



JJAC's Juvenile Age Interim Report

January 5, 2021

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Director of Juvenile Justice Reinvestment Act

Legislative Recommendations

The Committee recommends the following legislative recommendations:

- ▶ Conforming changes, including extended YDC Commitment for 16- and 17-year-olds;
- ▶ Conforming amendments to G.S. 7B-2514(c), G.S. 7B-2516(c), and G.S. 7B-2600(c)- extended commitment for PRS revocations and allow court to modify/vacate disposition including extended commitment
- ▶ Allow transfer to superior court youth to be housed in juvenile detention post-sentencing: G.S. § 7B-2204(d); and
- ▶ Procedures for juvenile Secure Custody Order on Remand
 - Issued by Superior Court
 - 10-day secure custody hearing
 - CC received immediate notification of remand and secure custody order

Legislative Recommendations

- ▶ Future Issues list of possible LRLI work
 - ▶ Remaining Issues [Previously recommended]
 - Recommendation that all school safety conversations must include School Justice Partnerships as part of the discussion.
 - Recommendation that DPS work with the Administrative Office of the Courts, with input via electronic communication from Juvenile Jurisdiction Advisory Committee members, to develop statutory language that permits legal assistants to access applicable JWisE information.
- >>[Postponed to July 1, 2024]<<

Funding Recommendations

- ▶ \$6.7 million for remaining detention beds needed

JJ Expansion Summary- Compromise Budget & H1001

	2019-20			2020-21		
	<u>FTEs</u>	<u>Recurring</u>	<u>Non-recurring</u>	<u>FTEs</u>	<u>Recurring</u>	
<u>Court Services</u>	97	\$ 3,082,600	\$ 1,980,000	97	\$ 8,700,000	
<u>Community Programs</u>						
JCPC Aid	0	\$ 4,250,000	\$ -	0	\$ 6,661,930	
JCPC Admin	5	\$ 250,000	\$ 80,000	5	\$ 400,000	
Level II Contractual	1	\$ 6,500,000	\$ 350,000	1	\$ 11,100,000	
<u>Transportation</u>	15	\$ 593,984	\$ 1,044,000	15	\$ 890,976	
<u>Facilities</u>						
Detention Operating	0	\$ 4,500,000	\$ -	0	\$ 6,700,000	
CA Dillon	38	\$ 1,535,486	\$ 322,000	38	\$ 2,300,000	
Education/Vocational	4	\$ 350,000	\$ 24,914	4	\$ 500,000	
Facility Administration	7	\$ 500,000	\$ 40,000	7	\$ 500,000	
<u>Training/Data/IT/HR</u>	12	\$ 1,420,053	\$ 200,000	12	\$ 1,893,404	
Continued CS	65	\$ 3,892,394		65	\$ 3,892,394	
<i>Operating Subtotal</i>		\$ 26,874,517	\$ 4,040,914		\$ 43,538,704	
	244	\$	30,915,431	244	\$	43,538,704

Note: These costs do not included juvenile detention costs paid by counties.

$$(300 \text{ beds} \times 365 \text{ days} \times \$244) / 2 = 13.4 \text{ million}$$

Funding Recommendations

- ▶ ~~\$75,000~~ **\$110,000** for Juvenile Defender positions for contracts administrator
- ▶ AOC existing deficiencies at a cost of \$8,379,921 and non-recurring cost of \$744,098 in FY 21; annualized at \$16,759,842 recurring and \$744,098 non-recurring in FY22.
- ▶ \$125,589 (R) and \$3,752 (NR) Conference of DAs resource prosecutor
- ▶ *Reference to AOC method to allocate potential new RtA positions*

Other Subcommittee Reports

- ▶ Minimum Age
 - Membership
 - Meeting Dates
 - Experts who presented
 - Considerations (e.g., targeted programming for younger youth, mobile crisis units, community partnerships)
 - Consulting with stakeholders to craft formal recommendations



Brief Legislative History

- ▶ Since the passage of RtA in 2017, at least eight (8) laws have passed that were directly influenced by the JJAC and those laws are listed and summarized in this section of the report
 - Funding Allocations
 - Process Changes



Systemwide Data



DATA



KNOWLEDGE



ACTION

▶ NC Demographer

- The youth population (ages 10-15) is projected to decrease 2.7% between 2019 and 2025; and the RtA age population (ages 16-17) is expected to increase 4.8% between 2019 and 2025.

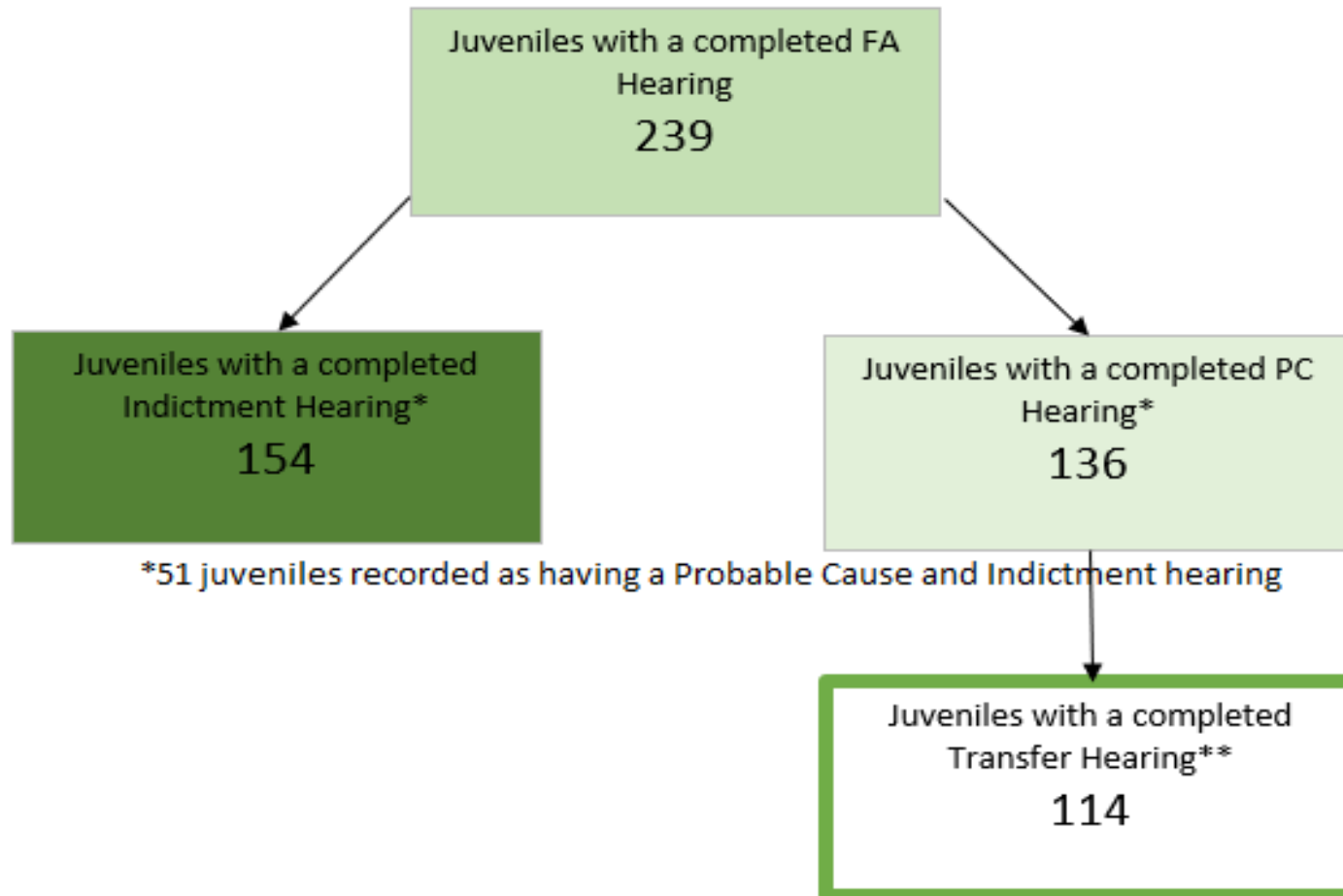
▶ Adult Correction (FY16-FY20)

- 48% decline in prison entries under age 18
 - 32% decline over past fiscal year
- 27% decline in ADP (prisons) for youth under age 18
 - 18% decline over past fiscal year

Systemwide Data

- ▶ Transfers to Superior Court: 245 RtA juveniles with 701 complaints
 - 73% of transferred complaints were Felony Class A-G
 - 5% of distinct juveniles transferred had a most serious complaint of Felony Class H, I [Discretionary]
 - Most common transferred offense: Robbery with dangerous weapon (206 complaints)
 - Most common transferred class of offense: Felony Class D

Systemwide Data – Transfers to Superior Court



*51 juveniles recorded as having a Probable Cause and Indictment hearing

**29 juveniles recorded as having both Indictment and Transfer Hearings

H593 Criminal Court Youth

- ▶ From August 1, 2020 to December 31, 2020, there were 52 juvenile detention admissions for H593 criminal court youth
 - 71% of those H593 admissions were for pre-trial stays in juvenile detention.

Juvenile Justice Data: A Year in Review



Unplanned Successes

- ▶ Collaboration with Forsyth and Guilford counties to implement Educating Kids on Gun Violence (EKG) programming
- ▶ Status offenses declined 29%

Risk/Needs Assessments

RtA Youth- what sets these youth apart? There are 5 areas:

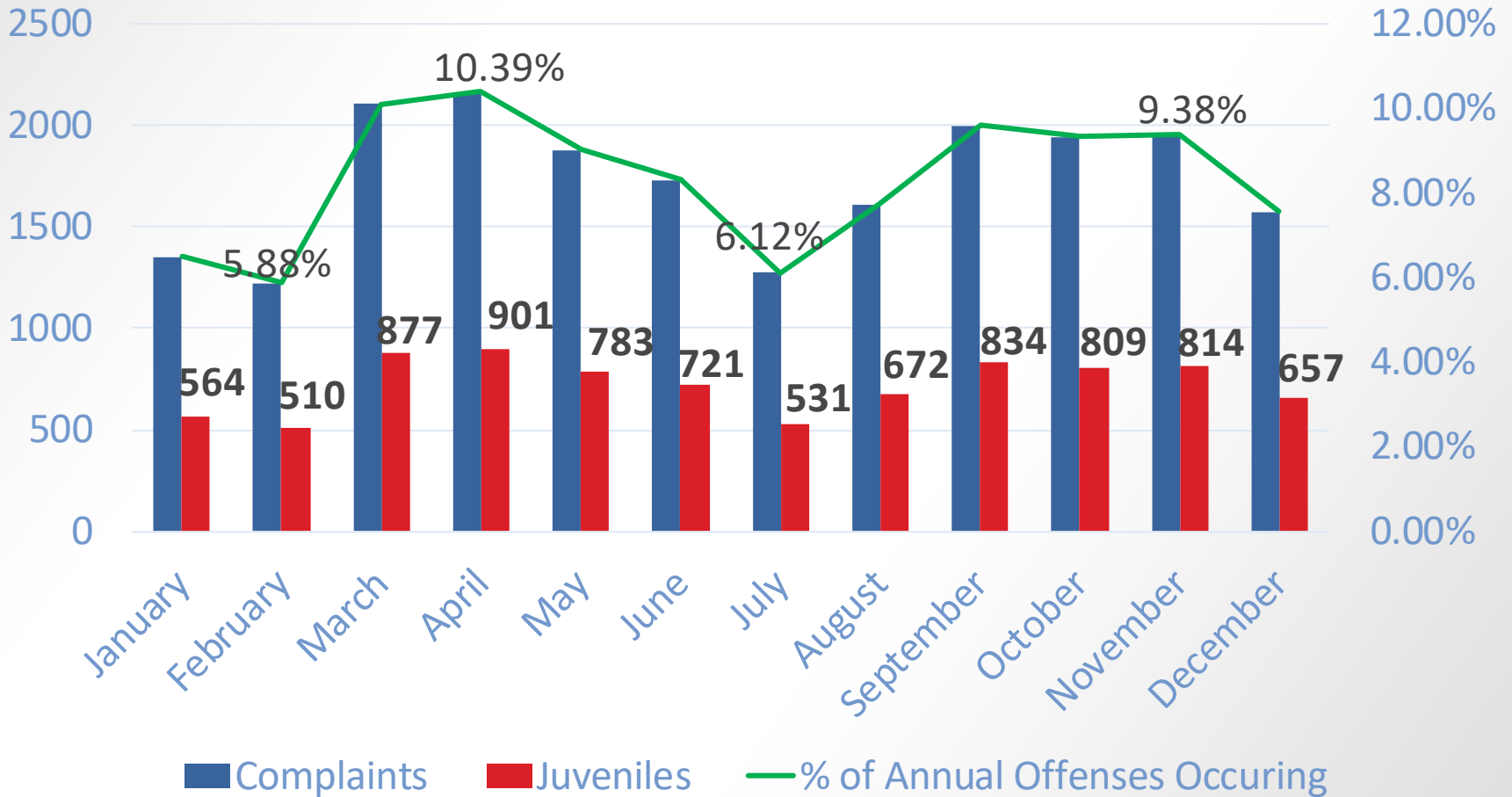
1. Higher % are **gang members/associates**
2. Higher % associate with **criminal/delinquent peers**
3. Significantly higher % with **substance abuse**
(61%, 33%, <1%)
4. Higher % need **mental health assessment/treatment**
5. Higher % are **runaways**

Almost half of juveniles across all ages had a household member that was currently incarcerated or had a record.

New complaints will enter slowly over time

8,673 new JJ Youth in 2020: Offense trend

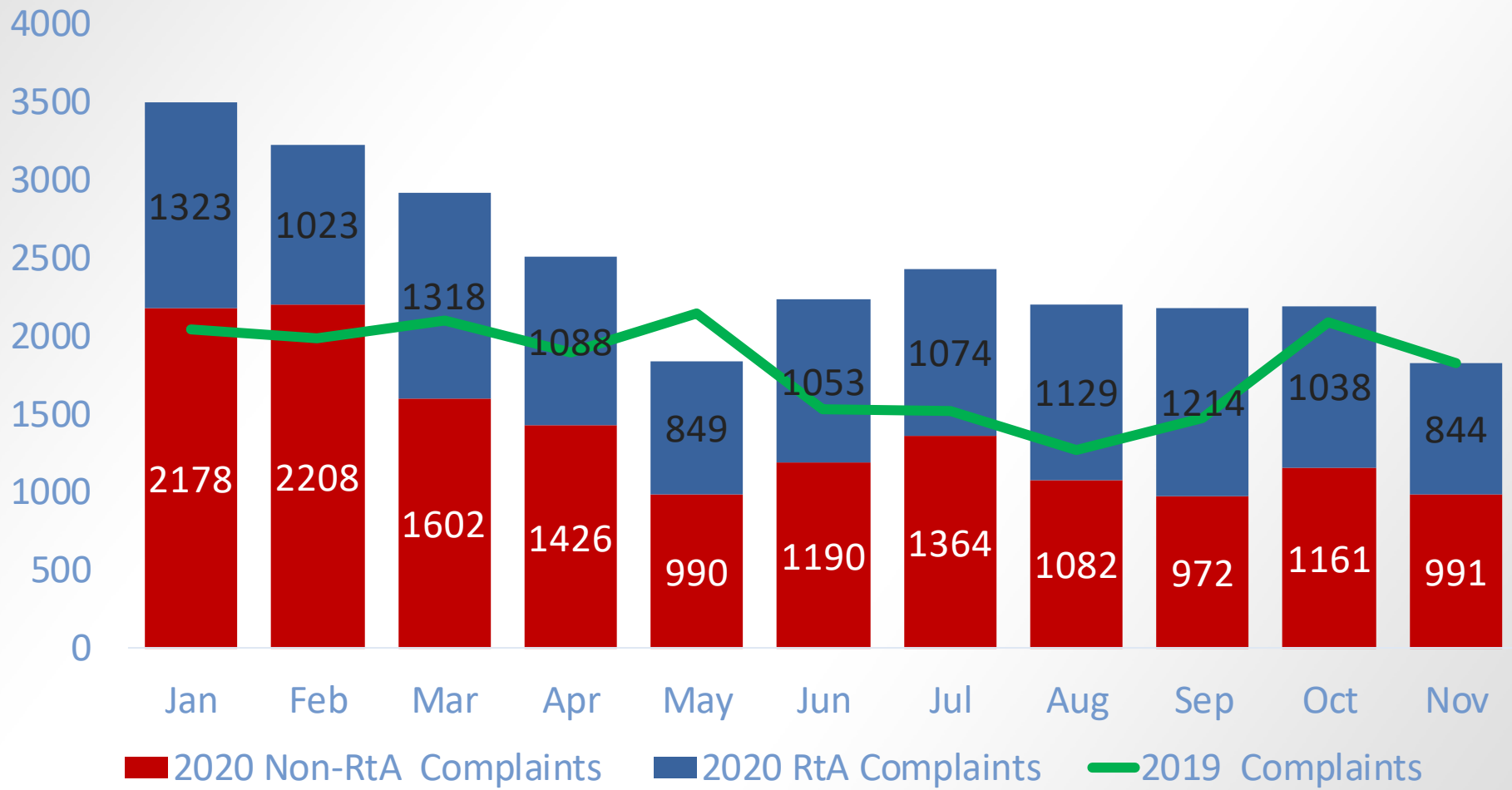
NOTE: Complaints filed an average of 32 days following offense.



Complaints Impact from COVID-19 (Monthly)

2019 vs 2020, Non-RtA and RtA

Received Dates: Jan 1 - Nov 30



Reporting period: Dec 1, 2019-Nov 30, 2020

- ▶ Complaints, Annual: **12,349**
- ▶ Distinct Juveniles, Annual: **4,107**
- ▶ **56%** of the Total Projected RtA Complaints were Received
 - Received 100% of projected Felony Class A-G offenses
 - Received 53% of H-3 class offenses

- ▶ Projected a 64% systemwide increase; saw a 38% increase

Please note that data is produced for timely notification and that data quality assurance practices may alter the counts slightly over time.

Age at Offense

Table 1. Raise the Age Complaints by Age

Age at Offense	Complaints	Juveniles*	Complaints per Juvenile	% of Total Complaints
16	6,274	2,053	3.06	51%
17	6,075	2,171	2.80	49%
Total	12,349	4,107	3.01	

*Distinct juveniles within each age group and total distinct juveniles regardless of age

Table 3. Raise the Age Complaints by Race/Ethnicity

Similar

Race	Complaints	Juveniles*	Complaints per Juvenile	% Complaints by Race	% Juveniles by Race
American Indian or Alaska Native	154	44	3.50	1%	1%
Asian	28	12	2.33	0%	0%
Black	7,018	1,994	3.52	57%	49%
Hispanic/Latino	1,421	436	3.26	12%	11%
Native Hawaiian or Other Pacific Islander	6	3	2.00	0%	0%
Two or More Races	278	99	2.81	2%	2%
Unknown	89	42	2.12	1%	1%
White	3,355	1,477	2.27	27%	36%
Total	12,349	4,107	3.01		

*Distinct juveniles within each race group and total distinct juveniles regardless of race

In comparison, Black/AA youth make up 50% and White youth make up 35% of youth under age 16.

Similar

Table 2. Raise the Age Complaints by Gender

Gender	Complaints	Juveniles*	Complaints per Juvenile	% of Total Complaints	% of Total Juveniles
Female	2,133	1,038	2.05	17%	25%
Male	10,215	3,068	3.33	83%	75%
Unknown	1	1	1.00	0%	0%
Total	12,349	4,107	3.01		

*Distinct juveniles within each gender group and total distinct juveniles regardless of gender

In comparison, for youth under age 16, females make up **27%**.

Complaints per juvenile

- ▶ 2.41 complaints per juvenile monthly average
- ▶ 3.01 complaints per juvenile yearly average
- ▶ Gender:
 - 2.05 CPJ for females
 - 3.33 CPJ for **males**
- ▶ Race/Ethnicity:
 - **Black/AA:** 3.52 CPJ
 - Hispanic/Latino: 3.26 CPJ
 - 2 or more races: 2.81 CPJ
 - White: 2.27 CPJ
- ▶ Age
 - **16 year olds:** 3.06 CPJ
 - 17 year olds: 2.8 CPJ

SBO's represent only 16% of all complaints received in 2020

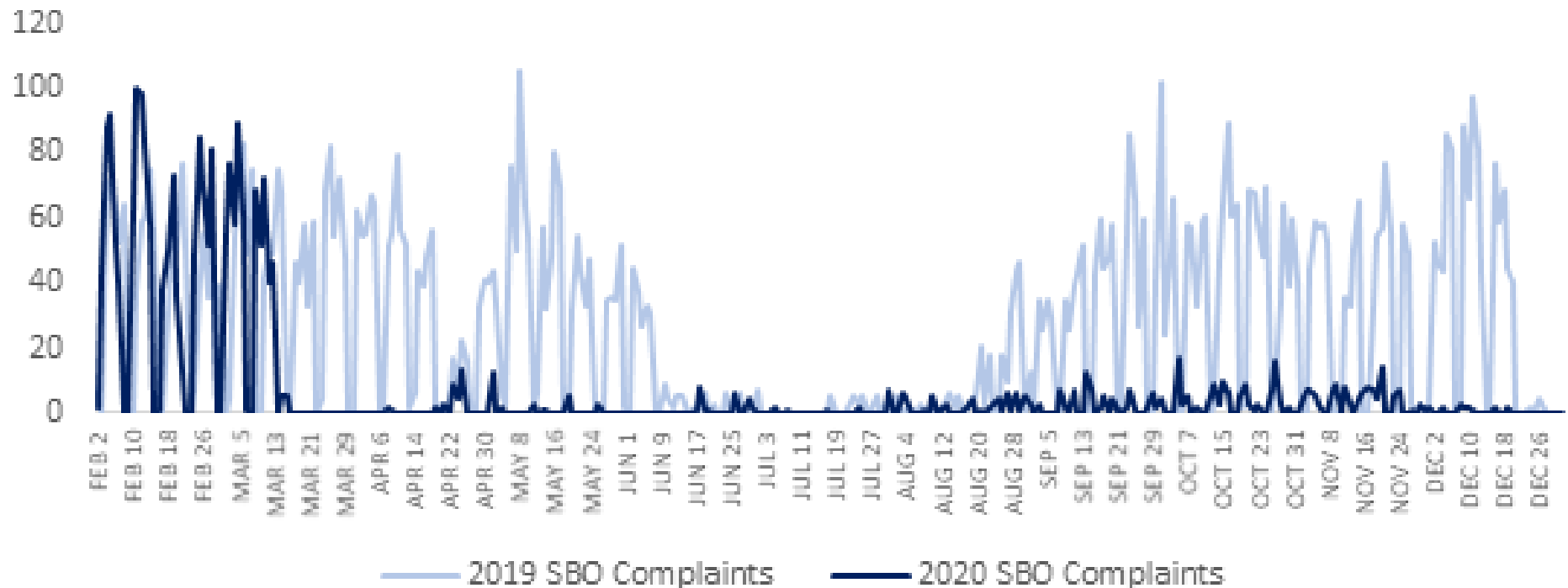
Figure 2. Complaints Impact from COVID-19 (Daily)

SBO Only by Offense Date

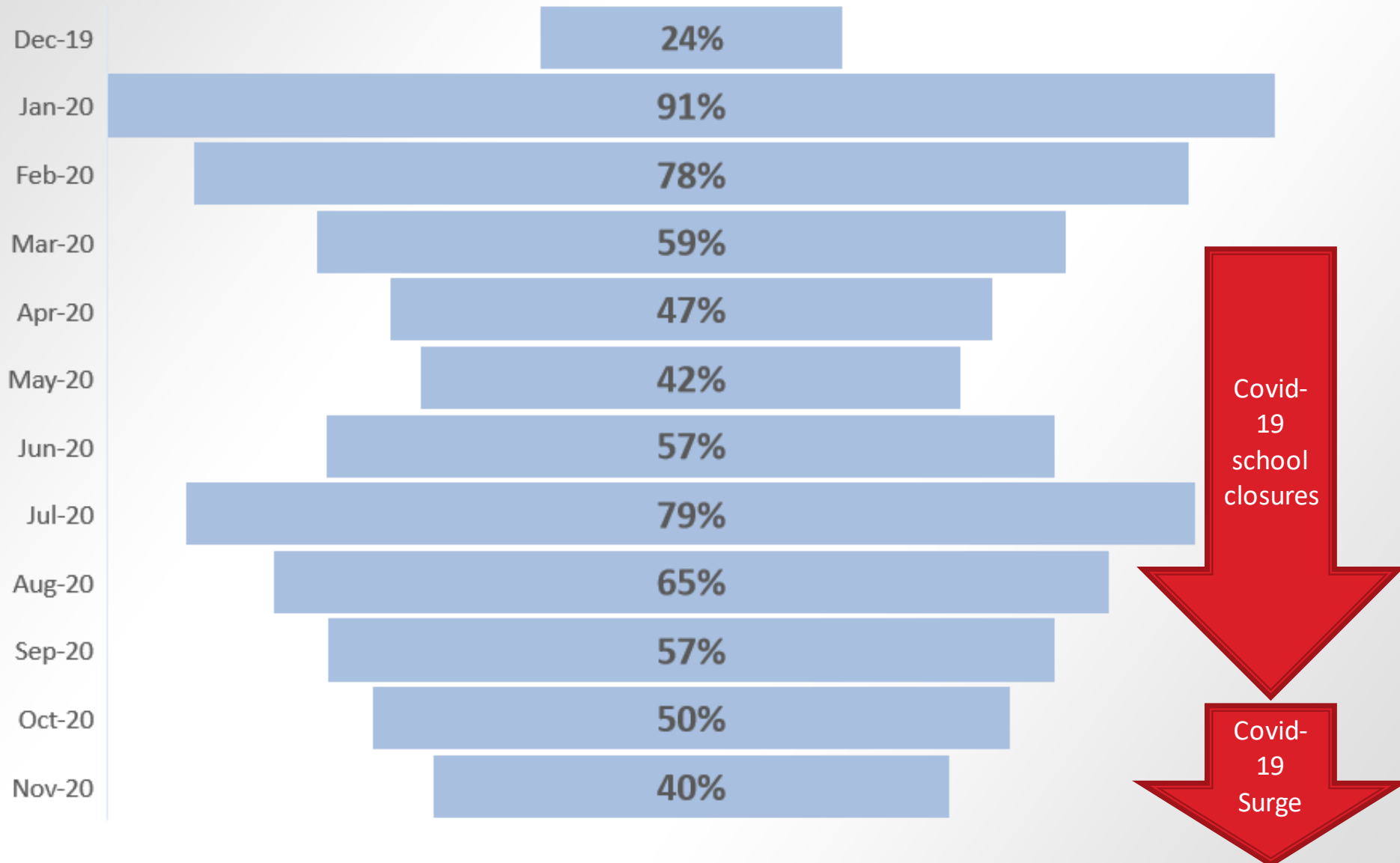
2019 vs 2020

Feb 2 - Dec 31

Dec 2019 RtA Complaints are counted



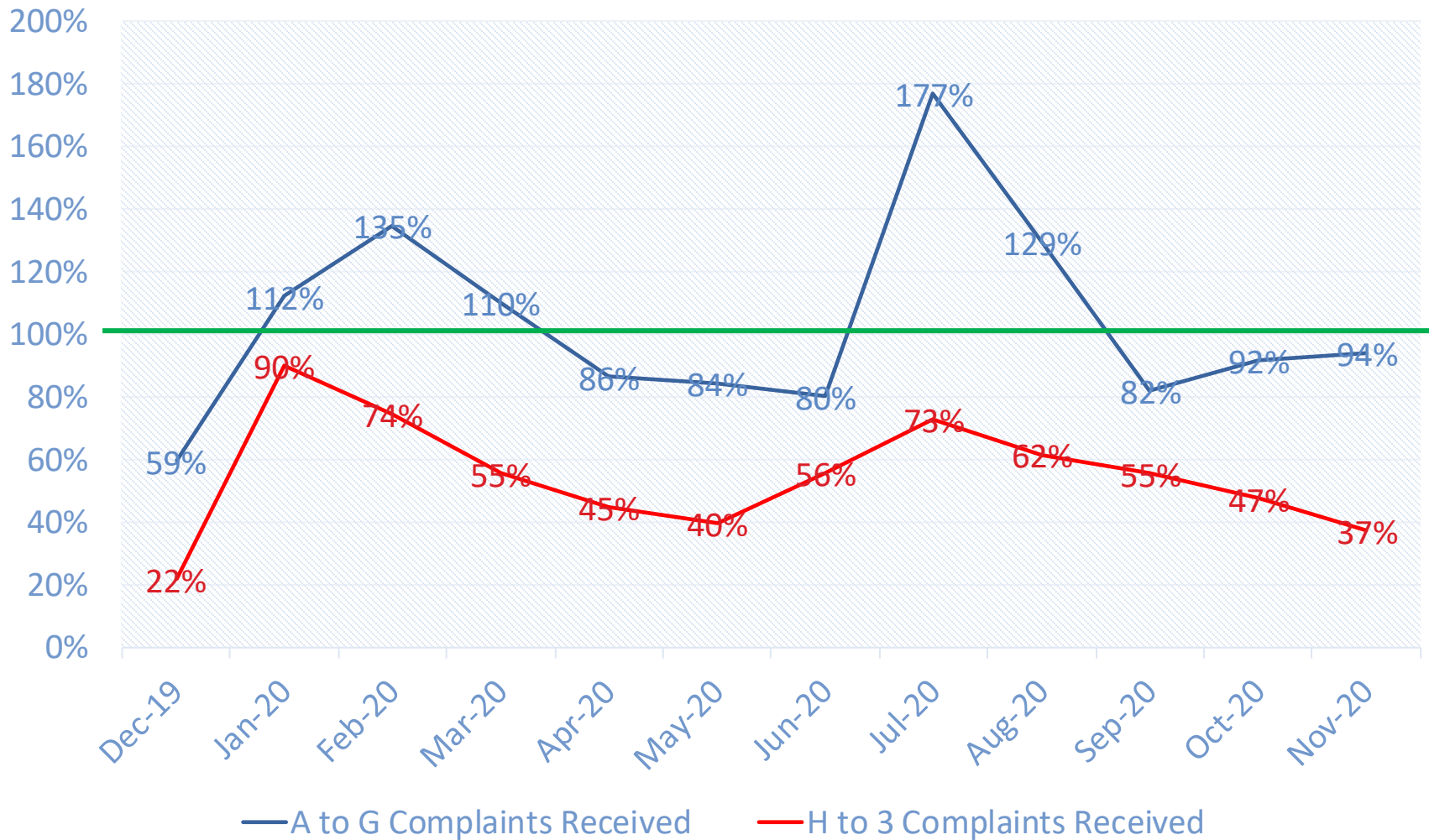
% of complaints projected that were actually received



Covid-19 school closures

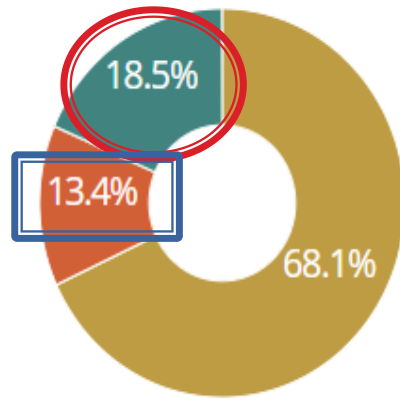
Covid-19 Surge

% of projected complaints received (A-G felonies and H-Misdemeanors)



Use of Reverse Waiver

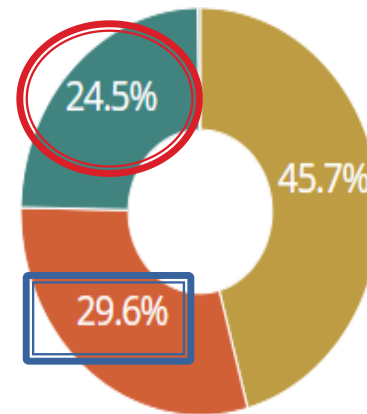
- ▶ 8 cases reverse waived



■ H to 3 Juveniles Approved ■ H to 3 Juveniles Closed ■ H to 3 Juveniles Diverted

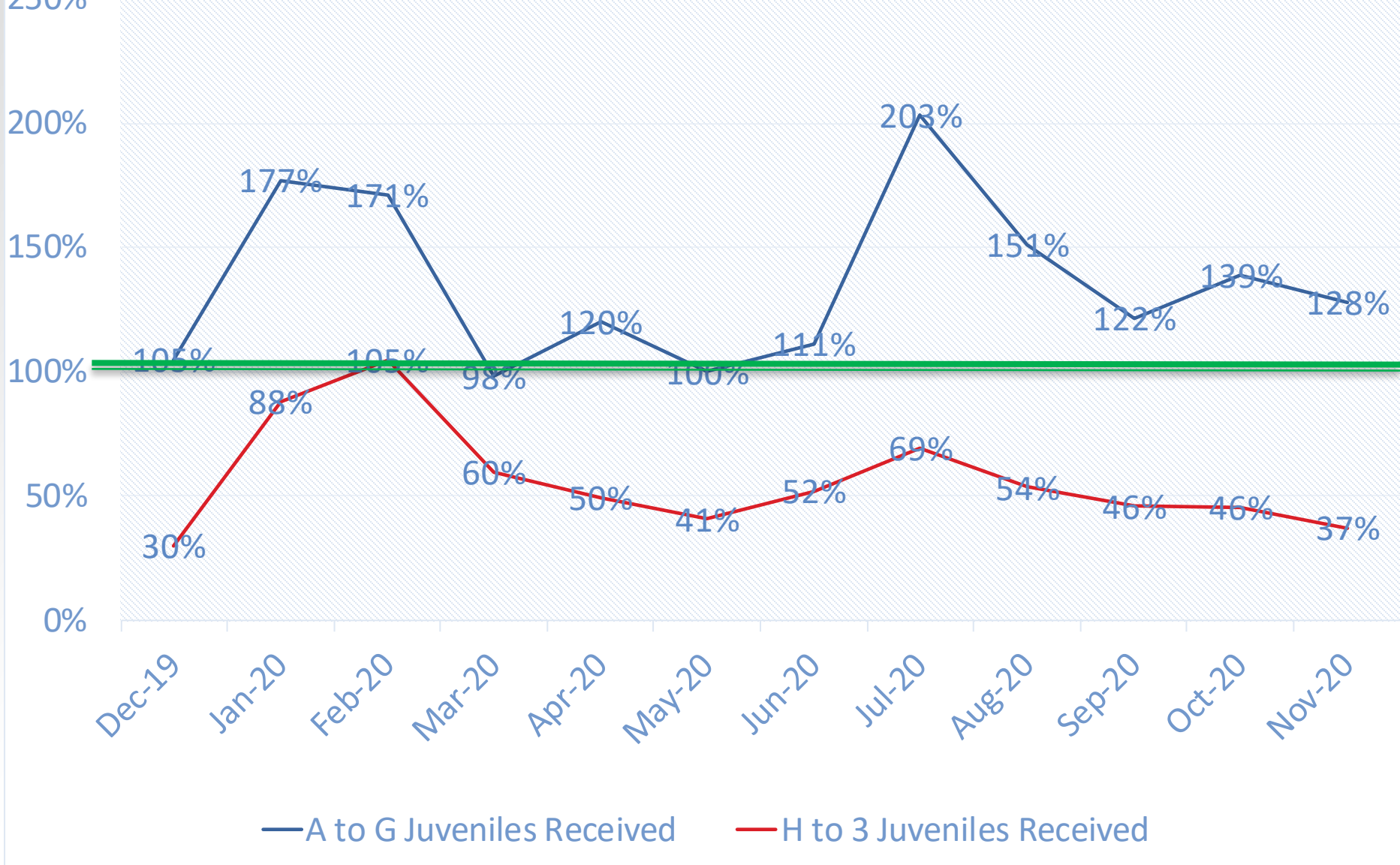
H-3 RtA juveniles: Closed and Diverted

RTA Juveniles by Intake Decision (H to 3)

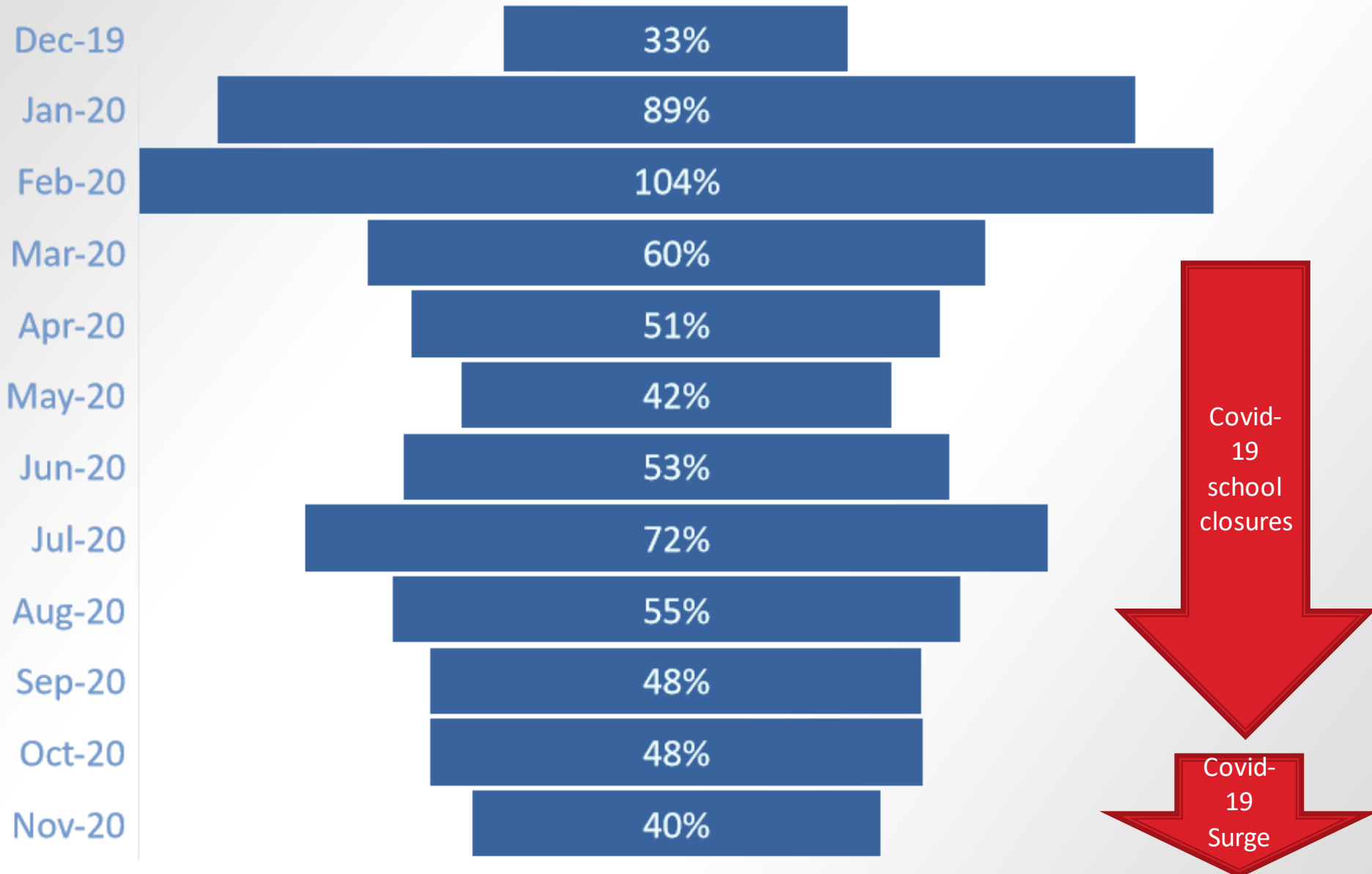


■ H to 3 Juveniles Approved ■ H to 3 Juveniles Closed ■ H to 3 Juveniles Diverted ■ Others

% of projected Juveniles (A-G felonies and H-Misdemeanors)



% of juveniles projected for whom a complaint was received



Covid-19 school closures

Covid-19 Surge

Capacity Built: 133 beds for RtA

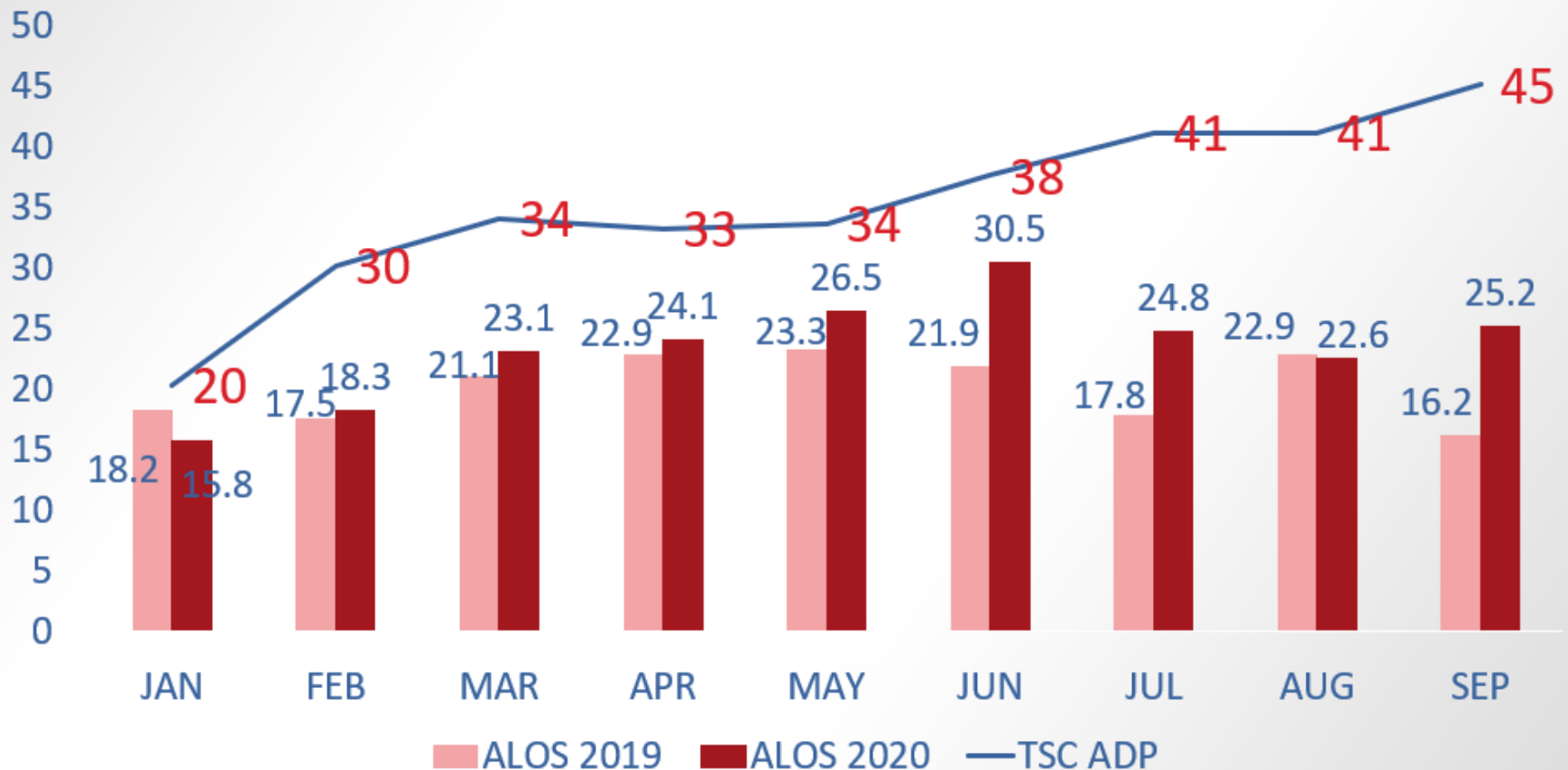
- ▶ Entered RtA with 190 detention beds, 132 of which were state operated beds
- ▶ NC now has 323 detention beds, 178 of which are state operated beds
 - Includes new county juvenile detention centers:
 - Brunswick County
 - Madison County
 - Mecklenburg County
- ▶ Renovating:
 - CA Dillon can grow to be 90 beds, renovation funds received
 - Perquimans renovation funds received

Detention

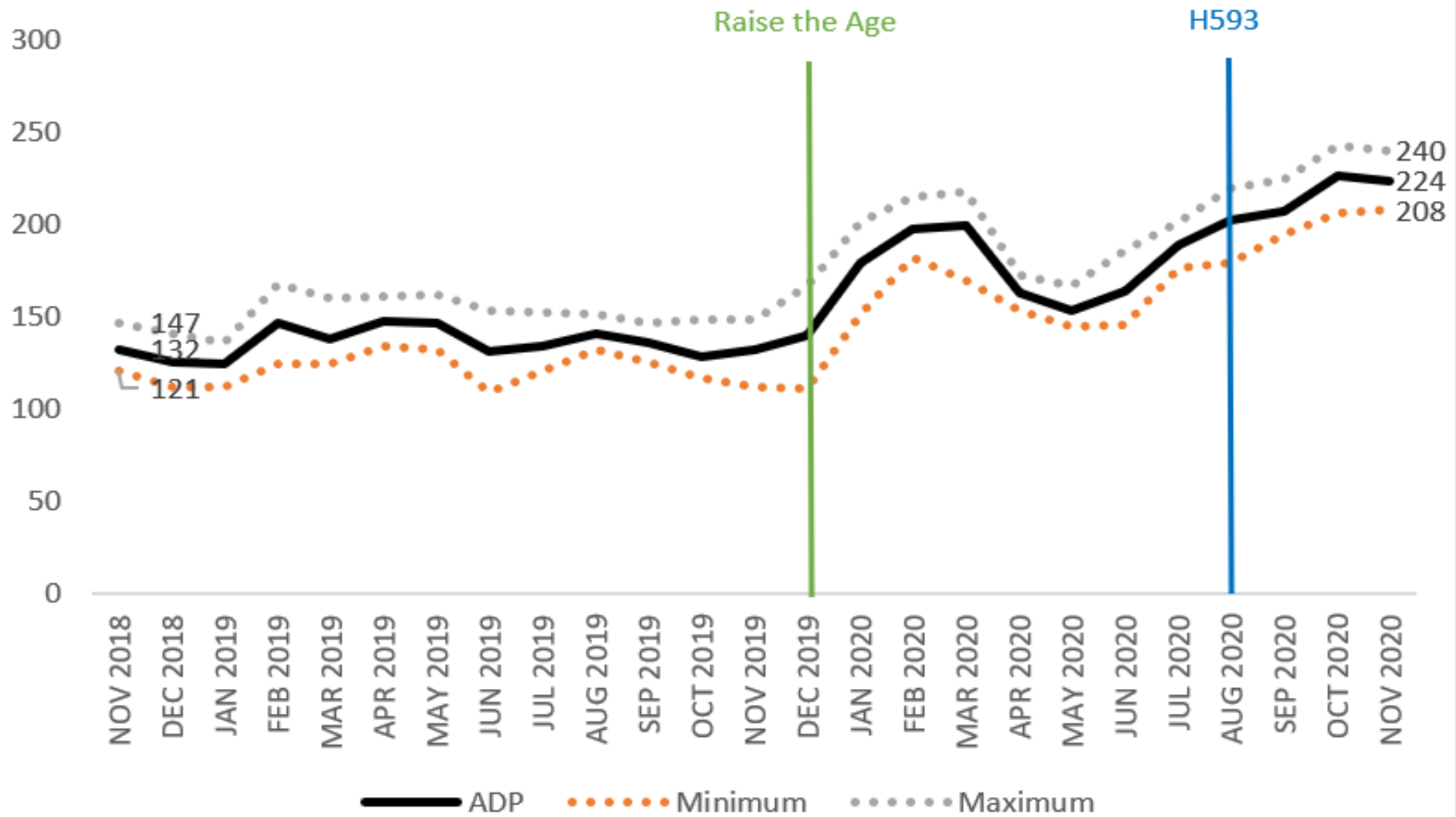
- ▶ JJDPA jail removal
- ▶ H593 steps towards implementing
- ▶ Longer stays due to court closings
- ▶ Covid reductions vs. RtA reductions as seen in other states = unknown
- ▶ Nov 30th population: 234
 - 10 were H593 (longer stays)
 - 52 were TSC (longer stays)

Average LOS increases as superior court transfer population increases

Average Length of Stay by Exit Month



Detention Average Daily Population (ADP), Minimum and Maximum by Month



School Justice Partnerships

- ▶ Confinement in juvenile facility increases the risk that a youth will be rearrested as an adult
- ▶ SJPs seek to reduce the use of exclusionary discipline practices and school-based court referrals, which push students out of school and into court.
- ▶ 5 of 7 counties studied experienced a decrease in SBO's since SJP was implemented
- ▶ RtA may have contributed to the 2 counties' increase (Greene and Wayne)
- ▶ SJPs cover 39 counties

Raise the Age

- ▶ RtA youth made up 45% of delinquent complaints; 47% of detention admissions; and 41% of commitments received in 2020
- ▶ Higher risk scores than <16 youth
- ▶ More diversions and closures than projected for H-3 youth

The Juvenile Jurisdiction Advisory Committee extends its many thanks to Jacqui Greene (UNC-CH SOG), LaToya Powell (AOC), the ACJJ Rehabilitative Programs and Services section, and Juvenile Justice Research staff for their contributions to this report.