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Douglas County Sentinel  
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Gentlemen:

This is a response to the letter of Ms. Kimberly Alexander published in the February 10, 2007 edition of the Douglas County Sentinel entitled "APPLY LAW ACROSS THE BOARD". Prior to accepting my current position of Court Administrator, I was a criminal defense attorney practicing in Douglas County for 29 years. I have an interest in seeing that all those who are charged with similar criminal offenses are treated equally and fairly by the judicial system.

Ms. Alexander claims that African- Americans charged with criminal offenses, such as those presented in the case of Genarlow Wilson, are treated more severely by the Douglas County Judicial system than offenders of different ethnic backgrounds. In light of these allegations, I have conducted a review of all sentences imposed for Rape, Aggravated Child Molestation and Child Molestation imposed in the Superior Court of Douglas County from January 1, 2003 to December 31, 2006. The documents prove that Ms. Alexander's allegations are not correct.

I have also reviewed a report from the Georgia Department of Corrections on the average sentences across the state for these offenses from January 1, 2000 to December 31, 2006. That report states that the average sentence in Georgia for Child Molestation was **7.04** years of incarceration followed by 10.66 years on probation. In Douglas County, the average sentence for child molestation was **6.58** years of incarceration followed by 12.49 years on probation. The average sentence in Georgia for Aggravated Child Molestation was **18.54** years in prison. In Douglas County, the average sentence for Aggravated Child Molestation was **16.81** years in prison.

The public records of the Douglas Superior Court show that between January 1, 2003 and December 31, 2006, there have been three persons sentenced for Rape in the Douglas Circuit. Two were white and one was Asian. All three received life sentences.

The records reflect 64 prosecutions for child molestation and aggravated child molestation resulting in convictions during the same span of years. I found that 42 (77.7%) of those defendants in these convictions were white. Twelve (22%) were African-American.

The following is a list of the files reviewed:

African-American Defendants

CASE#	SENTENCE
03CR00069	- 8 years in prison plus 7 years probation
06CR00524	- 20 years probation
03CR00468	- 3 years in prison plus 17 years probation
03CR00938	- 5 years in prison plus 15 years probation
04CR00842-B	- 6 years in prison plus 9 years probation
04CR00842-C	- 5 years in prison plus 10 years probation
05CR00310	- 5 years in prison plus 10 years probation
05CR00103	- 7 years in prison plus 13 years probation
04CR00845	- 5 years in prison plus 15 years probation
05CR00705	- 10 years in prison plus 10 years probation
04CR00643-A	- 5 years in prison plus 10 years probation
04CR00643-B	- 5 years in prison plus 10 years probation

White Defendants

CASE #	SENTENCE
03CR01185	- 25 years in prison
03CR00068	- 12 years in prison plus 18 years probation
02CR01062	- 25 years in prison plus 5 years probation
04CR00581	- 3 years in prison plus 7 years probation
04CR00439	- 10 years in prison plus 10 years probation
06CR01025	- 10 years in prison plus 10 years probation
03CR00190	- 87 months in prison plus 13 years probation
01CR01833	- 3 years in prison plus 7 years probation
05CR01238	- 4 years in prison plus 1 years probation
02CR00330	- 10 years in prison plus 10 years probation
05CR00217	- 8 years in prison plus 3 years probation
04CR00469	- 5 years in prison plus 10 years probation
04CR00158	- 20 years in prison
03CR00317	- 7 years in prison plus 13 years probation
05CR00958	- 15 years in prison plus 10 years probation
03CR01091	- 8 years in prison plus 7 years probation
02CR01066	- 5 years in prison plus 15 years probation
05CR00900	- 10 years in prison plus 10 years probation
03CR00750	- 8 years in prison plus 4 years probation
02CR00601	- 10 years in prison plus 10 years probation
03CR00897	- 10 years in prison plus 10 years probation
03CR01185	- 25 years in prison
05CR00958	- 15 years in prison plus 5 years probation
03CR00312	- 5 years in prison plus 10 years probation
05CR00512	- 3 years in prison plus 17 years probation
02CR00838	- 7 years in prison plus 13 years probation

01CR01681- 17 years in prison plus 33 years probation  
05CR00514 - 4 years in prison plus 11 years probation  
02CR400619-A 10 years probation (later revoked)  
03CR01207 - 2 years in prison plus 10 years probation (later revoked)  
05CR00083 - 7 years in prison plus 13 years probation  
06CR00367 - 30 years in prison  
01CR00616 - 10 years in prison plus 10 years probation  
04CR 00202 - 12 years in prison plus 8 years probation  
03CR00603 - 5 years in prison plus 10 years probation  
00CR02890-A - 20 years in prison plus 10 years probation  
06CR00057 - 10 years in prison plus 10 years probation  
03CR00313 - 30 days in jail plus 9 years probation

The average time of incarceration for white defendants convicted of child molestation and/or aggravated child molestation was 13.2 years in prison. The average time of incarceration for African-American defendants convicted of child molestation and/or aggravated child molestation was 5.3 years in prison. The longest sentence of incarceration imposed on any African-American defendant convicted of these offenses was ten years. This is significantly less than the sentence imposed for these offenses on defendants from other ethnic groups.

In sentencing, the judges take all factors of each case into consideration. Child molestation does not carry a mandatory term, however, a conviction of aggravated child molestation or aggravated sodomy does require a mandatory sentence of ten years incarceration without parole. The judges have no discretion to deviate from such mandatory sentences in the event of a conviction for those charges.

Child molestation cases often present a variety of difficult issues. Proof can often be difficult to obtain in cases involving very young children. Sometimes victims may refuse to testify. There is often little or no physical evidence to verify the victims' testimony. Those problems of proof oftentimes factor into the ultimate disposition of the case.

Nearly all of the cases listed have probation supervision time imposed following the term of imprisonment. This serves two purposes: to protect the community and also to provide the recently released person with some measure of support to help him or her re-establish their lives.

From January 1, 2003 through December 31, 2006 only one individual convicted of any of these charges in Douglas County has received first offender treatment.

Yours truly,

Kenneth W. Krontz  
Douglas County Court Administrator