



Juvenile Justice

...Serving public safety and reducing delinquency by providing the right service, at the right time, in the right place

Schedule

- ▶ 11:00 am -12:00 pm
 - Intro to Juvenile Justice
 - Raise the Age Rationale & Data
 - Statutory Charge
- ▶ 12:30 pm – 1:15 pm
 - Legislation
 - Policy Considerations
 - Planning
- ▶ 1:15 pm – 1:30 pm
 - Stakeholder Forums



Juvenile Justice Mission & Vision

Mission: To reduce and prevent juvenile delinquency by effectively intervening, educating, and treating youth in order to strengthen families and increase public safety.

Vision: A seamless, comprehensive juvenile justice system that provides the most effective services to youth and their families at the right time, in the most appropriate settings.

Juvenile Justice History



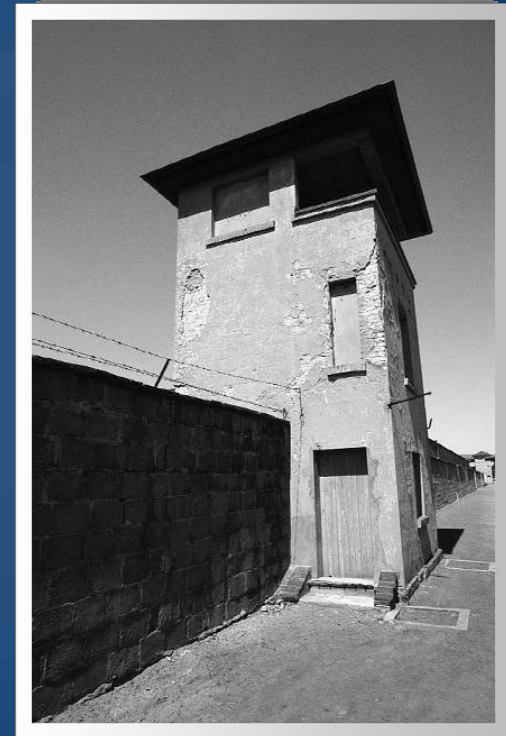
History: Eighteenth Century

- ▶ Children treated much like adults
- ▶ Concerns about housing children with older serious offenders
- ▶ Governors often pardoned young offenders



History: Nineteenth Century

- ▶ Houses of refuge
- ▶ Apprenticeship
- ▶ Attempts to “save” children through rehabilitation and discipline
- ▶ Creation of larger industrial and reform schools
- ▶ Continued use of adult prisons



History: Twentieth Century

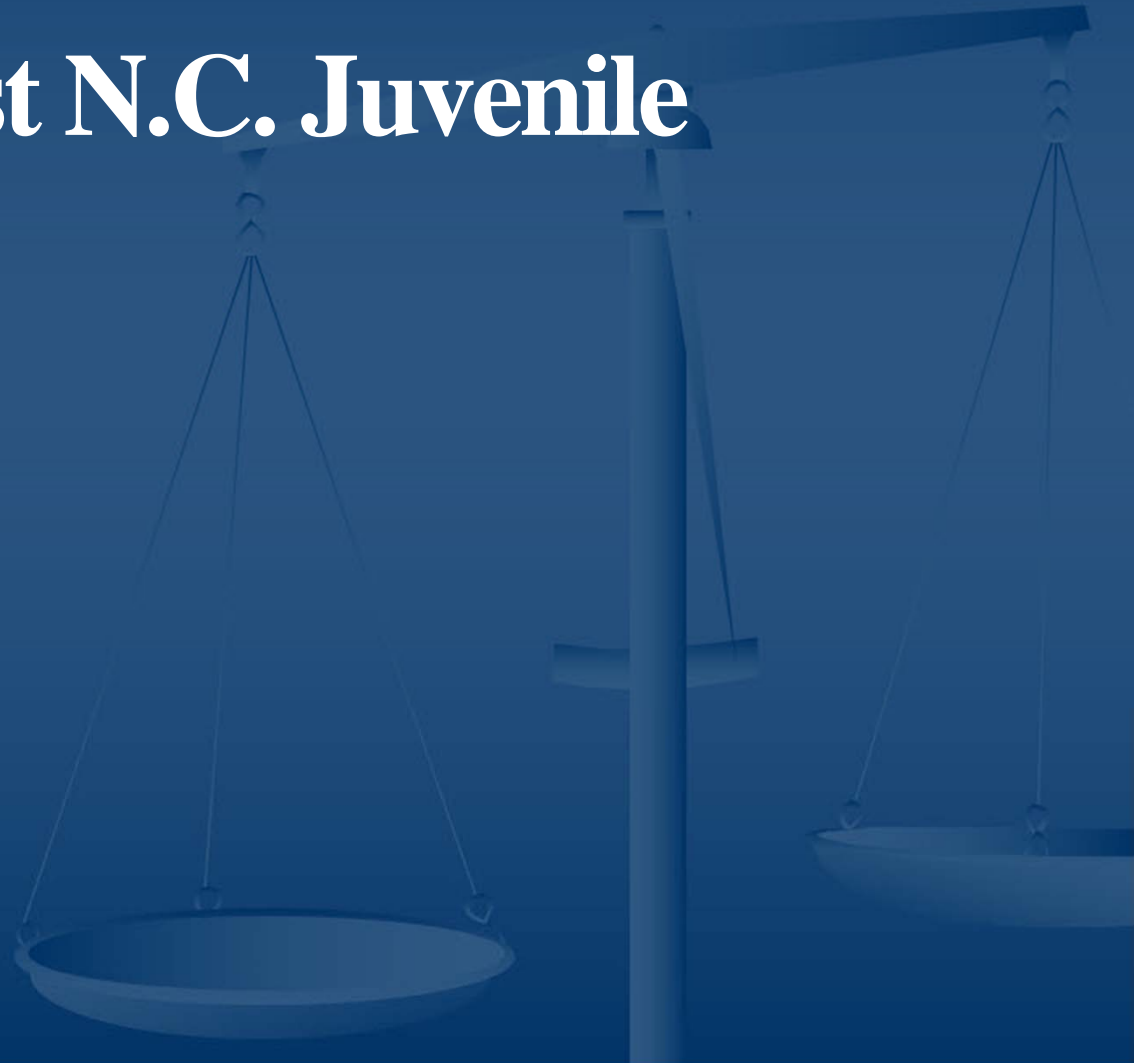
In North Carolina, concerns resulted in 1907 legislation authorizing Stonewall Jackson Manual Training and Industrial School

Funded by state legislature in 1909



History: Twentieth Century: Continued

- **1919: First N.C. Juvenile Court Act**



History: Twentieth Century: Continued

- **1976 -1977: Three training schools transferred to NC DOC**
- **1978: Community based alternatives to training school implemented with appropriation of one million dollars**
- **1980: New juvenile code became effective**

**“Willie M” class action lawsuit settled
Juveniles removed from adult jails**

**State operated detention centers in
Cumberland, Gaston, Wilkes & Pitt
counties.**

History: Twentieth Century: Continued

- **1997: Governor named Commission on Juvenile Crime and Justice to review juvenile code**

Commission's recommendations become Juvenile Justice Reform Act passed by N.C. General Assembly

Office of Juvenile Justice created, combining Division of Youth Services from DHHS and Juvenile Services Division from AOC.

History: Twenty-First Century

- 2000: General Assembly creates cabinet level Department of Juvenile Justice and Delinquency Prevention. George Sweat is first Secretary.
- 2003: Performance audit by State auditor's office reveals need for replacement facilities due to outdated, unsafe condition of current facilities.

Therapeutic Environment Training initiated at YDCs.

History: Twenty-First Century: Continued

- 2003: Construction of five new facilities approved by General Assembly.
- 2006: Four replacement facilities conduct groundbreaking ceremonies.
- 2008: Four replacement facilities open.



Juvenile Justice Structure

Court Services

Facilities

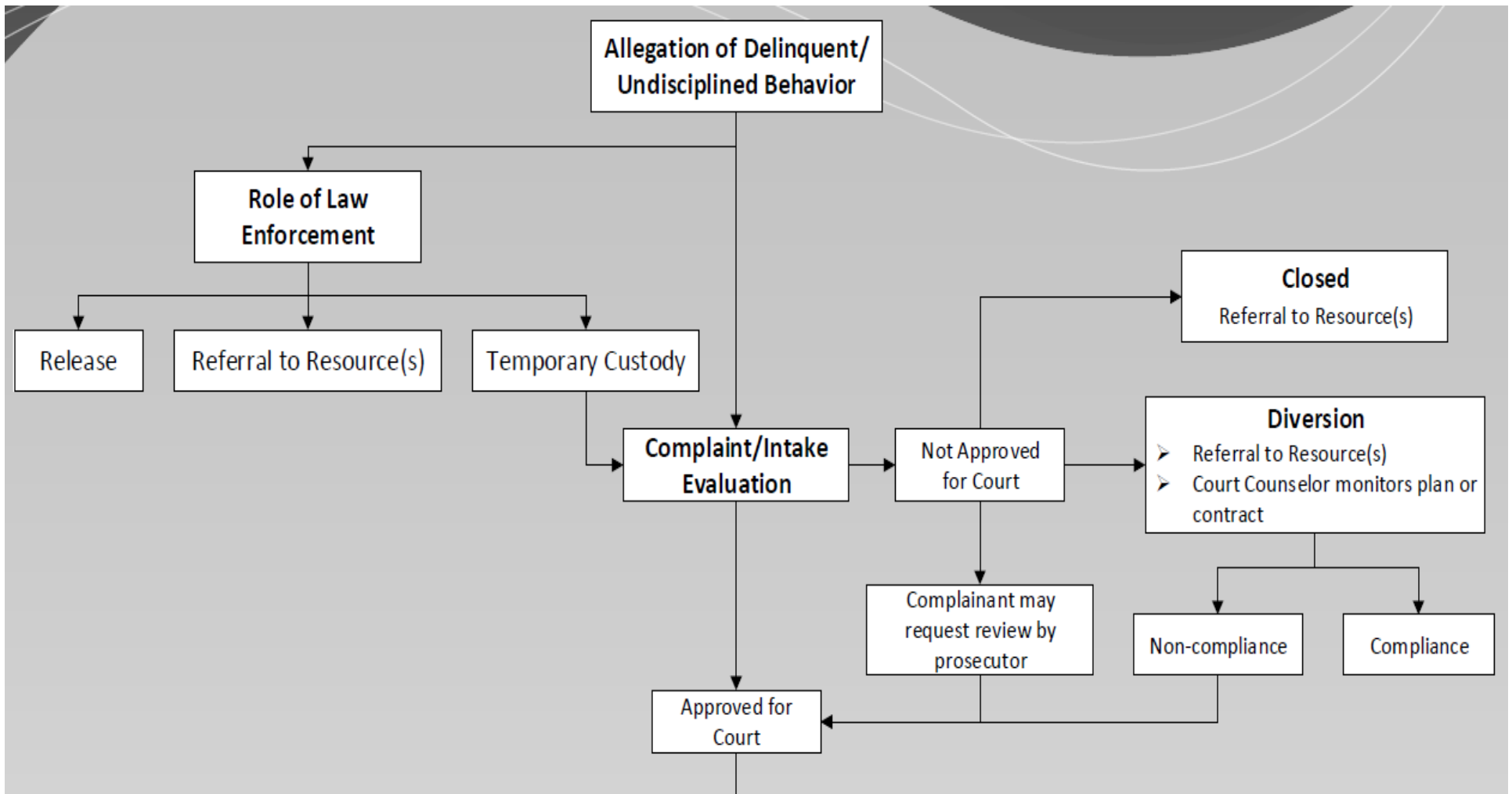
Community
Programs

Clinical &
Treatment
Services

Education &
Vocational
Services

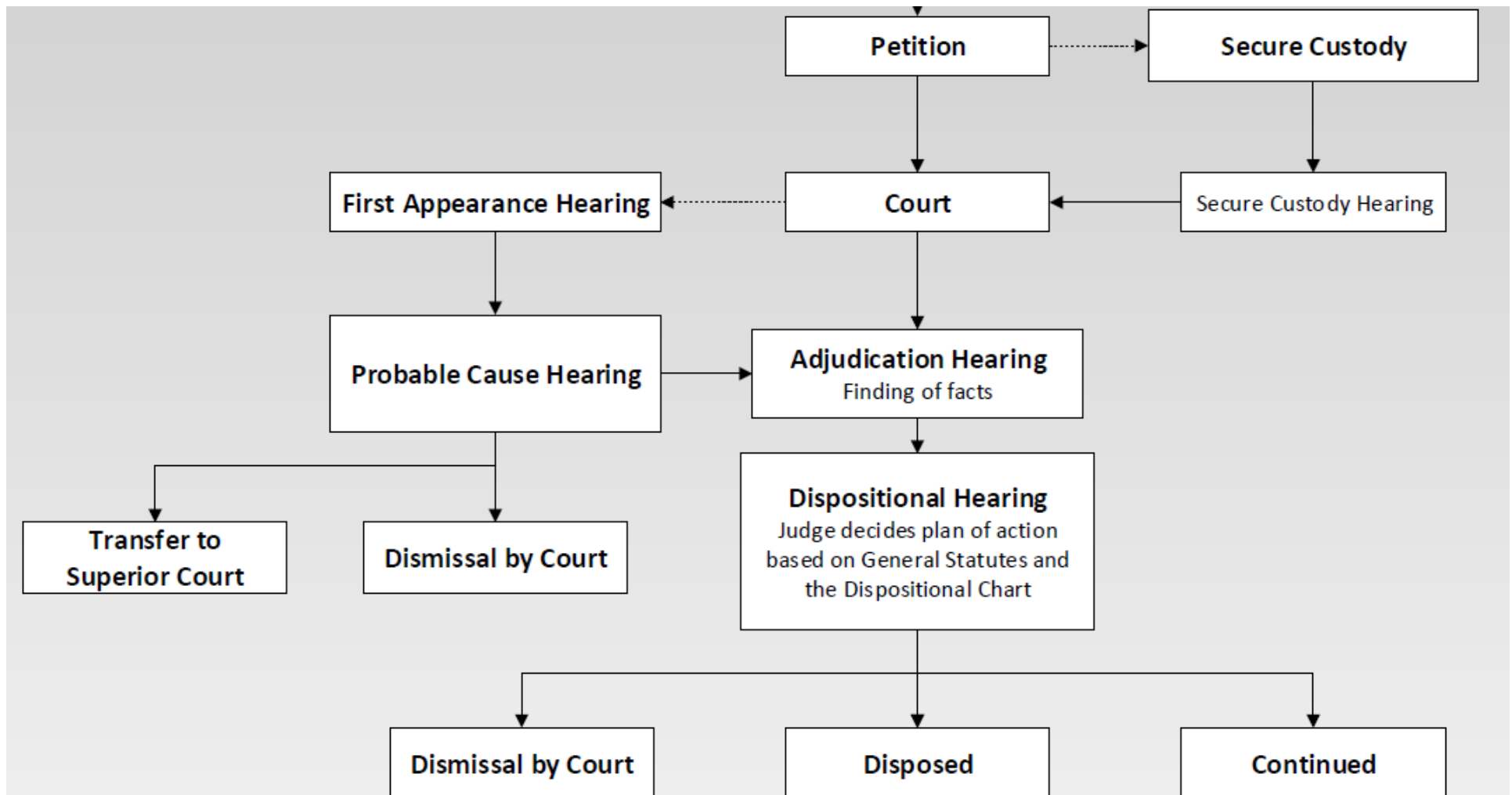
Juvenile Court Process

-----Reference Handout-----



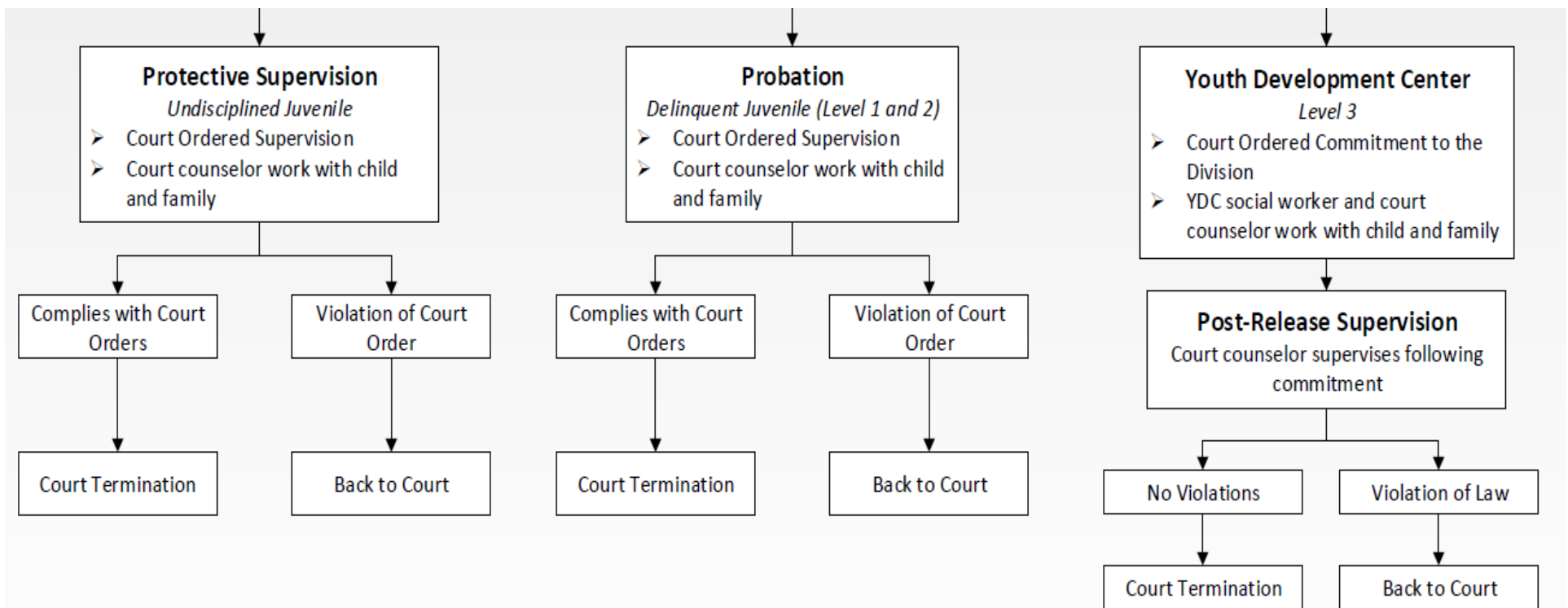
Juvenile Court Process

-----Reference Handout-----



Juvenile Court Process

-----Reference Handout-----





Raise the Age

Myths

- ▶ We haven't planned for this.
- ▶ We will be overwhelmed with thousands of kids immediately.
- ▶ 10-year olds and 19-year olds will be housed next to each other.

Why?

- »» Raise the Age: It's the right thing to do.

- Make NC safer
- Reduce recidivism
- Economic savings
- Juvenile employability
- Parental inclusion in process, strengthening families
- Professionals in juvenile treatment & intervention
- Other states' positive experiences
- Supported by science
- Consistent with recent legal decisions



Raise the Age Proposal

North Carolina data shows a significant 7.5% decrease in recidivism when teens are adjudicated in the juvenile versus the adult system.

COMPARATIVE STATISTICAL PROFILE, *supra* note 54, at Tables 9 and 11 (showing a two-year recidivism rate for 16-17 year old probationers to be 49.3% and a two-year recidivism rate for 15-year-olds to be 41.8%).

North Carolina data also shows that when youthful offenders are prosecuted in the adult system, they recidivate at a rate that is 12.6% higher than the overall population.

COMPARATIVE STATISTICAL PROFILE, *supra* note 54, at Table 9 (while the overall probation entry population recidivates at a rate of 36.7%, 16- and 17-year-olds recidivate at the much higher rate of 49.3%).



Raise the Age Proposal

In 2009, the Governor's Crime Commission Juvenile Age Study submitted to the General Assembly included a cost-benefit analysis of raising the age of juvenile court jurisdiction to 18. The analysis, done by ESTIS Group, LLC, found that the age change would result in a net benefit to the state of \$7.1 million.

GOVERNOR'S CRIME COMMISSION JUVENILE AGE STUDY, A STUDY OF THE IMPACT OF EXPANDING THE JURISDICTION OF THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION 4-6 (2009) [hereinafter 2009 GOVERNOR'S CRIME COMMISSION REPORT].



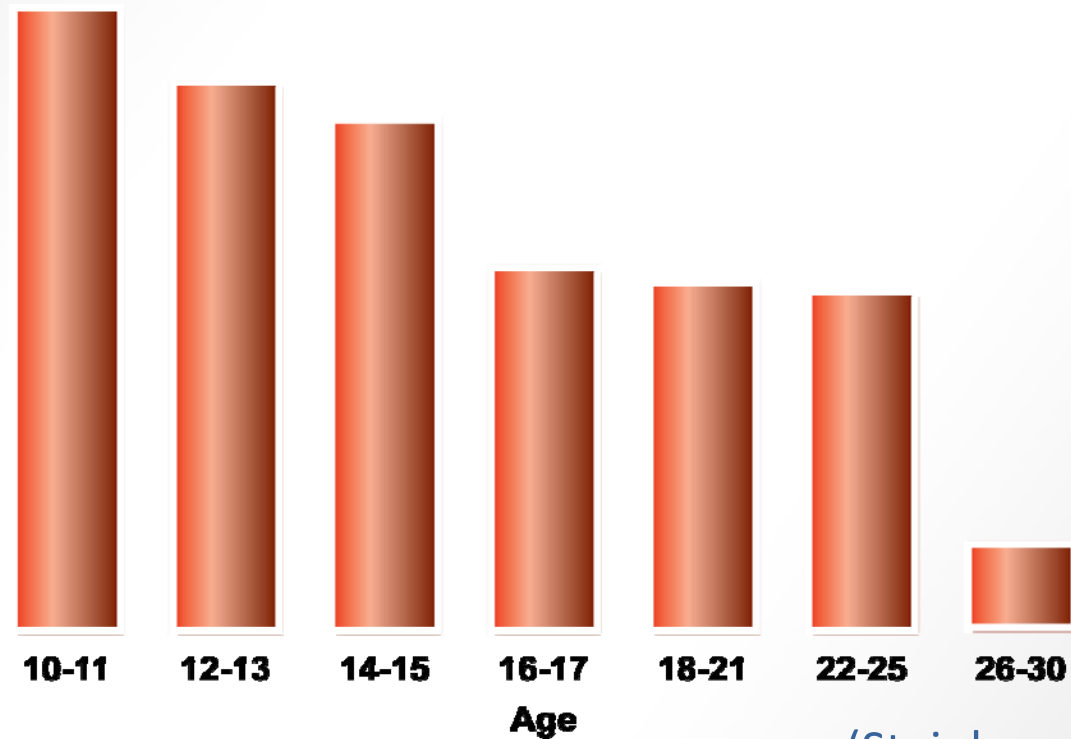
Raise the Age Proposal

- In 2011, the Youth Accountability Planning Task Force submitted its final report to the General Assembly. The Task Force's report included a cost-benefit analysis, done by the Vera Institute of Justice, of prosecuting 16 and 17-year-old misdemeanants and low-level felons in juvenile court. That report estimated net benefits of \$52.3 million.

YOUTH ACCOUNTABILITY TASK FORCE REPORT, *supra* note 3.



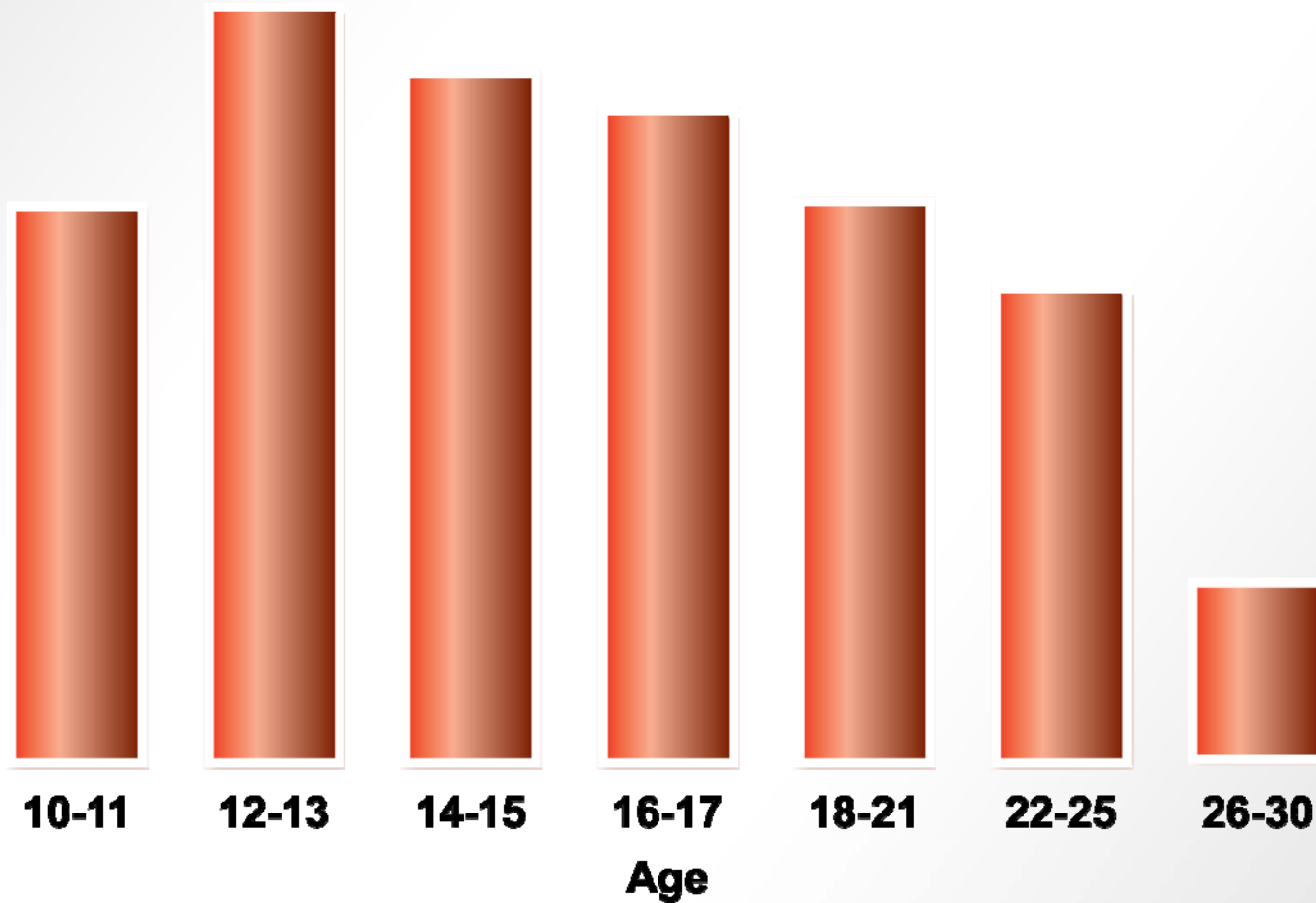
Impulsivity Declines with Age



(Steinberg, et.al., 2008)

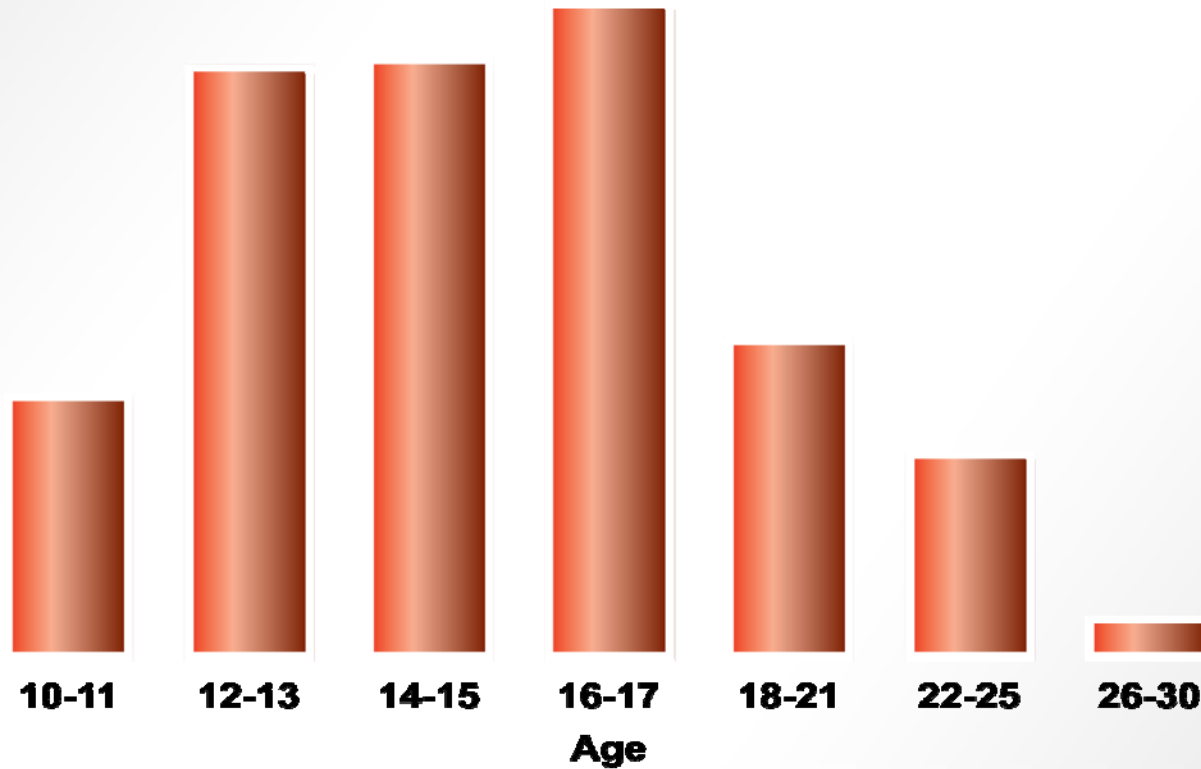


Sensation-seeking Declines with Age



(Steinberg, et.al., 2008)

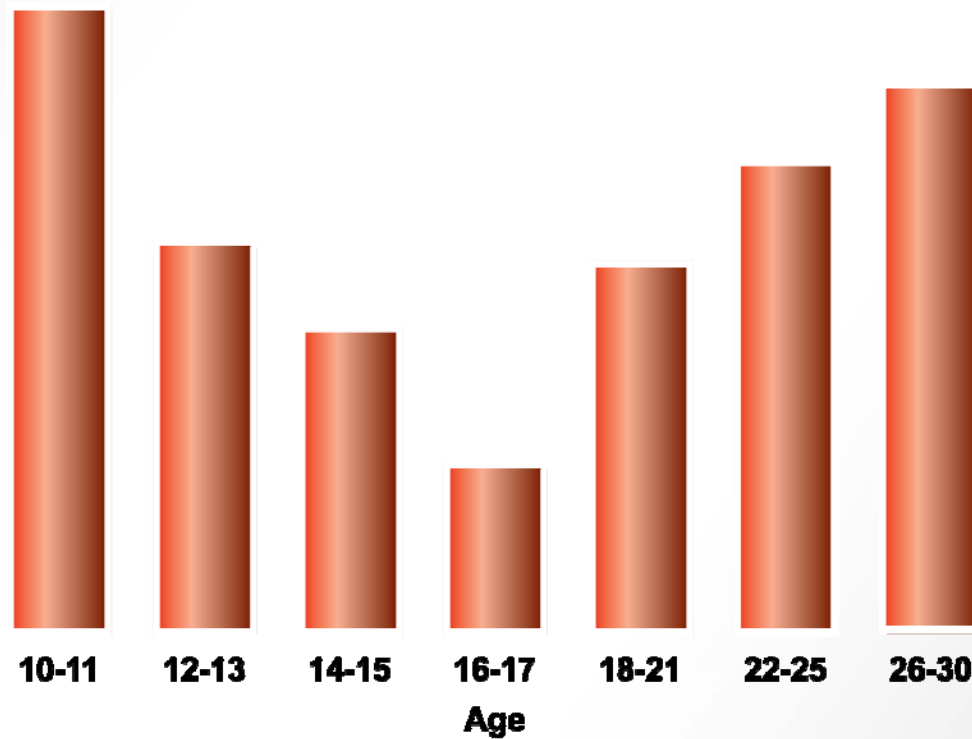
Preferences for Risk Peaks in Mid-Adolescence



(Steinberg, et al., 2009)



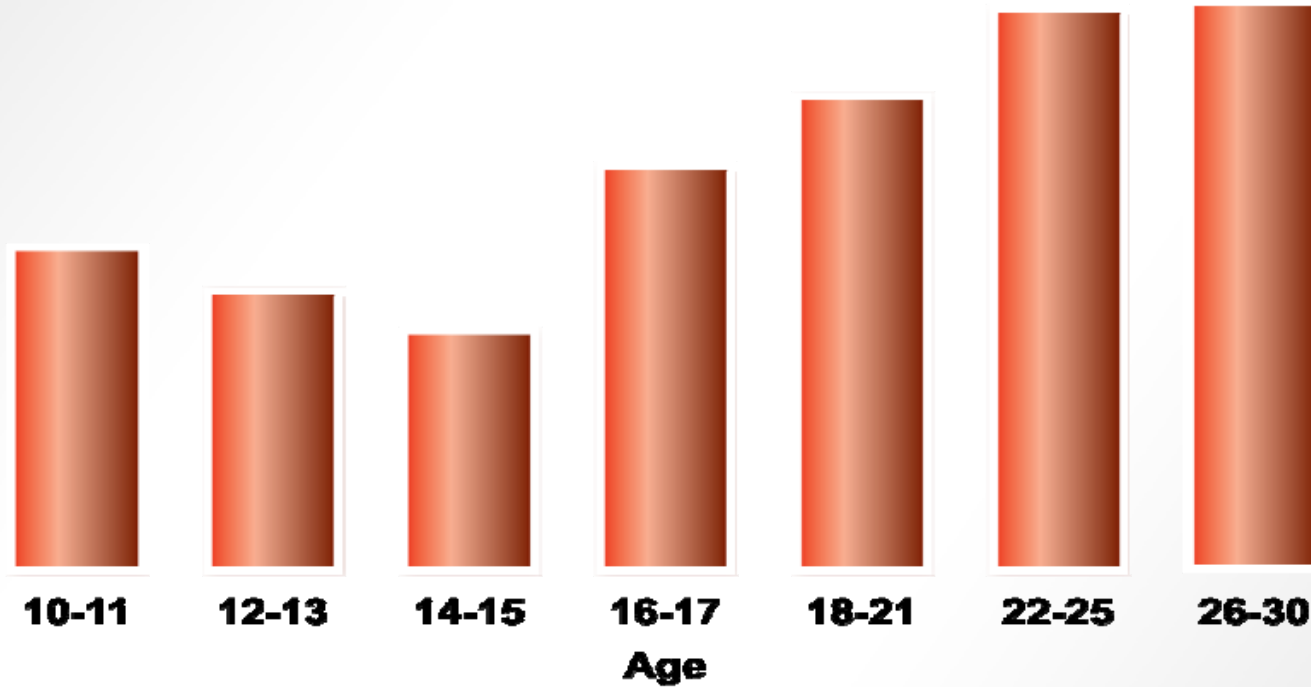
Risk Perception Declines and then Increases After Mid-Adolescence



(Steinberg, et al., 2009)



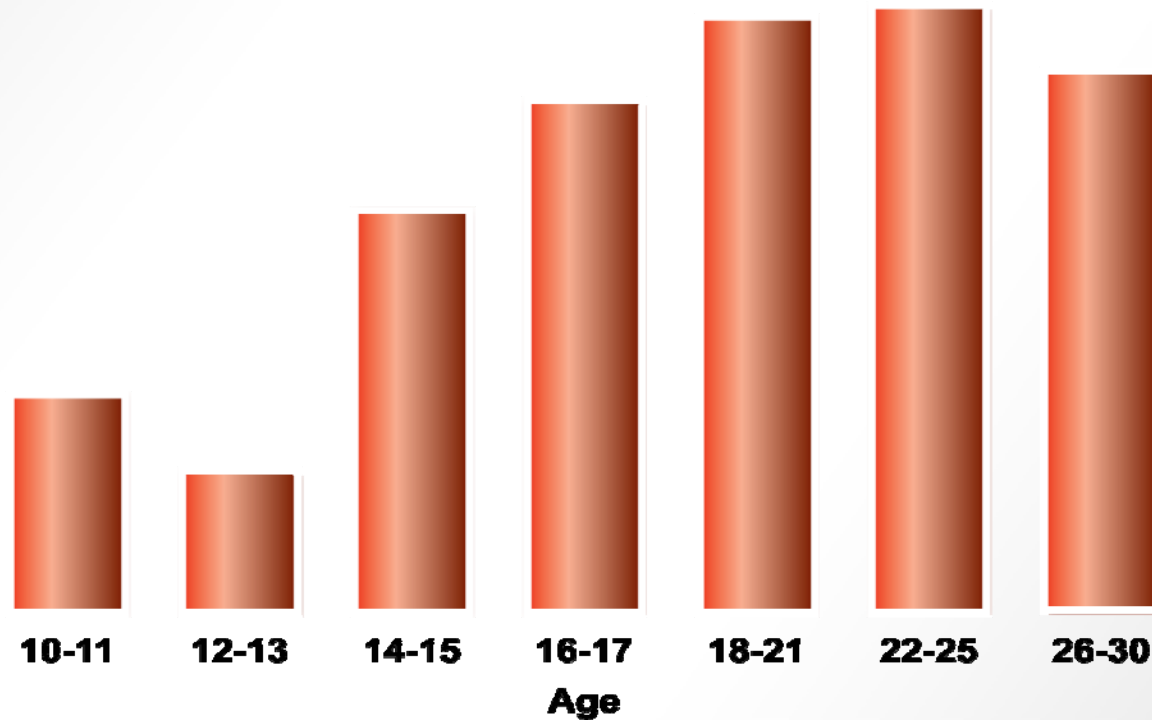
Future Orientation Increases with Age



(Steinberg, et al., 2009)



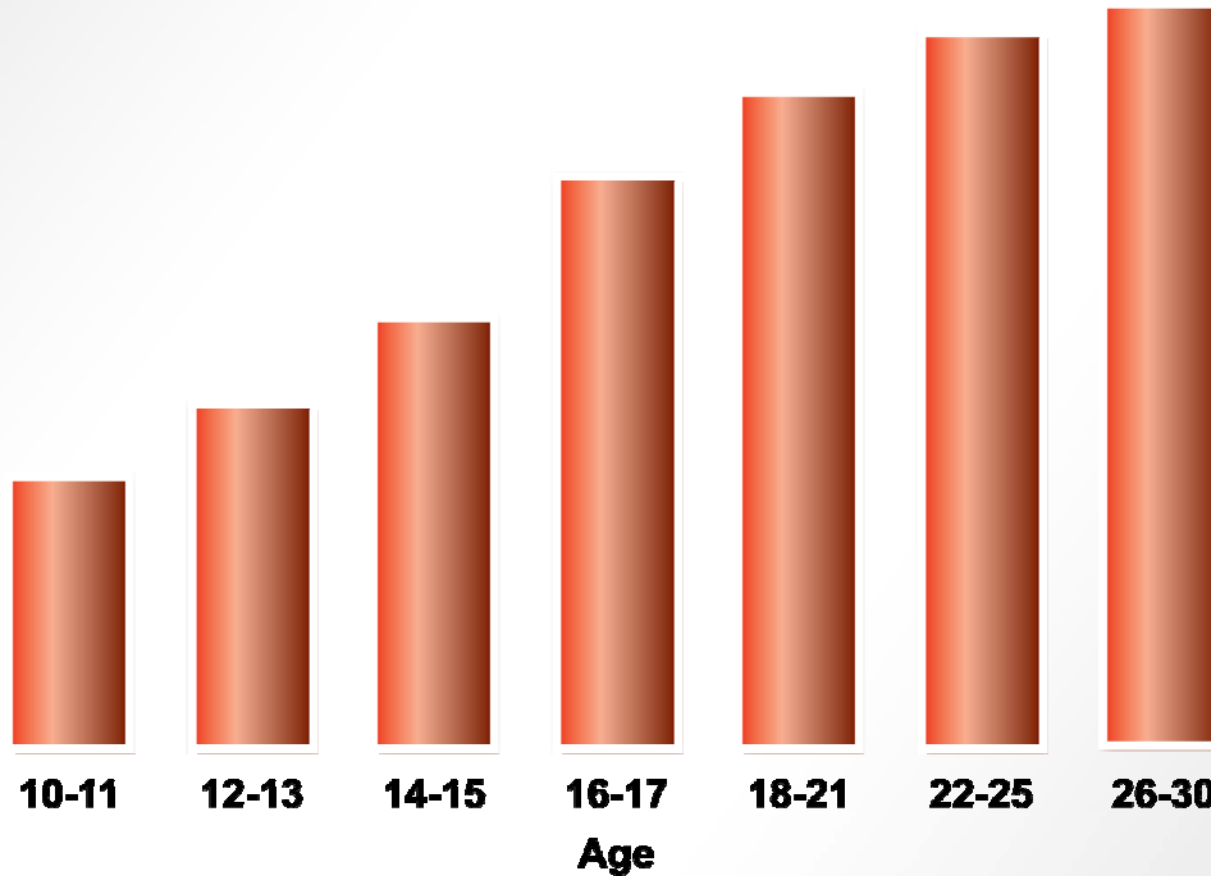
Older Individuals Are More Willing to Delay Gratification



(Steinberg, et al., 2009)



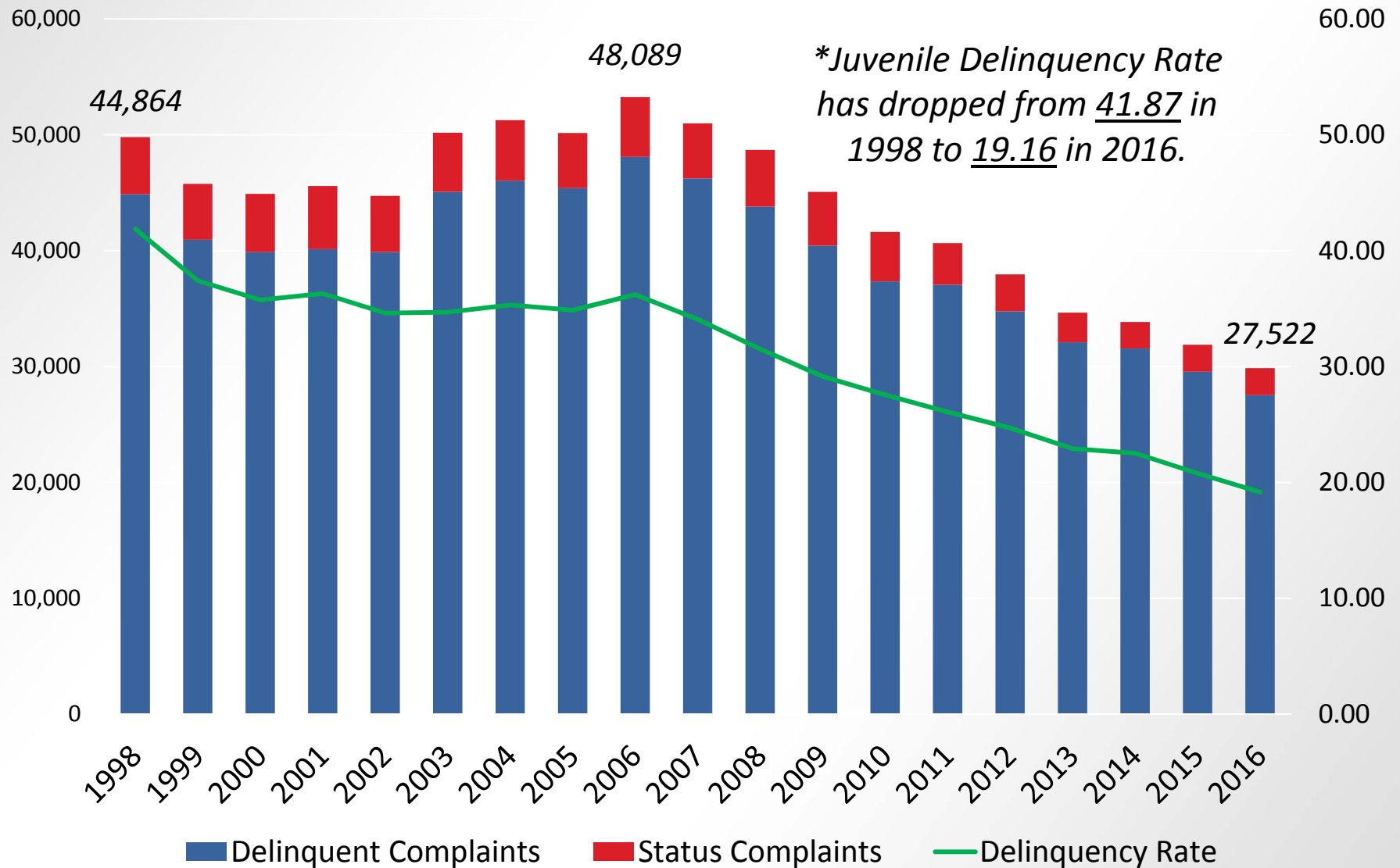
With Age, Individuals Become More Resistant to Peer Influence



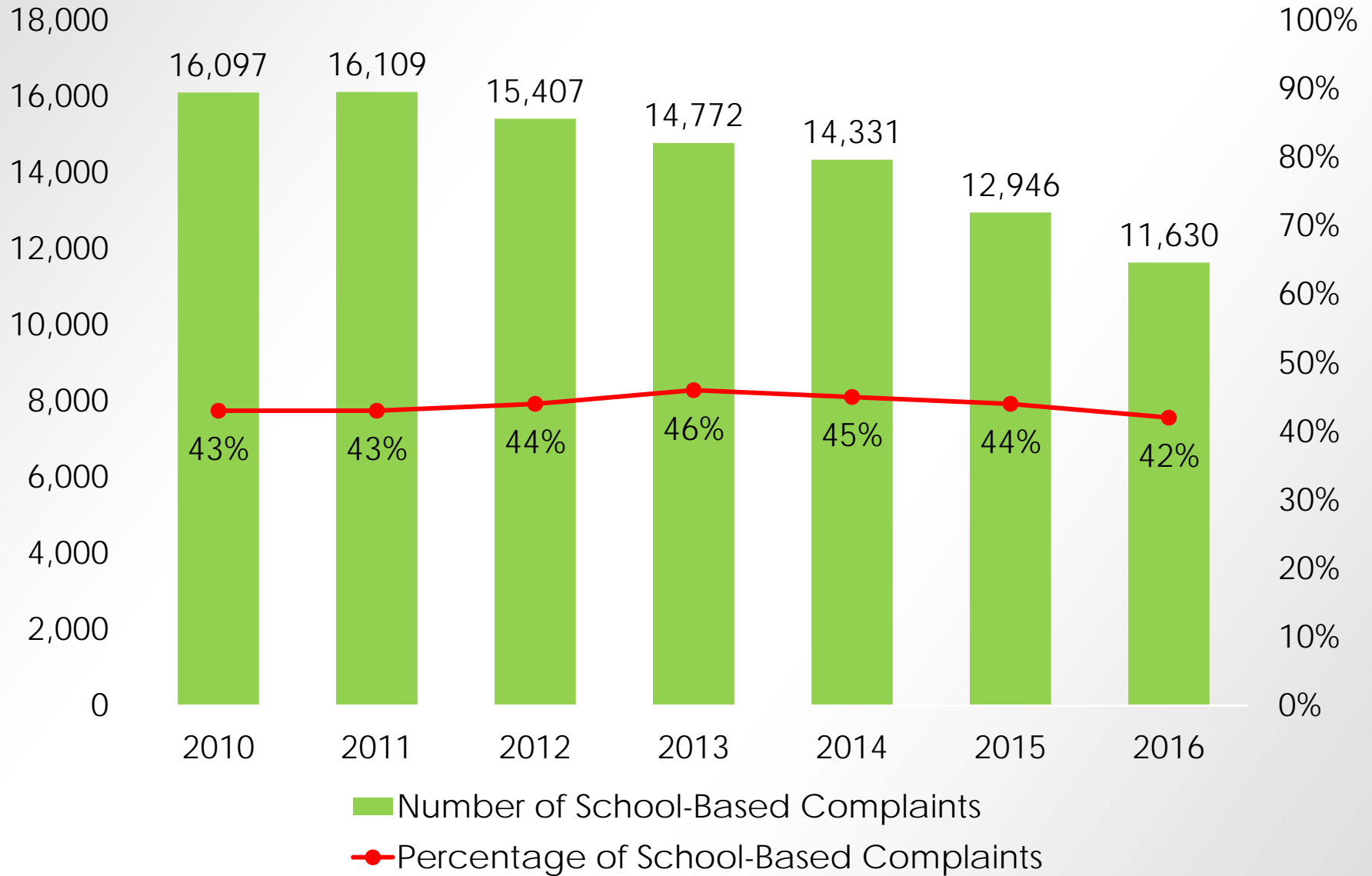
(Steinberg & Monahan, 2007)



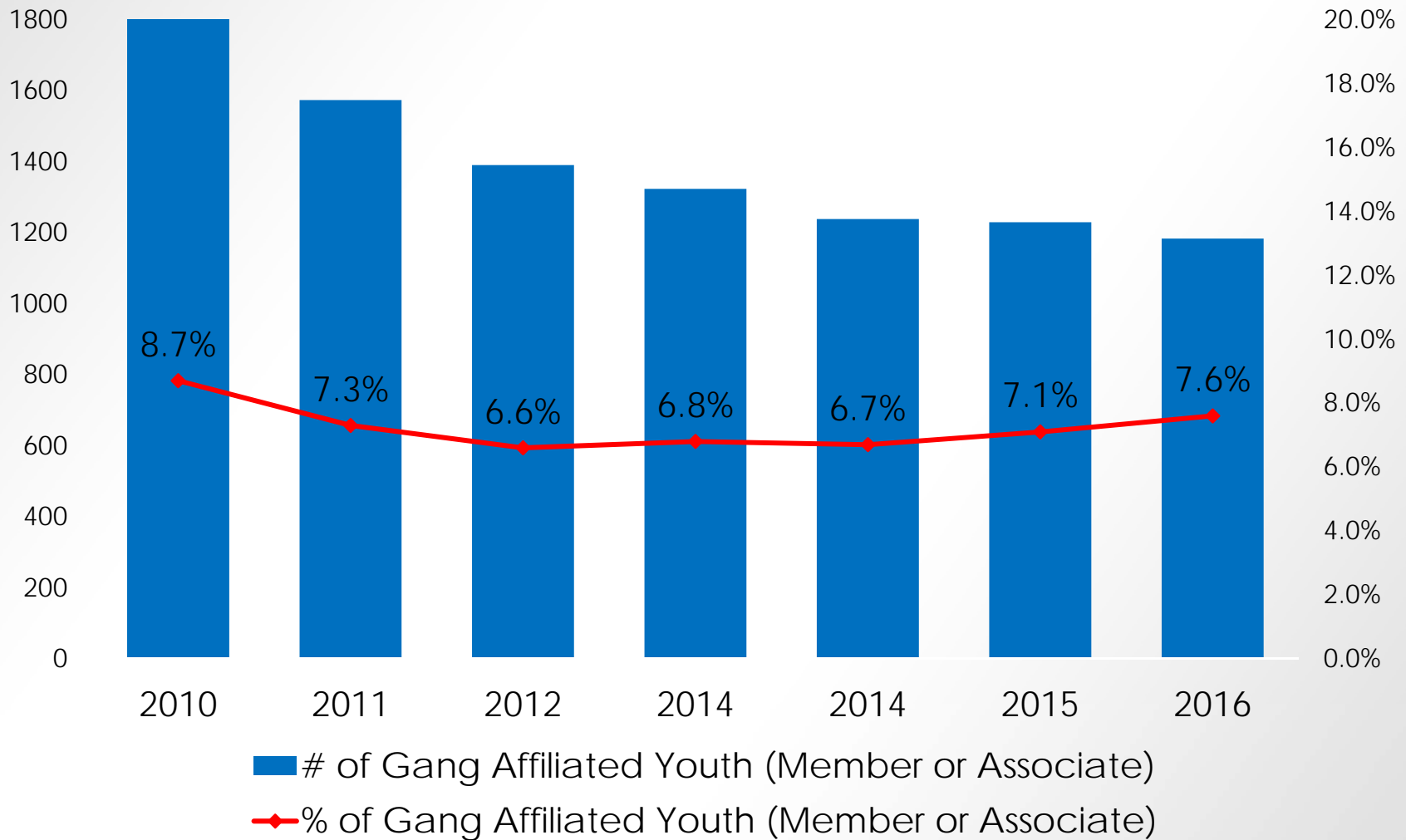
History of Juvenile Complaints in NC (1998-2016)



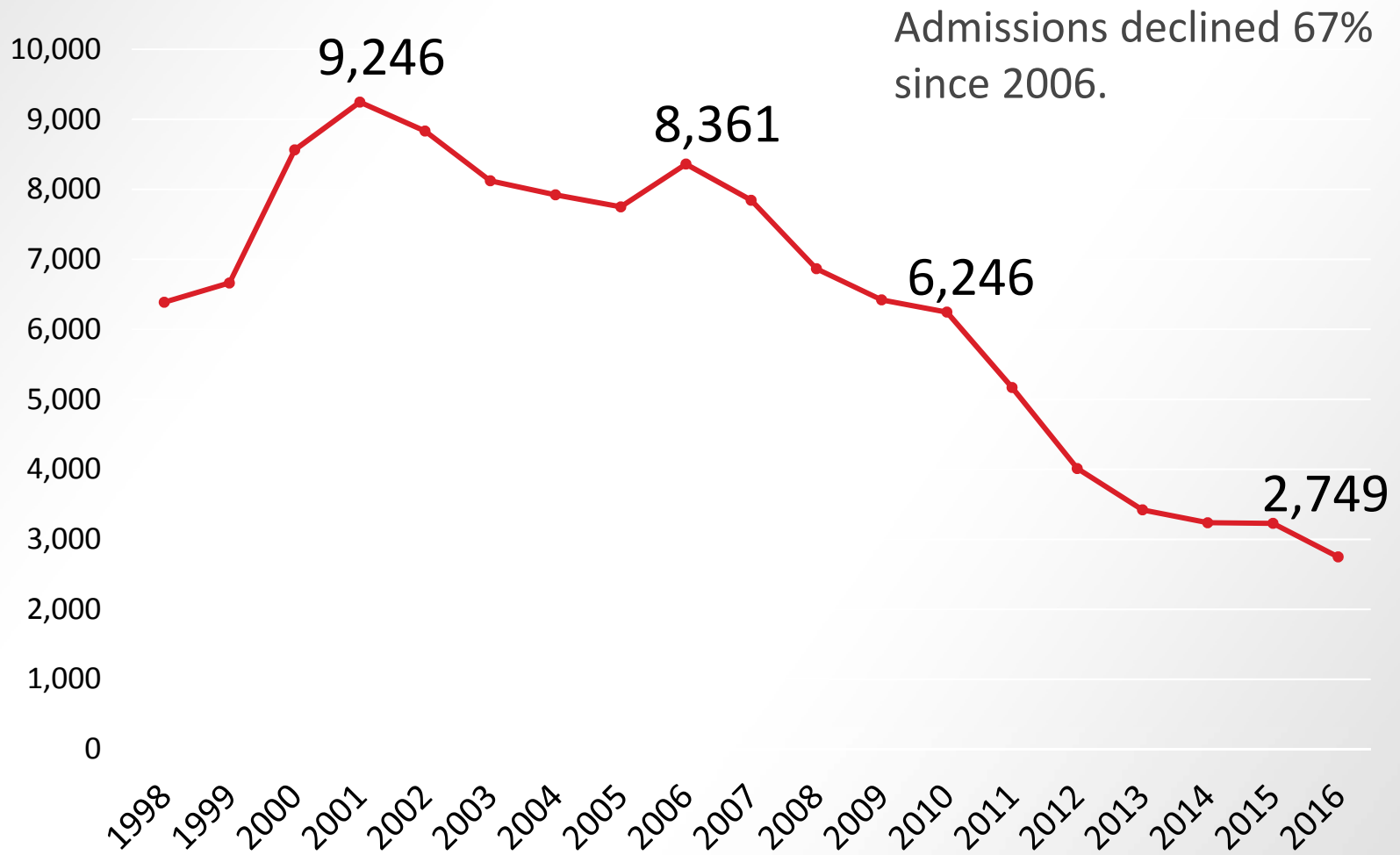
Percentage of School-Based Complaints



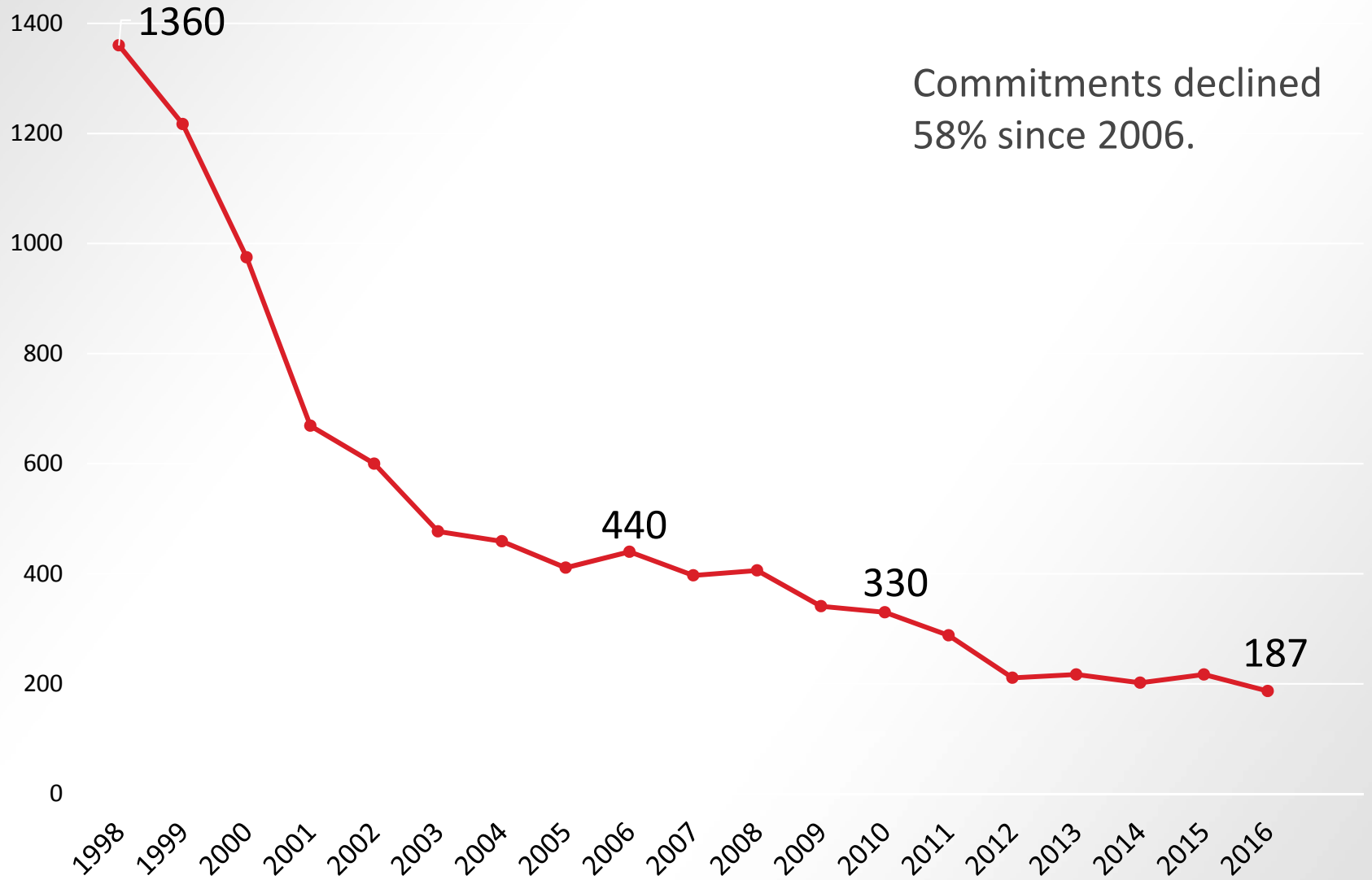
Gang-Involved and Gang Affiliated Youth



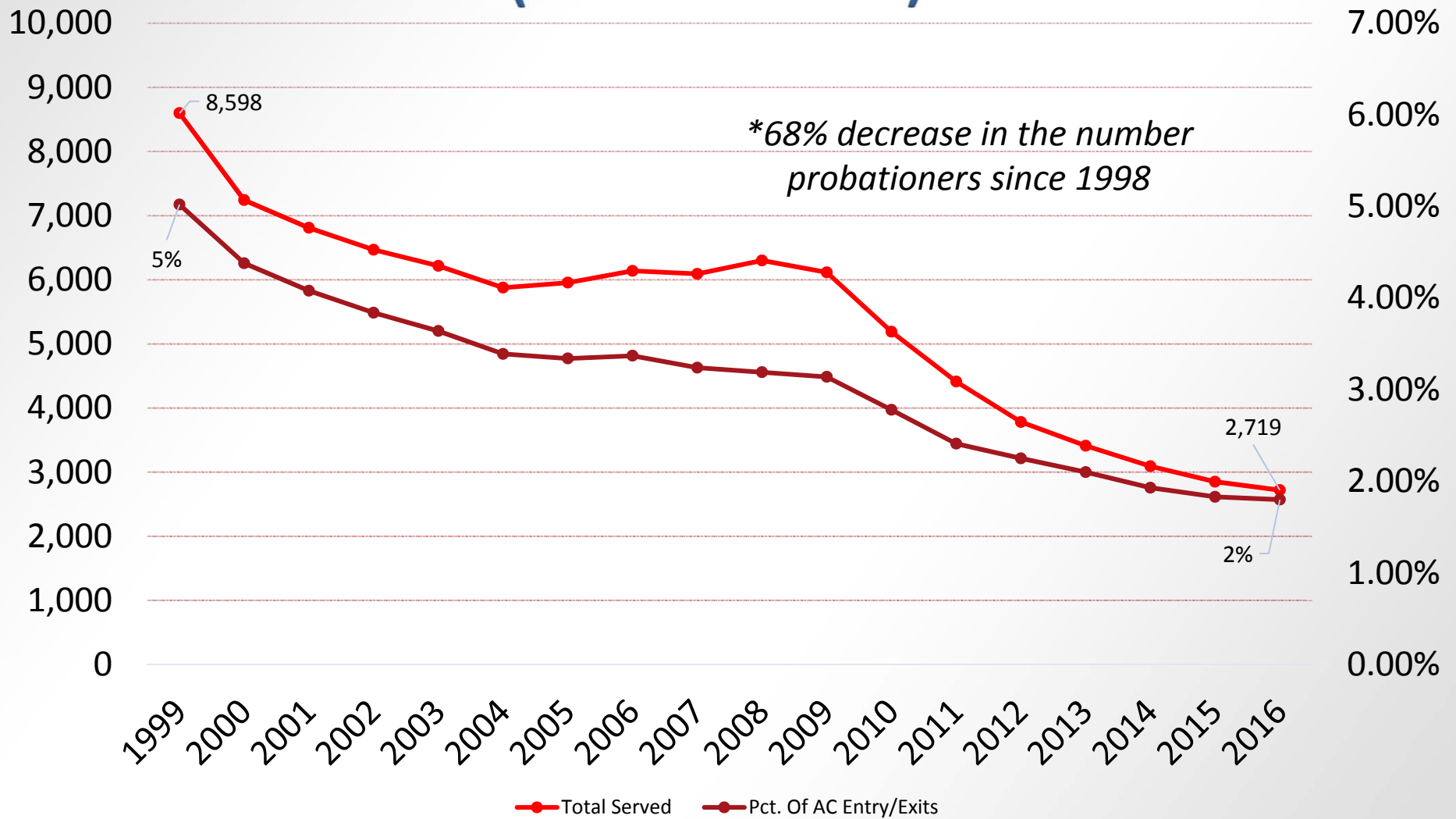
Trends in Juvenile Detention Center Admissions (1998-2016)



Trends in Youth Development Center Commitments (1998-2015)



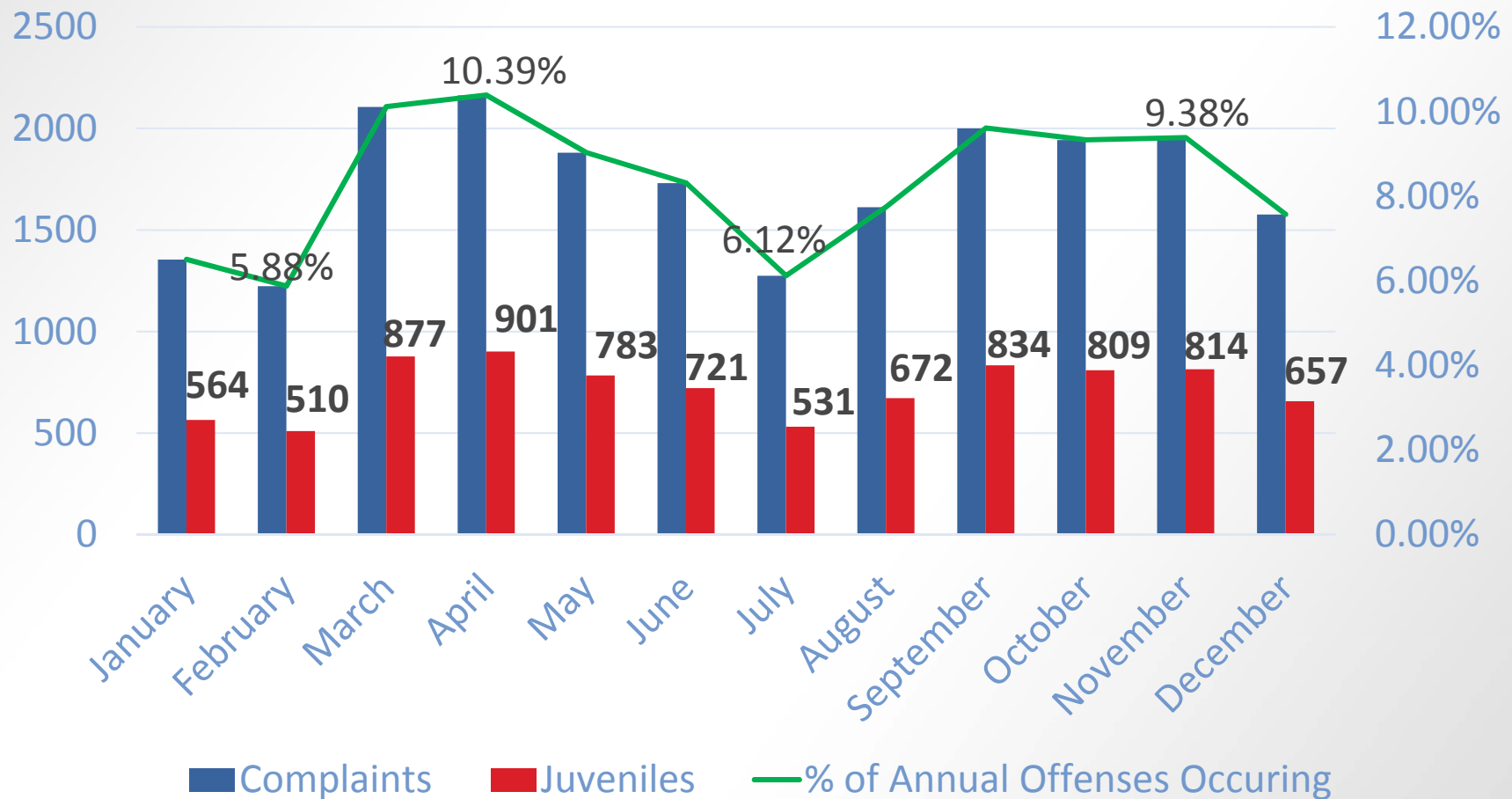
16 and 17 Year Olds on Adult Supervision (CY 1999-2016)



New complaints will enter slowly over time

8,673 new JJ Youth in 2020: Offense trend

NOTE: Complaints filed an average of 32 days following offense.



Juvenile Jurisdiction Advisory Committee

- ▶ Co-Chairs
- ▶ Quorum
- ▶ Consultation
- ▶ ACJJ to staff & resource
- ▶ Terminate 2/2023 or upon filing of final report (earliest)



Reporting Required

Initial

Final

1/15, annually


3/1/2018




1/15/2023

Interim

Duties

Develop a specific implementation plan



Include Costs (capital, operating, staffing)



Monitor and review implementation



Make additional recommendations, as necessary

March 1, 2018 Report to Legislature

- ▶ Implementation Plan
- ▶ Costs
- ▶ Legislative, administrative, and funding recommendations
- ▶ Whether listed offenses should be excluded from juvenile jurisdiction

Possible Exclusions

- (1) Habitual misdemeanor assault (G.S. 14-33.2).
- (2) Crime against nature (G.S. 14-177).
- (3) Obscene literature and exhibitions (G.S. 14-190.1).
- (4) Third degree sexual exploitation of a minor (G.S. 14-190.17A).
- (5) Solicitation of a child by computer to commit an unlawful sex act (G.S. 14-202.3).
- (6) Stalking when court order in effect (G.S. 14-277.3A).
- (7) The Class A1 offense of misdemeanor assault on a law enforcement officer.
- (8) Assault inflicting serious bodily injury; strangulation (G.S. 14-32.4).
- (9) Fraudulently setting fire to dwelling houses (G.S. 14-65).
- (10) Any offense requiring registration as a sex offender pursuant to Article 27A of Chapter 14 of the General Statutes.
- (11) Any other offense the Committee deems appropriate for exclusion.