



Juvenile Jurisdiction Advisory Committee
3010 Hammond Business Place
Raleigh, NC 27603

Wednesday, April 3, 2019

Committee Members: Co-Chair Bill Davis; Co-Chair Garry Frank; Betty Budd; Tarrah Callahan; Darren Campbell; J.H. Corpening II; Ruby Brown-Herring, Beth Freshwater-Smith; Michelle Hall; Krista Hiatt; Jennifer Knox; William Lassiter; Jeffrey Ledford; Kym Martin; Martin McGee; Carol McManus; Robert Rader; Mary Stansell; Heather Taraska; McKinley Wooten; Eric Zogry.

Guests: Catherine Anderson, Mark Aycock, Laqreshia Bates-Harley, Nikki Bensten, Clarence Blackwell, Dawn Blagrove, Matthew Boyatt, Leslieann Boyle-Barron, Denise Briggs, Adam Buren, Venecia Carr, Dean Carroll, Marie Chapman, Julianna Cherry, Bonnie Clark, Emily Coltrane, Justin Davis, Charles Dingle, Corey Edwards, Lucrea Edwards, Meisha Evans, Maxine Evans-Armwood, Dale Floyd, Anita Foster, Jeff Fritz, Nichelle Gaines, Wendy Gardner, Wendy George, Kate Giduz, Jacqui Greene, Gene Hallock, Melvin Hamilton, Erin Hickey, Justine Homiak, Stephen Horton, Kristie Howell, Angela Hunter, Jason Hunter, Sean Ingram, Jameka Jackson, Matthew Jenkins, Adam Johnson, Rachel Johnson, Erika Jones, Nikki Kahill, Diana Kees, Peter Kuhns, Rachel Larsen, Orphaleta Lemon-Rouse, John Madler, Doug McCaskey, Ricardo Medrano, Kim Melvin, Willie Moonan, Peggy Nicholson, Regina O'Neal, Lisa Partin, Miguel Pitts, Cindy Porterfield, LaToya Powell, Russell Price, Susan Proulx, Kimberly Quintus, Demetrius Riley, Angie Smith, Keyshorn Smith, Marcelle Smith, Joe Testino, Dawn Thomas, Kenneth Tubilleja, Karmen Turlington, Demetrius Vick, Lynne Williams, Angela Wilson, Karen Wilson-Kemp.

Call to Order: 10:06 AM

- Welcome and opening remarks
- Review of JJAC minutes from January 8, 2019. Move to accept, seconded, all in favor, no one opposed.

Raise the Age Panel

Jacquelyn Greene, UNC School of Government, Facilitator

Joseph Tomassone, New York

Elizabeth Touchet-Morgan, Louisiana

Robert D. Vickery, Illinois

- Juvenile Justice Structure in Represented States
 - Louisiana
 - Post-adjudication focus, very little pre-adjudication work. Juvenile Justice is cabinet-level, operates 4 secure facilities for males. Contracts for residential, has 11 county-based facilities.
 - Illinois
 - Post-adjudication focus. Diversion, prosecution, and probation are handled by local courts. Operates 5 secure facilities, with an average daily population of 700 juveniles.
 - New York
 - Operates 13 residential programs statewide, with an average daily population of 220 juveniles.

- Impetus for Raise the Age in Represented States
 - Illinois
 - Policy discussions began in 2005, legislation passed January 1, 2010.
 - Phased process: initially, 17-year-old misdemeanants went to juvenile court. Felony arrests phased into juvenile jurisdiction in 2014.
 - All 17-year-olds start in juvenile court, except limited felonies.
 - New York
 - Legislation passed in 2018.
 - Phased process: in 2018, jurisdiction expanded to include 16-year-olds. In 2019, expanded include all youth under 18.
 - Very similar process and structure to Illinois.
 - Louisiana
 - Policy discussions began in 2003-2004, legislation to study Raise the Age passed in 2014. Final report issued 2016. Raise the Age legislation passed in 2016.
 - In 2019, all non-violent youth start in juvenile court.
 - Legislative revisions ongoing.

- Processing of Felony Offenses and Motor Vehicle Offenses in Represented States
 - Illinois
 - All motor vehicle offenses handled in traffic court.
 - Serious felonies direct filed in criminal court by prosecutor. All other charges originate in juvenile court, until transferred to criminal court by a judge.
 - Youth in transfer status are held in juvenile detention until they turn 18.
 - Louisiana
 - Traffic offenses handled in city court or traffic court
 - Transfer of charges to criminal court must be requested by judge or prosecutor.
 - Youth in transfer status are held in juvenile detention until they turn 18.
 - New York
 - Traffic offenses handled in criminal court.
 - Felony presumption in juvenile court, with exceptions for weapons offenses.
 - Cases may stay in adult court if the penalty is lighter than in juvenile court. Reverse waiver to juvenile or family court is an option.
 - Detention is a county function, so there are different processes for the housing of youth in transfer status.

- Resource Planning and Hurdles in Represented States
 - New York
 - Used projections, actual numbers much lower than projected 7 months' post-implementation.
 - Enjoyed much support from Governor and Legislature, so few resource hurdles.
 - Louisiana
 - Many challenges to receiving funding, currently received \$2 million of a staggered \$5 million and \$4 million ask.
 - Made cuts to diversion programs.
 - Illinois
 - Used projections, actual numbers were much lower than projected.

- Gap Between Actual and Projected Numbers in Represented States
 - Illinois
 - Many youth already in the system benefited from expanded jurisdiction, so there weren't actually additional juveniles.
 - Many juvenile arrests were diverted.

- New York
 - Many factors. Alternative services and diversion. Decriminalizing certain offenses. Increase in mental health and substance abuse programs.
 - Shift to treatment focus and serving youth in home communities.
- Planning Process in Represented States
 - Illinois
 - Much of juvenile justice handled at county level. Local stakeholders met frequently, developed processes where legislation wasn't specific.
 - Louisiana
 - System approach, review processes from the beginning.
 - Mandate screening instrument in detention.
- Pre-Implementation Collaboration with Other Systems in Represented States
 - Louisiana
 - Each judicial district mandated to establish a Child and Youth Planning Board. Used data and collaborated across systems. Juvenile Justice represented on Boards.
 - In 2012, consolidated many services and moved youth into managed care system. Courts heavily involved in that process.
 - Medicaid expansion in 2016.
 - New York
 - Over the last decade, shift to treatment model. Communication with counties to discuss impact of Raise the Age.
 - Should have spent more time talking to judges and law enforcement to better understand their decision making and how they would handle youth.
 - Illinois
 - Prior to second phase of implementation, asked Juvenile Justice Commission to undertake a study to determine how to handle 17-year-olds with felonies.
 - A lot of collaboration and outreach to stakeholders.
- Impact on Social Service Placements in Represented States
 - Louisiana
 - Legislation prohibits dual system involvement. If youth are going to DSS placement, they will not process through juvenile justice.
 - New York
 - No change.
 - Illinois
 - Dual system involvement is permitted, judges can sentence a youth to child welfare instead of probation or commitment. Easiest with younger youth, as older youth require verification of abuse or neglect. About 10% of juvenile justice youth have dual system involvement.
 - No correlation to Raise the Age. Pre-existing legislation and judicial process.
- Collaboration Cross-System at State Level in Represented States
 - Illinois
 - No joint programs that functions collaboratively.
 - New York
 - Juvenile Justice and agencies for mental health and substance abuse operate independently from each other. An adjudicated youth being served by another system can have services terminated post-adjudication.

- Expansion of Juvenile Justice Staffing in Represented States
 - Louisiana
 - 12 new probation/parole officers.
 - 84 new positions for a newly opened facility. Have an additional 45 positions to fill to fully staff facility.
 - Illinois
 - No major hiring/staff expansion.
 - New York
 - 100 new positions. Had existing capacity. No new facilities opened.

- Investment/Use of Video Conferencing Technology in Represented States
 - Illinois
 - Video conferencing cannot be used for court hearings. Study completed on quality of interactions between defender and youth and found too many challenges Legal aspect need to be looked at carefully.
 - Video conferencing used for health issues successfully.
 - New York
 - Video conferencing used heavily for family meetings.
 - State is struggling with legal issues for court hearings. Also, bandwidth is a problem.

- Facility Expansion- New Facilities and Bed Expansion in Represented States
 - Louisiana
 - Moved to Missouri Model- smaller, regionalized facilities.
 - Illinois
 - Confined population decreased under Raise the Age. Closed 1 local detention center and a total of 3 secure facilities.
 - New York
 - Had existing capacity, so utilizing existing space instead of building new facilities.

- Transportation Shift from Law Enforcement to Juvenile Justice in Represented States
 - Illinois
 - Most transportation is between detention centers and court. Handled by court system, local sheriff, or probation. No change with Raise the Age.
 - Louisiana
 - Pre-adjudication transportation is handled locally.
 - Raise the Age required 6-month reviews for youth in custody, so Juvenile Justice created part-time transportation positions for court trips. Trained as probation/parole officers, may transition to full-time positions if needed.
 - New York
 - Pre-adjudication transportation is handled locally. Juvenile Justice handles post-adjudication. Has hubs for pit stops because some trips are over 8 hours.

- Armed Transportation Staff in Represented States
 - Illinois
 - Staff are not armed.
 - New York
 - Staff are not armed.
 - Louisiana
 - Staff are not armed.

- Changes in Court Processes in Represented States
 - Louisiana
 - Some changes expected, but too early to predict details.
 - Illinois
 - Felony/misdemeanor split. Had to create a process when a felony was brought down to juvenile court, mainly just changing age parameters for filing.
 - New York
 - Created Youth Court. Special designation where judges receive special training in youth development, so they can use that information in their decision-making process.

- Safety Concerns Regarding Older Youth (Stronger, More Experienced) in Represented States
 - Illinois
 - Pre-Raise the Age, facilities could hold youth up to age 21, so already had older youth. Under Raise the Age, age distribution only shifted 6 months to a year older.
 - Most staff assaults committed by younger, more impulsive youth. Having older youth is probably safer for staff.
 - New York
 - Already serving older youth, less than 6 in the system. Have a cohort of youth projected to go to adult corrections when they come of age.
 - Older youth aren't interested in petty aggression, unlike younger youth.
 - Louisiana
 - Already serving older youth, up to age 21. Average age of admission to a facility is 16 and average age of youth in confinement is 17.
 - Older youth are more compliant than younger youth.
 - Biggest change is non-secure placement and licensing issues: youth under 17 can't be placed in homes if they are working on their high school education. Planning to create non-secure placement called independent or transitional placement. Staffed apartments, evening programs for workforce development.

- New Programs or Services Needed for an Older Population in Represented States
 - Louisiana
 - Wellness wheel- looked at all the needs of the new age group. Major issue was school-to-work. Worked with Community College to address.
 - Expanded independent living beds.
 - No major changes to mental health and substance abuse systems.
 - Illinois
 - Increased focus on college programming. Some facilities have community college on-site.
 - Vocational and certification programs.
 - Built partnerships for a "prison to college" pipeline.
 - New York
 - Building up mental health and substance abuse services.
 - Have robust college programs, building up vocational programming.

- "Once an Adult, Always an Adult" in Represented States
 - Illinois
 - Provision does not exist.
 - New York
 - Provision does not exist.
 - Louisiana
 - Provision does not exist.

- School-Justice Partnerships in Represented States
 - Louisiana
 - Introduced during Models of Change. Saw a 75% decrease in status offenders coming into the system.
 - Partnership training, using CPC assessment Judge Teske developed.

- Working Relationships between Juvenile Justice and School Personnel in Represented States
 - Louisiana
 - Crisis intervention training is essential and led to a significant decline in referrals to juvenile justice system.
 - Piloted early intervention programs, to encourage counseling in the school setting. Provided training on behaviors.
 - Balance between kids needs and staff needs.
 - Illinois
 - School Resource Officers were closely aligned with social workers and principals, successfully. The more engagement, the better.
 - New York
 - Provided lots of training on adolescent behavior and trauma. Staff must use the trauma lens, regardless of youth defiance or delinquency.
 - Engage youth rather than power struggle.

- Stakeholder Communication Plan in Represented States
 - Louisiana
 - Heavy focus on communication from the beginning- created a council and worked with the Governor's Office.
 - Used the peer communication model, went to meetings, convened meetings for partners and localities. Listened a lot. Engaged media communications to ease public concerns.
 - Multi-level approach, and be open, honest, and transparent.
 - New York
 - Did presentations at town hall meetings in counties. Explained Raise the Age to stakeholders.
 - Worked with other state agencies. Should have spent more time with judges and law enforcement.
 - Illinois
 - Juvenile Justice Commission took the lead in 2014 and presented to a wide range of local and state associations/groups.

- Tracking Impact and Outcomes in Represented States
 - Louisiana
 - Created qualitative and quantitative reporting systems, widely accessible.
 - Using staff to observe local courts and practices, so can monitor need for system-wide change.
 - Will run a report on the one year anniversary to show impact.
 - Illinois
 - In large jurisdictions, local groups managed data. Weekly meetings, then monthly meetings.
 - New York
 - Existing Q&A system. Funding for Raise the Age is separate from general budget, so data must be kept separate.

- Changes in Judicial Decision Making in Represented States
 - Illinois
 - No hard data, but no major changes in judicial transfer decisions.
 - Increased use of blended sentencing, “extended juvenile jurisdiction”. Adult sentence contingent on juvenile’s success with juvenile sentence. Not sure if increase is due to Raise the Age or judicial preference.
 - New York
 - Too early to tell.
 - Louisiana
 - Too early to tell.

- Big Picture Impact Outcome in Represented States
 - Illinois
 - 5 years in, it’s just the way we do business.
 - New York
 - Hysteria has gone away. Not the major influx we expected.
 - Louisiana
 - Headline is reform is continuing. No increase in crime, have built up public trust through reform efforts. Incarcerations rates have dropped since the 90’s, have plans to drop further.

- Recommendations Specific to North Carolina from Represented States
 - Illinois
 - Avoiding a phased implementation is smart.
 - Louisiana
 - Avoiding a phased implementation is smart. It’s nice Juvenile Justice can affect everything is the system- it’s a large advantage.

- One Piece of Advice on Implementation from Represented States
 - New York
 - Maintain communication with end users and stakeholders. Deal with rumors and moderate anxiety. Get staff input and ideas to created buy-in.
 - Illinois
 - Echo New York’s remarks.
 - Louisiana
 - Flexibility is key. Decision points and screening instruments will help people feel more comfortable.

- Assessment Tools and Training for Staff in Represented States
 - Illinois
 - Has used YASI for many years. Extensive training for staff on the tool, no major problems.
 - Louisiana
 - Don’t use YASI. Recommend diverse group of people to determine what instrument to use. Needs to be credible for everyone. Retrain frequently to maintain fidelity.
 - New York
 - YASI is a probation tool, evaluating the risk/needs assessment tool.

- Managing Staff Transitions from Adult to Juvenile System in Represented States
 - Illinois
 - Seamless transition.
 - New York

- Staff shift from correction to treatment model.
- Delays in Implementation Due to Lack of Funding in Represented States
 - Louisiana
 - Challenges on local level. Juvenile Justice gets allocation at beginning of each year, can request additional funding. Willing to proceed with implementation without additional funding due to faith in system and positive impact for youth.
 - Illinois
 - No issues.
 - New York
 - No issues.
- Minimum Age for Juvenile Jurisdiction in Represented States
 - Louisiana
 - 13 for custody (detention), DSS for younger kids.
 - Illinois
 - 10 to be charged in juvenile court, 12 to be detained, 13 to be committed to a Juvenile Justice facility. Working to increase those ages by a year or two.
 - New York
 - 7 is the minimum age, but usually start system involvement at 12.
- Parental Consent When Working with Older Juveniles in Represented States
 - Illinois
 - Obtain parental consent until age 18, then juvenile can consent for themselves.
 - Louisiana
 - Don't really need consent, but want parental involvement in everything until age 18. Some new legislation around arrests, where a 17-year-old can sign an affidavit promising to appear in court, with no requirement for parental affirmation.
 - New York
 - Obtain parental consent until 18, then juvenile can consent for themselves.

- Changes to Expungements in Represented States
 - Illinois
 - Many changes, many automatic expungements, but not related to Raise the Age.
 - Louisiana
 - Many changes, but not related to Raise the Age.
 - New York
 - No change in family court records, unsure about juvenile records.

LUNCH

Juvenile Justice and UNC School of Government Training Collaboration

Jacqueline Green

- Completed assessment about types of training needed. Creating resources and training for the field, along with resources and quick guides for law enforcement.
- Plan to have resources available in the fall.
- Training in seven jurisdictions across the state for stakeholders, along with School of Government seminar for judges and magistrates.

Juvenile Prosecutor Training

Rachel Larsen

- Multiple trainings in variety of formats for all stakeholders, including juvenile court prosecutors.
- Future training dates and audiences.
- New listserv for juvenile prosecutors; information about case law and processes for Raise the Age is going out.

Juvenile Defender Update

Eric Zogry

- Leadership and Training Network will be developed to increase knowledge of juvenile law.
- Train the Trainer program: Juvenile Law 101 and Raise the Age. Provided regionally for defenders.
- On-demand and virtual training opportunities.

Legislative Update

Justin Davis, NCDPS Legislative Affairs

- Discussion: S413 (addresses most JJAC recommendations), S555 (JCPC modifications), H121 (expungements), S562 (expungements), H347 (definitions, increase lower age of jurisdiction to 10).
- Discussion on legislative language: Taraska- S555, Powell- S413, Zogry- H121.
- Chairs to consider wording of bills if a member would like input on legislation that didn't come from JJAC.

Governor's Budget

Billy Lassiter

- Governor proposes \$27 million for Raise the Age in FY 2019-2020 and \$38 million in FY 2020-2021. Lower than JJAC requested due to budget constraints. Would like to monitor implementation and adjust as needed in year 2.
- Recommends additional funding for district courts, and an additional position for the Juvenile Defender's Office.
- Recommends additional full-time employees and additional funding.
- Flexibility in budget is important for Juvenile Justice.

Members' Discussion on Legislative Issues

Bill Davis

- Taraska: Suggest having a Legal Review and Legislative Issues subcommittee meeting in April.
- Corpening: Held a School-Justice Partnership meeting and found common ground for a model agreement. Model is being presented to School Board Association, Sheriffs' Association, Association of Chiefs of Police, etc.

New Business

None

Public Comment

None

Next Steps & Chairs' Direction

Next meeting July 30, 2019 from 10:00 am – 2:00 pm

2:01 PM: Motion to adjourn. Seconded, passed.

Additional Instructions: Any changes to your contact information should be sent to Kimberly.Quintus@ncdps.gov.

Next meetings: July 30, 2019 from 10am-2pm at 3010 Hammond Business Pl, Raleigh, NC.