilitation of a Felony	4	2	50%
Aggravated Burglary	Agg. Criminal Trespass	1	1	70%
Aggravated Robbery	Aggravated Assault	1	3	64%
Aggravated Robbery	Robbery	3	4.7	43%
Aggravated Robbery	Facilitation of a Felony	2	3	64%
Aggravated Robbery	Theft of Property	4	1	75%
Aggravated Robbery	Criminal Trespass	1	0	100% <sup>38</sup>
Especially Aggravated Robbery	Aggravated Robbery	3	8.3	81%
Especially Aggravated Robbery	Criminal Attempt-Felony	1	8	88%
Especially Aggravated Robbery	Robbery	1	10	50%
Murder-First Degree	Facilitation of a Felony	1	20	80%
Murder-First Degree	Aggravated Robbery	2	10	260%
Drugs-Schedule II	Simple Possession	1	1	350%

### **Comparison of Juvenile Court to Criminal Court**

- Juvenile offenders in juvenile court were on average two years younger than their counterparts transferred to criminal court.
- The criminal court took an average of 390 days longer from the time of the offense to process the juvenile offender.
- Ninety-eight percent (98%) of the offenses committed by juveniles transferred to criminal court were violent crimes.
- Thirteen percent (13%) of all dispositions in juvenile court were either probation or detention with state authorities, while probation and incarceration comprised 70% of all dispositions in criminal court.
- In 17% of the cases in juvenile court, the court released the offender from custody.
- In 5% of the cases in criminal court, the juvenile was released from custody.

<sup>37</sup> This number is the % difference between the sentence length on a juvenile charged with an offense who did not plea bargain versus a juvenile who did plea his offense down to a lesser charge.

Determined by the formula:

$$\frac{(\text{Average sentence length of non-pled cases}) - (\text{Average sentence length of pled cases})}{\text{Average sentence length of pled cases}}$$

<sup>38</sup> After the court reduced the charge to Criminal Trespass, prosecution was declined at a later date on this offense.



## Washington County

The Juvenile Court in Washington County:

- Processed 37 juveniles on the selected offenses in juvenile court.
- Transferred 4 juveniles to criminal court on one selected offenses.

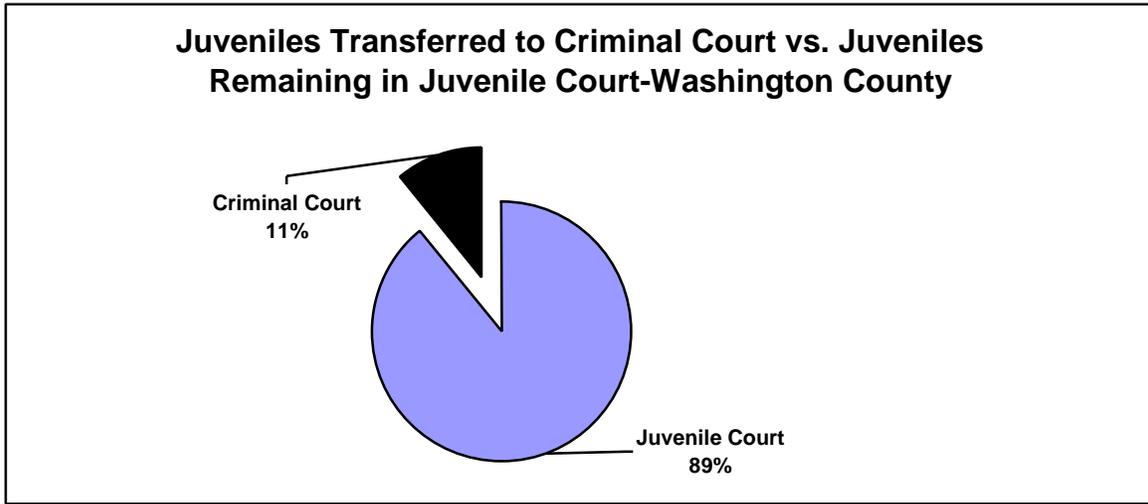


Figure 22

Washington County Offenses by Court System <sup>39</sup>			
Offense	Juvenile Court	Criminal Court	% Transferred to Criminal Court
Aggravated Assault	4	1	25%
Aggravated Burglary	5	1	17%
Aggravated Robbery	0	1	100%
Drugs-Schedule II	2	1	33%
Felony Theft of Property	27	0	0%
Total	38	4	10%

Table 35

### Juvenile Court<sup>40</sup>

The Washington County Juvenile Court retained custody of 33 juvenile offenders on the selected offenses in 1997. A profile of the average offender retained by the Washington County Juvenile Court is:

- White male
- 15 years of age
- Charged with Theft of Property
- The juvenile court took approximately 52 days from the offense date to dispose of the juvenile case.

<sup>39</sup> The number of juveniles processed will not equal the number of offenses committed because a juvenile may commit more than one offense.

<sup>40</sup> Information is based on data provided by the Washington County Juvenile Court.

Figure 23 indicates that 84% of juveniles in Washington County Juvenile Court in 1997 on the selected offenses was between 14 and 17 years of age.

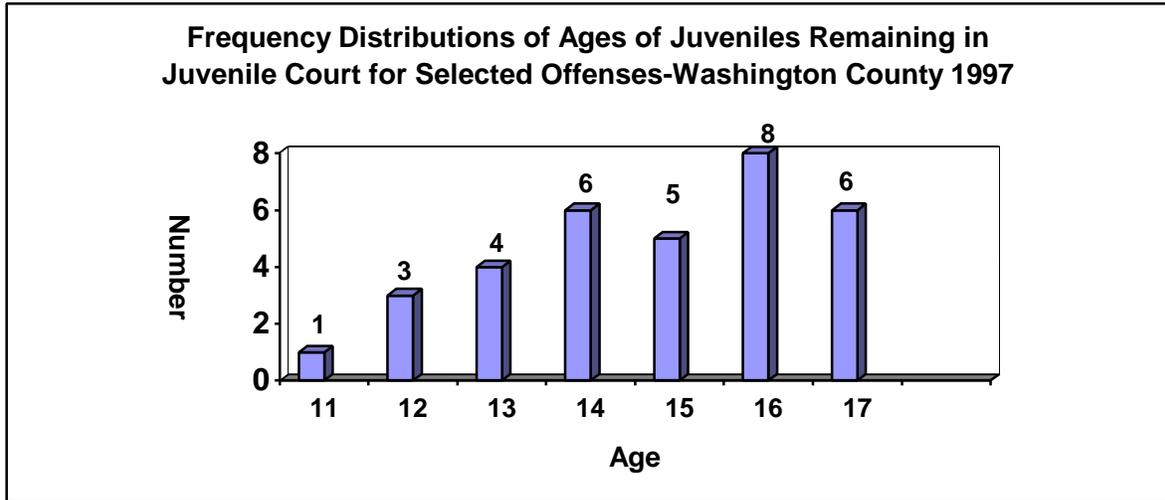


Figure 23

Offense	Black Male	Black Female	White Male	White Female	Other Male	Other Female
Aggravated Assault	0	0	3	0	1	0
Aggravated Burglary	0	0	5	0	0	0
Drugs-Schedule II	1	0	1	0	0	0
Theft of Property(Felony)	1	0	20	6	0	0
Total	2	0	29	6	1	0

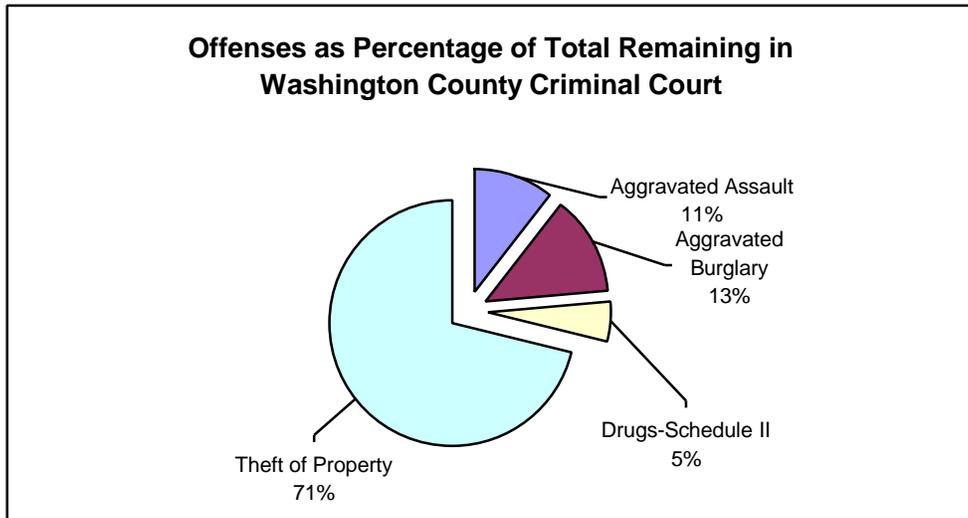
Table 36

The average ages of an offender in Washington County Juvenile Court on the following offenses are:

- Aggravated Assault 15
- Aggravated Burglary 15
- Drugs-Schedule II 16
- Felony Theft of Property 15

The average time to process a juvenile through the Washington County Juvenile Court by offense is:

- Aggravated Assault 144 days
- Aggravated Burglary 20 days
- Drugs-Schedule II 82 days
- Felony Theft of Property 42 days



**Figure 24**

<b>Dispositions by Offense-Washington County Juvenile Court</b>					
<b>Offense</b>	<b>State Custody</b>	<b>Community Service</b>	<b>Released</b>	<b>Probation</b>	<b>Pre-trial Diversion</b>
Aggravated Assault	0	0	1	3	0
Aggravated Burglary	0	0	2	3	0
Drugs-Schedule II	0	2	0	0	0
Theft of Property	6	2	4	14	1
<b>Total</b>	<b>6</b>	<b>4</b>	<b>7</b>	<b>20</b>	<b>1</b>

**Table 37**

**Criminal Court<sup>41</sup>**

The Washington County Criminal Court received custody of 4 juvenile offenders on the selected offenses in 1997. A profile of the average offender remanded to the Washington County Criminal Court is:

- White male
- All four juveniles transferred by the Washington County Criminal Court were 17 years of age.
- The criminal court took approximately 473 days from the offense date to dispose of the juvenile case.

<sup>41</sup> Information is based on data provided by the Tennessee Department of Correction and the Administrative Office of the Courts.

- One was transferred on the charge of Aggravated Robbery and received 17 years incarceration with the Tennessee Department of Correction.
- One of these juveniles was convicted of Aggravated Assault and received 17 years incarceration with the Tennessee Department of Correction.
- One of the juveniles was convicted of Drugs-Schedule II and received 3 years probation.
- The final juvenile was convicted of Aggravated Burglary and was sentenced to 6 years of Community Corrections.

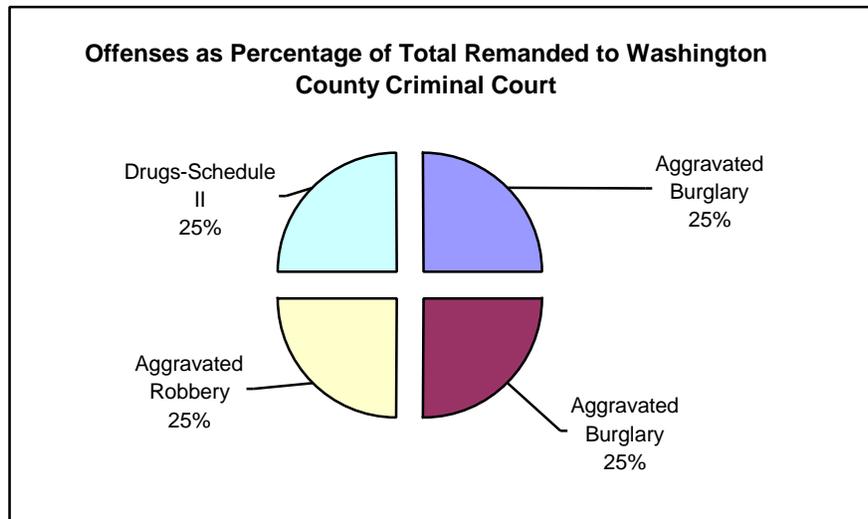


Figure 25

### Comparison of Juvenile Court to Criminal Court

- Juveniles transferred to criminal court averaged two years older than their counterparts in juvenile court.
- The Washington County Criminal Court took an average of 326 days longer than the juvenile court to process a juvenile from offense to disposition.
- All four cases in criminal court ended in either probation or incarceration, while 68% of the cases in juvenile court ended in detention or probation.
- None of the four cases transferred to criminal court were dismissed.
- Thirty-seven percent (37%) of the cases in juvenile court ended in dismissal.
- Seventy-five percent (75%) of all cases transferred to criminal court were for violent crime.