



JUVENILE AGE INTERIM REPORT

Submitted by: Juvenile Jurisdiction Advisory
Committee

January 15, 2022

NC raised the age of
juvenile jurisdiction
on December 1,
2019.



Juvenile Jurisdiction Advisory Committee (S.L. 2017-57) Juvenile Age Interim Report

Bill D. Davis, Co-Chair

Garry Frank, Co-Chair

January 15, 2022
Members of the North Carolina General Assembly
16 W. Jones Street
Raleigh, NC 27601

Dear Members of the North Carolina General Assembly,

Pursuant to S.L. 2017-57 [SECTION 16D.4.(rr)], *Juvenile Justice Reinvestment Act*, the Juvenile Jurisdiction Advisory Committee, “shall submit additional interim reports with updates on the planning steps completed towards implementation, including any legislative, administrative, and funding recommendations, annually by January 15 of each year.”

The members of the Juvenile Jurisdiction Advisory Committee extend their many thanks to the General Assembly for implementing previous legislative and funding recommendations, efforts which prepared North Carolina well for initial implementation of “Raise the Age.” As data is collected and analyzed against original projections, additional recommendations will be provided.

Legislative

The Committee recommends the following legislative recommendations:

- Recodify G.S. 20-107, Injuring or tampering with a vehicle, as G.S. 14-160.4 under Article 23. Also, amend G.S. 20-49(1) to allow the License and Theft Bureau to continue to investigate these offenses. Recodifying this offense to Chapter 14 would allow juveniles aged 16 and 17 to be charged and processed through the juvenile justice system, and limit dual jurisdiction youth.
- Amend N.C. Gen. Stat. 7B-2200.5 and 15A-627 to clarify the indictment process for juveniles aged 16 or 17 on date of offense.

The Legislative Revisions and Legal Issues Subcommittee met to develop a full list of issues brought forward through personal or stakeholder experience in navigating “Raise the Age” implementation. Those issues are included later in this report, and language will be drafted by the Committee’s Legislative Revisions and Legal Issues subcommittee for additional, specific statutory revision recommendations.

Funding

The Committee recommends funding the following recommendations:

- Juvenile Justice:
 - \$6.7 million for juvenile detention beds, recurring.
 - i. Allow for continued conversion of appropriated funds into juvenile detention center personnel, in order to remain flexible in meeting detention bed needs.
 - ii. The committee recommends funding the 24-bed Perquimans Juvenile Detention Center start-up and operating costs. This represents 38 FTE, \$1,271,783 and \$380,000 (NR) in FY23, annualized at \$2,665,265.
 - The committee recommends funding the 60-bed Rockingham Youth Development Center start-up and operating costs. The General Assembly authorized inmate construction funding at the future Rockingham Youth Development Center in

SESSION LAW 2020-15, H1187. Use of funds expires 8/1/22 or upon completion of the Rockingham build. Operational and startup funding needed: 83 FTE in FY23 (\$3,226,249) and 117 FTE in FY24 (\$8,072,469), \$720,000 (NR) in FY23, with an annualized cost of \$9,178,327.

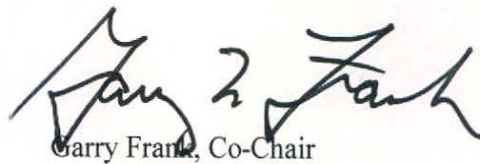
- Office of the Juvenile Defender: \$110,000 beginning July 1, 2022, for one FTE, to support the agencies in developing additional juvenile delinquency contracts.
- The Conference of District Attorneys: \$125,589 beginning July 1, 2022, recurring and \$3,752 non-recurring, for one FTE.
- Existing Judicial Branch staff deficiencies effective January 1, 2022 at an FY 21-22 annualized cost of \$8,501,058 and non-recurring cost of \$744,098. The FY 22-23+ impact of these positions is \$17,002,116 recurring and \$0 non-recurring.

Please find the Juvenile Age Interim Report attached.

Sincerely,



Bill D. Davis, Co-Chair



Garry Frank, Co-Chair

Juvenile Jurisdiction Advisory Committee Members (Name, City, Appointed by):

STELLA BAILEY

Raleigh – Ex-Officio
Designee, DHHS

BETTY BUDD

Arden - President Pro
Tempore of the Senate

TARRAH E. CALLAHAN

Raleigh - Speaker of the
House of Representatives

DARREN E. CAMPBELL

Statesville - Speaker of the
House of Representatives

J.H. CORPENING, II

Wilmington - Speaker of the
House of Representatives

BILL D. DAVIS

Co-Chair: North
Wilkesboro - President Pro
Tempore of the Senate

GARRY FRANK

Co-Chair: Lexington –
Speaker of the House of
Representatives

BETH FRESHWATER-SMITH

Wilson - Governor's Crime
Commission

MICHELLE HALL

Raleigh - Ex-officio, SPAC

ANDREW HEATH

Raleigh - Ex-officio

KRISTA HIATT

Statesville - Governor

JENNIFER J. KNOX

Raleigh - President Pro
Tempore of the Senate

WILLIAM L. LASSITER

Raleigh - Ex-officio

JEFFREY LEDFORD

Kings Mountain - President
Pro Tempore of the Senate

MARTIN B. MCGEE

Concord - Chief Justice of
the NC Supreme Court

CAROL MCMANUS

Gastonia - Governor

ROBERT B. RADER

Raleigh - Chief Justice of the
NC Supreme Court

MARY D. STANSELL

Raleigh - NC Association
of Public Defenders

HEATHER TARASKA

Charlotte - Conference of
District Attorneys

ROBERT TAYLOR

Raleigh – Ex-Officio
Designee

ERIC ZOGRY

Raleigh - Ex-officio

Contents

I.	Juvenile Jurisdiction Advisory Committee Legislative Recommendations to implement S.L. 2017-57, Juvenile Justice Reinvestment Act.....	5
A.	Future Issues for LRLI Subcommittee.....	6
B.	Remaining Recommendations from Previous Reports	7
II.	Funding	8
A.	Juvenile Justice	8
B.	Office of the Juvenile Defender	10
C.	The Conference of District Attorneys.....	10
D.	Administrative Office of the Courts.....	11
III.	Other Subcommittee Reports	13
IV.	A Brief Legislative History of the Juvenile Justice Reinvestment Act (JJRA)- Updated to include recent legislation	13
V.	Systemwide Data	16
A.	NC Demographer	16
B.	Adult Correction	17
C.	Transfers to Superior Court.....	18
D.	H593 Criminal Court Youth	19
VI.	Raise the Age: A Year of Data in Review	20
A.	Goals Attained	20
B.	Data Trends – Year 2 (Dec 2020-Nov 2021) compared to Year 1 (Dec 2019- Nov 2020)	21
C.	Race/Ethnicity and Gender, Delinquent Complaints for 16/17- year olds at age of offense	22
D.	Raise the Age Complaints Received	23
E.	Raise the Age Juveniles	26
F.	Detention.....	26
G.	Youth Development Centers.....	28
VII.	School Justice Partnerships.....	29
VIII.	Resources	30

JJAC Report Data Note: Please note that data in this report is produced for timely notification and that data quality assurance practices may alter the counts slightly over time.

I. Juvenile Jurisdiction Advisory Committee Legislative Recommendations to implement S.L. 2017-57, Juvenile Justice Reinvestment Act

The Juvenile Jurisdiction Advisory Committee operates four subcommittees, which work towards developing implementation strategies and solutions. Those committees are: (1) the Legislative and Legal Issues subcommittee; (2) the Housing of Transfers subcommittee; (3) the School-Justice Partnerships subcommittee; and (4) the Minimum Age subcommittee.

Juvenile Jurisdiction Advisory Committee members volunteered for one or more of the subcommittees. Members added advisory members, who are unable to vote on recommendations, but act in a resource/expertise-supportive role.

The following list represents statutory changes recommended by the Juvenile Jurisdiction Advisory Committee.

- Recodify G.S. 20-107, Injuring or tampering with a vehicle, under the Trespasses to Personal Property Article 23, G.S. 14-160 as G.S. 14-160.4.
 - Recodifying this offense to Chapter 14 would allow juveniles aged 16 and 17 to be charged and processed through the juvenile justice system. Further, it would prevent juveniles alleged to have committed similar offenses (under different G.S. chapters) from being charged and processed in two different systems (adult vs. juvenile court).
 - To allow the License and Theft Bureau to continue to investigate these offenses, amend G.S. 20-49(1) in the following way: (1) Of peace officers for the purpose of enforcing the provisions of this [Article, G.S. 14-160](#), and of any other law regulating the operation of vehicles or the use of the highways.
- Amend N.C. Gen. Stat. 7B-2200.5 and 15A-627 to clarify the indictment process for juveniles aged 16 or 17 on date of offense.

The Committee undertook insertion of a process for indictment within juvenile code, Chapter 7B. The following is the recommendation approved with one partial dissent, Office of Juvenile Defender.

§ 7B-2200.5. Transfer of jurisdiction of a juvenile at least 16 years of age to superior court.

(a) If a juvenile was 16 years of age or older at the time the juvenile allegedly committed an offense that would be a Class A, B1, B2, C, D, E, F, or G felony if committed by an adult, the court shall transfer jurisdiction over the juvenile to superior court for trial as in the case of adults after either of the following:

(1) Notice ~~to the juvenile that a bill of indictment has been returned against the juvenile, an indictment return hearing,~~ and a finding by the court that a bill of indictment has been returned against the juvenile charging the commission of an offense that constitutes a Class A, B1, B2, C, D, E, F, or G felony if committed by an adult.

(2) Notice, [probable cause](#) hearing, and a finding of probable cause that the juvenile committed an offense that constitutes a Class A, B1, B2, C, D, E, F, or G felony if committed by an adult.

[§7B-2202.5. Indictment Return Hearing.](#)

- (a) If a bill of indictment is returned charging the commission of an offense that constitutes a Class A, B1, B2, C, D, E, F, or G felony if committed by an adult when the juvenile was age 16 or 17, the court shall hold an indictment return hearing.
- (b) The hearing shall be conducted within 90 days of the date of the juvenile's first appearance. The court may continue the hearing for good cause.
- (c) At the indictment return hearing, the prosecutor and the juvenile may be heard, and the juvenile's attorney may examine the returned indictment.
- (d) The court shall determine if a bill of indictment has been returned against the juvenile charging the commission of an offense that constitutes a Class A, B1, B2, C, D, E, F, or G felony if committed by an adult when the juvenile was age 16 or 17. If the court finds that such a bill of indictment has been returned, the court shall transfer jurisdiction over the juvenile to superior court for trial as in the case of adults. The court shall then determine conditions of pretrial release, as required by G.S. 7B-2204.

§ 15A-627. Submission of bill of indictment to grand jury by prosecutor.

(c) A prosecutor may submit a bill of indictment charging an offense within the original jurisdiction of the district court when the offense constitutes a Class A, B1, B2, C, D, E, F, or G felony alleged to have been committed when a juvenile was age 16 or age 17. The prosecutor may include any offense based on the same act or transaction or on a series of acts or transactions connected together or constituting parts of a single scheme or plan of that felony, and any greater or lesser included offense of that felony, in the bill of indictment.

Effective date for changes to 15A-627 should read “Section ___ shall take effect immediately and apply to offenses committed on or after December 1, 2019.”

One dissent was entered for 15A-627 from a JJAC member regarding the proposed indictment process: When a Class A through E felony allegation for a 16 or 17 year old is brought to the grand jury pursuant to 7B-2200.5(a)(1), there must first be a petition filed alleging a delinquent act. This rule should also apply to any other allegation brought before the grand jury under this statute.

A. Future Issues for LRLI Subcommittee

The Legislative and Legal Issues subcommittee chaired by Heather Taraska, Assistant District Attorney in Mecklenburg County, developed a list of potential system/implementation gaps to be addressed through statutory modification.

The following list represents issues brought to the Legislative Revisions and Legal Issues subcommittee for continued discussion and consideration.

- Giving superior court judges authority to close court for juvenile cases
- The indictment process and confidentiality requirements
- How are pretrial release conditions set? G.S. 7B-2204 provides that once the transfer order is entered, the juvenile has the right to pretrial release as provided in G.S. 15A-533 and G.S. 15A-534. The statute implies that conditions of release must be ordered

immediately, but it does not explicitly mandate the district court judge to order conditions of release. Additionally, how/where can bond be posted?

- What happens to the audio in superior court upon remand?
- What are the notice requirements for transfers to superior court?
- Is a transfer hearing required for transfer? G.S. 7B-2200.5(a) does not explicitly refer to a hearing.
- What happens if juveniles fail to appear in superior court or otherwise violate conditions of release? This process is not explicitly defined in the statute.
- What is the appeal of transfer decisions process?
- Are Prayer for Judgement Continued (PJC)s or conditional discharges counted as convictions?
- What is the gang enhancement hearing process?
- The subcommittee is planning to discuss videoconferencing requirements.
- There is no clear, statutory guidance on who is responsible for determining that a juvenile must be charged as an adult due to prior convictions. NC DPS has adopted a policy and the NC Justice Academy has adopted training that encourages law enforcement officers to consult a court counselor before processing the juvenile as an adult. However, in the absence of a mandate, there will likely be inconsistent practices throughout the state. Also, what documentation is sufficient to establish conviction? Does a conviction need to be part of a pleading? Also, should there be statutory guidance for how to handle dual jurisdiction cases?
- The subcommittee plans to discuss returning felony Chapter 20 motor vehicle offenses to the jurisdiction of juvenile court.
- 50B statute requires that individuals who violate a domestic violence protection order (DVPO) be arrested and taken into custody, which is at odds with language in Juvenile Code regarding secure custody orders.
- How does case law for youth emancipated at age 18 impact juvenile court jurisdiction until age 19 or 20?
- Expunction time for petitions that have been dismissed refers to a delinquent who has attained the age of 16 and should be changed to 18 [G.S. 7B-3200(h)].
- Juvenile sex offender registration statute terminates on the juvenile's 18th birthday or when the jurisdiction of the juvenile court ends, whichever occurs first. This needs a conforming amendment for RtA (G.S. 14-208.30).

B. Remaining Recommendations from Previous Reports

The following list represents Committee-recommended legislative changes that have not yet been included in statute.

- 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 J Wise information.

The Administrative Office of the Courts updated the Juvenile Jurisdiction Advisory Committee regarding being able to affect legal assistants' access to J Wise effective July 1, 2024. The needed delay is attributable to AOC's building of Odyssey and its projected statewide completion. As resources are dedicated to building Odyssey, adequate resources are not currently available to modify a legacy system (i.e., Juvenile CIPRS).

II. Funding

A. Juvenile Justice

- 1) Detention Beds: Original projections for juvenile detention beds resulted in the committee requesting \$13.4 million for 300 new juvenile detention beds needed to support Raise the Age. The General Assembly funded half of the original projection at \$6.7 million for supporting operations, and later a \$2.5 million non-recurring re-entry line item IN FY22 that included a reference to "Raise the Age" detention beds needs (SESSION LAW 2021-180, S105). The committee recommends fully funding juvenile detention bed projections at an additional \$6.7 million, recurring.

NOTE: The cost estimate is based on 300 beds for 365 days a year at full cost of \$244/day divided by 2 as the state pays half of the daily cost and the county pays half of the daily cost to detain.

- The committee recommends funding needed repairs and renovations for opening additional detention beds.
- Allow for continued conversion of appropriated funds into juvenile detention center personnel, in order to remain flexible in meeting detention bed needs.
- S.L. 2021-180 also funded "Raise the Age" capital improvements to Richmond Regional Juvenile Detention Center: project code DPS21-1.
- Perquimans Juvenile Detention Center:
 - i. The committee recommends funding 24-bed Perquimans Juvenile Detention Center start-up and operating costs upon re-opening. This represents 38 FTE, \$1,271,783 and \$380,000 (NR) in FY23, annualized at \$2,665,265.
 - ii. Perquimans JDC is scheduled to open August 2023.
 - iii. Annualized, the cost of the 38 FTE is projected to be \$2,311,614. Non-recurring related start-up costs are projected to be \$380,000 and operating (recurring) \$353,651.

Classification	FTE
Juvenile Detention Center Director	1.00
Administrative Specialist II	1.00
School Educator I	2.00
Food Service Supervisor II	1.00
Cook	1.00
Casework Associate II	1.00
Registered Nurse	1.00
Juvenile Detention Center Supervisor	4.00
Youth Services Behavioral Specialist	25.00
Educational Development Assistant	1.00

- Later in this report (IX, F.), the data behind this recommendation illustrates the increase in average length of stay and resulting gradual increase of average daily population due to a larger number of the detention population being criminal court and pre-trial transfer to superior court youth. The average daily population in juvenile detention increased 78% since “Raise the Age” was implemented.

2) Rockingham Youth Development Center:

- The committee recommends funding the 60-bed Rockingham Youth Development Center start-up and operating costs. Operational and startup funding needed: 83 FTE in FY23 (\$3,226,249) and 117 FTE in FY24 (\$8,072,469), \$720,000 (NR) in FY23, with an annualized cost of \$9,178,327. The General Assembly authorized construction funding at the future Rockingham Youth Development Center in SESSION LAW 2020-15, H1187. Use of funds expires 8/1/22 or upon completion of the Rockingham build.
- Rockingham Youth Development Center is scheduled to open August 2023.
- The youth development center population between Year 1 and Year 2 of RtA implementation has shown a 73% increase in the number of 16/17- year olds on date of offense, while the younger committed population remained constant each implementation year.

Classification	FTE
Principal	1.00
Youth Counselor	19.00
Youth Services Behavioral Specialist	30.00
Youth Counselor Supervisor	6.00
Youth Development Facility Director	1.00
Youth Development Program Manager (Asst Dir)	1.00
Psychological Program Manager	1.00
Staff Psychologist	2.00
Social Worker	4.00

Classification	FTE
Housing Unit Supervisor	4.00
Youth Counselor Technician	10.00
Food Service Supervisor II	1.00
Food Service Supervisor I	1.00
Business Officer	1.00
Administrative Specialist II	1.00

B. Office of the Juvenile Defender

Juvenile Contracts Administrator (\$110,000 annualized recurring): The Committee recommends funding the NC Office of the Juvenile Defender, Office of Indigent Defense Services in the amount of \$110,000 annualized recurring cost, beginning July 1, 2022, for one FTE, to support the agencies in developing additional juvenile delinquency contracts anticipated by the implementation of the Juvenile Justice Reinvestment Act. Current staffing will be unable to manage the adult criminal and other specialized contracts with the anticipated increase in juvenile delinquency contracts.

C. The Conference of District Attorneys

Resource Prosecutor (\$125,589 Recurring, and \$3,752 Non-Recurring FY23): The Committee recommends funding one Juvenile Court Resource Prosecutor beginning July 1, 2022, in the NC Conference of District Attorneys' Office at a recurring cost of \$125,589 and non-recurring cost of \$3,752, to support district attorneys statewide in administration of juvenile law and process.

The Resource Prosecutor will develop training materials such as legal updates, articles, a technical support listserv, a manual, online resources and in-person presentations. Training topics will include victim rights, best practices in juvenile court, prosecuting juveniles on child sex crimes, the process of transfer to adult court, and due process procedures for juveniles. Dedicated prosecutor training is essential because juvenile court has separate evidentiary, criminal procedure, ethical and confidentiality rules from the adult criminal system. In addition, specialized skills, knowledge and abilities in the areas of mental health and child welfare, child sex offenders and adolescent development are required to serve the Juvenile Justice Reinvestment Act with consideration to the dual obligations of community safety and serving the needs and best interests of the juvenile. This request is especially important now as there exists (1) high turnover rates of Juvenile Court Assistant District Attorneys (almost 50% of prosecutors have less than five years of experience); (2) technical support continues to be in high demand with implementation of the new law; (3) a widespread understanding of the permissible use of JWISE information is needed now that all prosecutors have access to that information through CIPRS, and since legal assistants may soon have access; (4) lack of uniformity in procedures and

outcomes across NC juvenile courts needs to be addressed through training; and (5) AOC and NCDPS need a point person to help disseminate important information to prosecutors about new programs, new forms, new software, etc..

D. Administrative Office of the Courts

SL 2019-229, “Raise the Age Funding” provided the following positions to the Judicial Branch:

- Effective 7/1/2019
 - o 9 Assistant District Attorneys
 - o 7 Deputy Clerks
- Effective 7/1/2020
 - o 7 Assistant District Attorneys
- Effective 1/1/2021
 - o 8 District Court Judgeships
- Effective 7/1/2023
 - o 1 Assistant District Attorney

The newly authorized positions were largely allocated by the North Carolina General Assembly to counties or districts with the greatest existing staff resource deficits prior to any additional workload anticipated due to Raise the Age. However, these positions do not address all of the resources needed by the constituent judicial branch stakeholders to meet the exiting staff deficiencies, based on filings through 6/30/2020.

Given the effective date of 12/1/2019 of Raise the Age, there will be additional juvenile filings that will increase current staffing needs. While it is assumed that the proportion of these new juvenile filings relative to adult filings will be roughly equal across all 100 counties, the following ten (10) counties will likely experience the largest raw number increase in juvenile cases (ranked by highest volume): Wake, Mecklenburg, Guilford, Forsyth, Union, Johnston, Cabarrus, Gaston, Randolph, and Cumberland counties. As data are collected on juvenile case volume after 12/1/2019, this report will provide updated staffing need numbers based on actual impact.

The Juvenile Jurisdiction Advisory Committee accepts the Administrative Office of the Courts’ recommendation as to the current deficit of resources as calculated using the National Center for State Courts formula. Therefore, the Juvenile Jurisdiction Advisory Committee recommends funding the existing Judicial Branch staff deficiencies in the following key positions effective 1/1/2022 at an FY 21-22 annualized cost of \$8,501,058 and non-recurring cost of \$744,098. The FY 22-23+ impact of these positions is \$17,002,116 recurring and \$0 non-recurring.

The existing deficiencies, and their jurisdictions of need, are as follows:

- 3 District Court Judgeships in the following districts (sorted by neediest district first):

District	County(ies)	Judges Authorized 7/1/2021	Unrounded Judges Needed	Judge to Workload Ratio	Judgeships Needed
23	Alleghany, Ashe, Wilkes, Yadkin	4	4.76	84.12%	1
15A	Alamance	4	4.72	84.73%	1
29B	Henderson, Polk, Transylvania	4	4.63	86.42%	1
Statewide		282			3

- 45 Assistant District Attorneys in the following districts (sorted by neediest district first):

District	County(ies)	State-Funded (FTE) as of 7-1-2021	Additional FTE as of 7-1-2023	Total State-Funded (FTE) as of 7-1-2023	Prosecutor Need (FTE)	State-Funded to Workload Ratio	Positions Needed
3	Pitt	13		13	16.3	79.7%	3
24	Guilford	36		36	44.5	81.0%	8
11	Franklin, Granville, Person, Vance, Warren	16		16	19.0	84.3%	3
43	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain	15		15	17.4	86.1%	2
21	Anson, Richmond, Scotland	10		10	11.6	86.4%	2
38	Gaston	17		17	19.6	86.8%	3
8	Edgecombe, Nash, Wilson	20		20	22.8	87.6%	3
42	Henderson, Polk, Transylvania	10		10	11.3	88.1%	1
15	Bladen, Columbus, Brunswick	16		16	18.1	88.5%	2
40	Buncombe	15		15	16.6	90.3%	2
32	Alexander, Iredell	14		14	15.5	90.4%	1
13	Johnston	12		12	13.2	91.0%	1
10	Wake	44		44	48.3	91.0%	4
33	Davidson, Davie	13		13	14.0	92.6%	1
23	Stokes, Surry	9		9	9.7	93.1%	1
26	Mecklenburg	63		63	67.5	93.3%	5
9	Greene, Lenoir, Wayne	16		16	17.0	94.3%	1
14	Cumberland	27		27	28.4	94.9%	1
12	Harnett, Lee	13		13	13.7	94.9%	1
Statewide		690	1	691			45

- o 95.5 District Attorney Legal Assistants, 7 District Attorney Investigators, and 5 District Attorney Administrative Assistants in districts with workload need based on their workload formula.
- o 46 Deputy and Assistant Clerks in counties with workload need based on their workload formula.

- Historically, the Clerk Resource Committee and/or Clerk Executive Committee has provided the NCAOC Director with a recommendation for where to place newly authorized clerk positions according to the workload formula. Traditionally, the NCAOC Director has followed these recommendations.

NOTE: The Administrative Office of the Courts developed, at the request of the Juvenile Jurisdiction Advisory Committee, a method to indicate which counties would receive positions if allocation is determined by impact from “Raise the Age” implementation. Reference the Juvenile Jurisdiction Advisory Committee’s [2020 Interim Report](#) Appendix for additional detail.

III. Other Subcommittee Reports

The Minimum Age subcommittee of the Juvenile Jurisdiction Advisory Committee (JJAC) is chaired by Judge J. Corpening. Subcommittee membership includes the following voting members: Betty Budd, Tarrah Callahan, Krista Hiatt, William Lassiter, Jeffrey Ledford, Carol McManus, Mary Stansell, Heather Taraska, and Eric Zogry. The subcommittee is advised by Dr. Cindy Cottle, Dr. Therese Garrett, Jacqui Greene, Lyana Hunter, Dr. Peter Kuhns, Rachel Larsen, LaToya Powell, Dr. Maureen Reardon, Amber Hardy, Maxine Evans-Armwood, Cindy Porterfield, Lyana Hunter, Corye Dunn, Justin Davis, Kris Parks, Michelle Lynch and Lorrie Dollar.

The inaugural meeting of the subcommittee was held January 31, 2020, and subcommittee work led to a JJAC recommendation that informed the General Assembly, resulting in the passage of S.L. 2021-123/S207 raising the minimum age of juvenile jurisdiction in North Carolina.

The minimum age subcommittee is exploring other states’ administration of capacity hearings and restoration to determine a standard for juvenile capacity. North Carolina currently maintains capacity standards for adults, which are inappropriate for young children. The committee is also analyzing assessment processes and pathways that would lead to independent judgements and recommendations to the court. The committee is consulting with stakeholders to craft formal recommendations, which are expected within an interim JJAC report in 2022.

IV. A Brief Legislative History of the Juvenile Justice Reinvestment Act (JJRA)- Updated to include recent legislation

S.L. 2017-57, Juvenile Justice Reinvestment Act (JJRA) raised the age of juvenile jurisdiction for most delinquent offenses to include juveniles ages 16 and 17 at age of offense. JJRA created an entity called the Juvenile Jurisdiction Advisory Committee, which meets four times a year to craft recommendations for the General Assembly in the areas of administration, legislation, and funding.

Equipped with a systemic policy change, bipartisan support in the NC General Assembly, and an army of dedicated and invested stakeholders, Juvenile Justice commenced with planning and implementation. JJRA provided planning funding to secure business analytics systems that would later report daily progress throughout implementation; much of this data is illustrated in this report. Planning funds also allowed for extensive training and awareness sessions across the state and a partnership with UNC-School of Government for resource development including a training manual, new process flowchart, and a law enforcement reference card for police vehicles as well as revising BLET (Basic Law Enforcement Training) curriculum. Funds also supported convening the Juvenile Jurisdiction Advisory Committee and costs associated with advisement from experts who previously implemented “Raise the Age” legislation, such as in Illinois, New York, and Louisiana (April 2019 JJAC meeting).

- SESSION LAW 2017-57, S257: The Juvenile Justice Reinvestment Act raised the age of juvenile jurisdiction, added juvenile gang suppression provisions to delinquency proceedings, enhanced victims’ rights and law enforcement access to certain juvenile information, created a Juvenile Jurisdiction Advisory Committee to guide implementation through 2023, and empowered the Administrative Office of the Courts to convene School Justice Partnerships and create relevant policy. SL 2017-57 provided non-recurring JJRA planning money (\$519,600 in FY18 and \$478,000 in FY 19).
- SESSION LAW 2018-5, S99: Provided partial fiscal year funding (beginning May 9, 2019) for positions- 40 Court Counselors, 15 Court Counselor Supervisors, and 10 Office Assistants.
- SESSION LAW 2019-41, H617: Allows juveniles to be referred to and participate in teen court more than once.
- SESSION LAW 2019-186, S413:
 - o Clarified that motor vehicle offenses are offenses contained in chapter 20 of the General Statutes and that a previous misdemeanor motor vehicle conviction (other than a conviction for an impaired driving offense) does not disqualify a youth from future juvenile jurisdiction.
 - o Set an age requirement for receiving the gang assessment to those youth who are at least 12 years old.
 - o Allows for persons aged 18 or older, who have cases that were transferred from juvenile court to criminal court for prosecution, to be housed in county jail.
 - o Established elongated timelines for secure custody hearings (30 days) and probable cause hearings (90 days) for youth charged with committing Class A – G felonies at ages 16 and 17
 - o Allows for a transfer to superior court youth to be remanded back to the juvenile system upon joint motion of the prosecutor and juvenile’s attorney, with superior court record expunged
 - o Requires expunction of DNA records upon dismissal
 - o Reaffirmed Juvenile Justice’s role in transporting juveniles from detention to court, from holdover to court and back to detention, and to the sheriff’s office upon turning 18 if awaiting completion of proceedings in superior court

- Sets the standard for increasing a juvenile disposition level based on criminal gang activity finding as beyond a reasonable doubt
 - Recodification of G.S. 20-106 to G.S. 14-71.2, removed *Possession of Stolen Vehicle* from Chapter 20
- SESSION LAW 2019-229, H1001 provided funding and positions for Raise the Age including assistant district attorneys, judges, deputy clerks, legal assistants, a resource trainer to privately assigned counsel for juveniles in Indigent Defense, and Juvenile Justice positions [training, research, IT, HR, field support, transportation, school counselors, community programs contract management and technical assistance, and 97 juvenile court counselors and renewal of the 65 positions previously provided in S.L. 2018-5 (162 total)]. Funding to buy transport vans, increase detention bed capacity, provide vocational services and career planning, augment Level II community based and residential programs, and increase Juvenile Crime Prevention Council funding used to support local programming was also included.
- SESSION LAW 2019-242, H111: This amendment was a budgetary correction to ensure that the continued funding of 65 positions was not double-billed to the state.
- SESSION LAW 2020-15, H1187: provided \$10,440,000 in NR funding from FY21 sources. Capital improvements at Perquimans Detention Center and CA Dillon Youth Development Center; and inmate construction funding at the future Rockingham Youth Development Center. Use of funds expires 8/1/22 or upon completion of Rockingham build.
- SESSION LAW 2020-35, S562: Allows for the expunction of misdemeanors and H/I felonies convictions when the offense was committed while the individual was at least 16 years of age and younger than 18 years of age. In order to be eligible for expunction, the offense must have occurred prior to December 1, 2019. Motor vehicle offenses (Chapter 20) including offenses involving impaired driving (20-4.01(24a)), and offenses requiring sex offender registration (Article 27A of Chapter 14) are not eligible for expungement. An expunction petition fee is set at \$175.
- SESSION LAW 2020-83, H593:
 - Defined intensive intervention services within the community programs context
 - Adjusted JCPC membership
 - Changes the JCPC funding cycle from every year to every 2 years
 - Allows for multi-district program collaboratives
 - Effective August 1, 2020, every criminal court youth ordered into secure custody pre-trial will be housed in a juvenile detention center instead of a county jail until (s)he is released, bonded out, or reaches the age of 18 upon which time the youth will be transported to county jail. Youth under the age of 18 who are ordered to a term of imprisonment in a county jail as a result of a criminal court matter will serve that time in a juvenile detention facility as long as they remain under the age of 18.
 - For a criminal court youth under the age of 18, all terms of imprisonment related to underlying felony offenses or violations of felony probation will be served at Foothills unless it is a split sentence (also known as special probation). Those split sentence youth are held in juvenile detention.

- SESSION LAW 2021-180, S105:
 - Funded “Raise the Age” capital improvements to Richmond Regional Juvenile Detention Center: project code DPS21-1 (\$10,702,952).
 - Provides funding (\$2,500,000 non-recurring in FY22) for the Juvenile Justice to expand wraparound services for youth who are transitioning from Youth Development Centers into their communities. Funds will expand capacity and necessary services to address the increase in youth detention following the passage of S.L. 2017-57 (Raise the Age) legislation during the COVID-19 pandemic.
- SESSION LAW 2021-123, S207:
 - Raises the age of juvenile jurisdiction from age 6 to age 10 for most juveniles. The age of juvenile jurisdiction for all undisciplined offenses (e.g., truancy, runaways and other status offenses) is now 10. However, an 8- or 9-year-old who either has a prior court judgement (adjudication) of delinquency or who commits a felony A through G delinquent offense will remain under juvenile jurisdiction.
 - Updates G.S. 7B-2502 regarding a court’s authority to order a comprehensive clinical/mental health assessment for adjudicated delinquent youth with suspected mental illness (i.e., severe emotional disturbance), developmental disability, or intellectual disability prior to entering a disposition/consequence. A multi-system Care Review Team may be created for these youth who are subject to a youth development center disposition or placement in a Psychiatric Residential Treatment Facility to recommend a plan for care.
Conforming changes, including YDC Commitment Age 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);
 - Allows transfer to superior court youth to be housed in juvenile detention post-sentencing: G.S. § 7B-2204(d); and
 - Procedures for Secure Custody Order on Remand.

V. Systemwide Data

The impact of “Raise the Age” on other entities is still as yet to be determined, partly due to reporting timeframes for various agencies and partly due to the effects of the pandemic. Preliminary data reflecting convictions and arrests for youth under age 18 does indicate a continuing decline over the past five years.

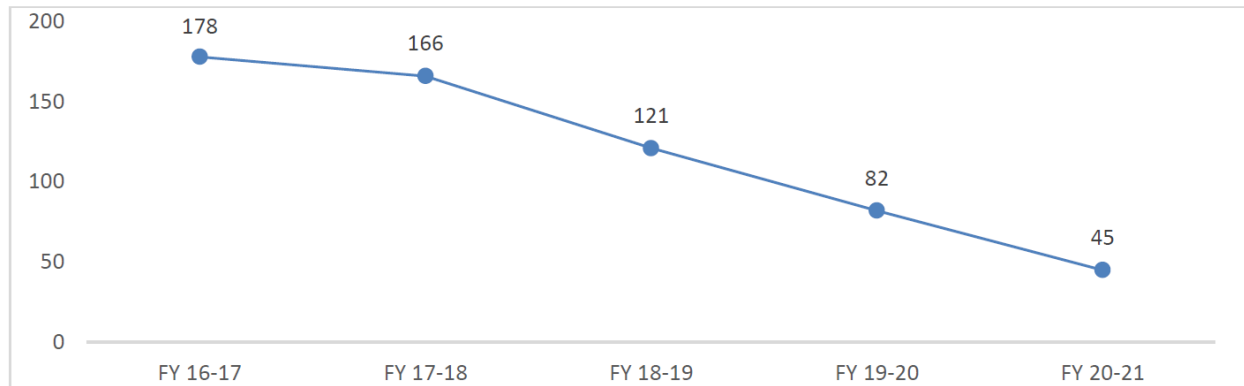
A. NC Demographer

In November 2020, the state demographer projected the youth population (ages 10-15) will decrease 2.7% between 2019 and 2025; and the RtA age population (ages 16-17) is expected to increase 4.8% during the same timeframe. As more 2020 Census data becomes available, these percentages may change.

B. Adult Correction

Adult Correction reports a decline in prison entries and average daily population for persons under age 18 during fiscal year 2020-2021. During FY21, 45 prison admissions were received for youth under age 18, representing a **72% decline** since FY16 (the year from which all agencies projected Raise the Age impact).¹ There were 158 prison entries for youth under age 18 in FY16.

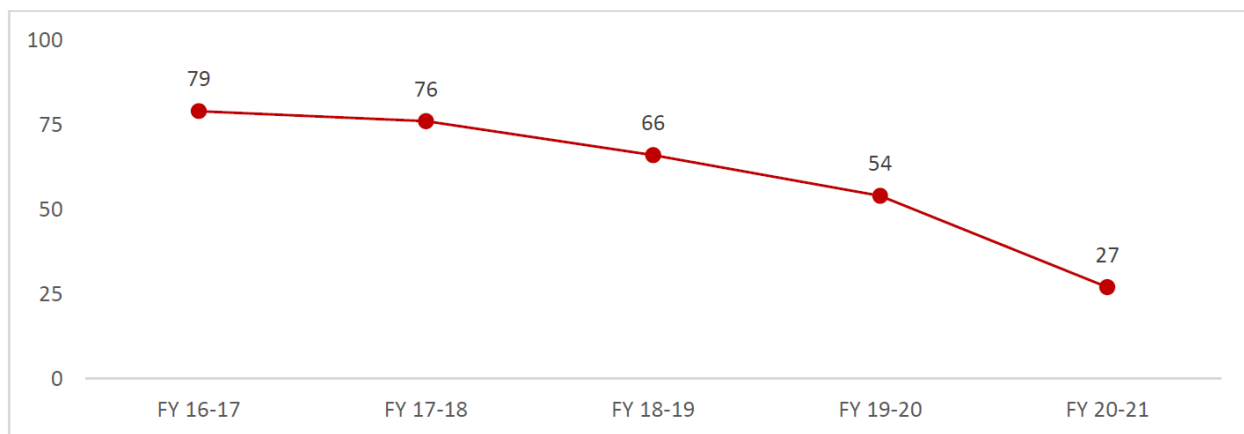
Figure 1: Prison Entries under age 18 on Prison Entry date



NOTE: These calculations year over year do not include safekeepers or CRV entries.

A **66% decline** in average daily population for youth in prisons was seen from FY 16 to FY21. The average daily prison population of youth under age 18 in FY16 was 74.

Figure 2: Average daily Prison Population under age 18



¹ Department of Public Safety, Adult Correction Reentry, Programs and Services. 2020. Prison Entries and Average daily population under age 18 trend (SR1612-08rev02). Department of Public Safety, Adult Correction Reentry, Programs and Services. 2021. Prison Entries and Average daily population under age 18 trend (SR2108-14).

C. Transfers to Superior Court

Regarding transfers to superior court, Juvenile Justice looked at Raise the Age (RtA) youth with at least one complaint transferred to superior court between December 1, 2019 and November 30, 2021. There were 539 distinct RtA juveniles transferred during this time period with 1,635 complaints. This reflects an average complaints per youth of 3.03. Though, outliers do exist where significantly more complaints per juvenile were transferred.

There were 41 youth under age 16 on date of offense who were transferred to superior court.

3.5% of all transfers were discretionary (Felony Class H/I) transfers.

The table below illustrates for all juveniles, the percentage transferred to superior court by class of offense.

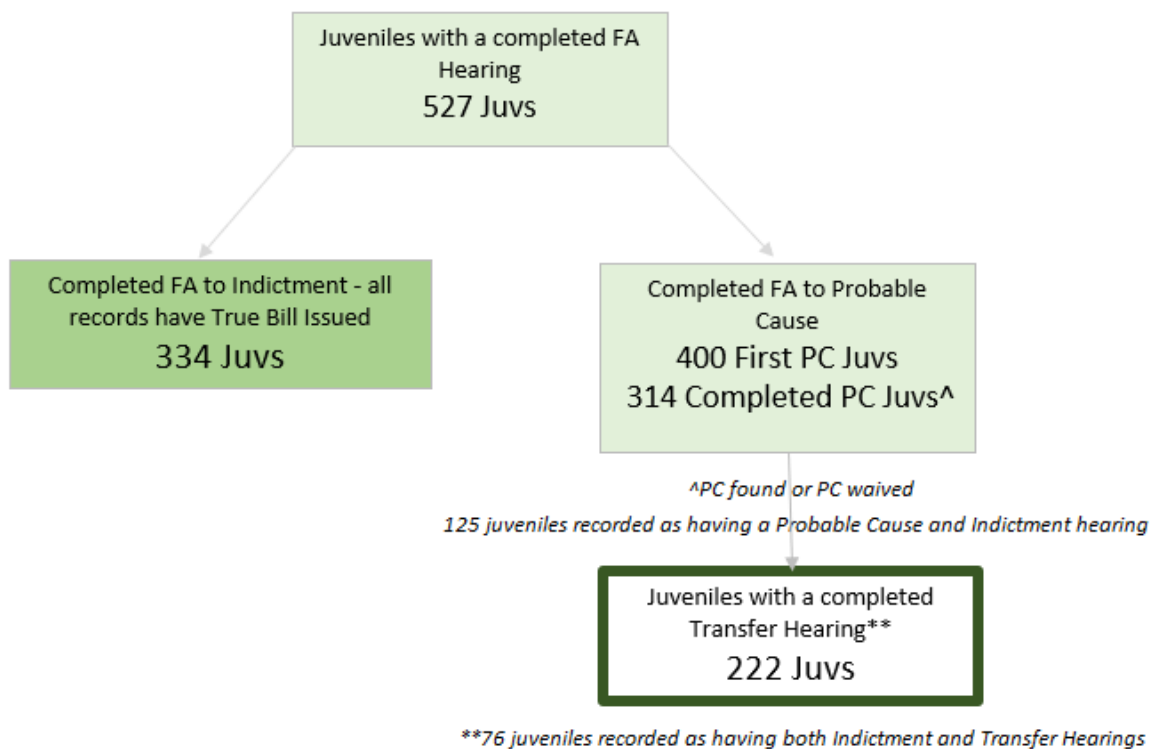
Juveniles Transferred to Superior Court - Most Serious Charged Class

Charged Class	Percent
A	16.21
B1	6.9
B2	7.59
C	12.59
D	32.24
E	12.24
F	4.66
G	4.14
H	3.28
I	0.17

Since Dec. 1, 2019, an average of 24.2 juveniles a month have been transferred to Superior Court.

- Jan – Nov 2020 average per month: 24.4
- Jan – Nov 2021 average per month: 26.4

527 of the 539 distinct RtA juveniles completed a first appearance hearing.



Transfers to superior court consist of approximately 24% of the juvenile detention center population. Their exit from detention reasons are primarily bond out (39%) and placed in jail due to age (19%). 15% of transfers to superior court who are housed in juvenile detention come from Mecklenburg County; 11% from Forsyth; 7% from Durham; 6% from Wake; and 5% from Cumberland.

D. H593 Criminal Court Youth

Effective August 1, 2020, every criminal court youth ordered into secure custody pre-trial was housed in a juvenile detention center instead of a county jail until (s)he is released, bonded out, or reaches the age of 18 upon which time the youth is transported to county jail. Youth under the age of 18 who are ordered to a term of imprisonment in a county jail as a result of a criminal court matter serve that time in a juvenile detention facility as long as they remain under the age of 18.

For a criminal court youth under the age of 18, all terms of imprisonment related to underlying felony offenses or violations of felony probation are served at Foothills, unless it is a split sentence (also known as special probation). Those split sentence youth are held in juvenile detention.

Between August 1, 2020 and November 30, 2021, 182 detention admissions were classified as criminal court (H593) youth, averaging 11 admissions per month. Criminal pre-trial was the most common criminal court youth detention reason (79%), followed by 10% for criminal probation violation/probation modification. The average daily detention population for H593

criminal court youth is 15. The largest contributing counties are Mecklenburg (35%), Union (8%), and Forsyth, Guilford, and Iredell- each at 5% of counties billed for admissions. 35% of criminal court youth bond out of juvenile detention; 20% are released to parents; 13% are placed in jail due to age; 6% are placed with Adult Correction; 4% are placed on pre-trial release.

VI. Raise the Age: A Year of Data in Review

Year 2 of Raise the Age saw:

- 12,449 delinquent complaints for 4,091 juveniles aged 16/17 on date of offense.
- 56% of projected complaints were received in Year 2 of “Raise the Age” implementation. 105% of the A to G projected Year 2 RtA complaints were received; 53% of the Class H to 3 projected Year 2 RtA complaints were received.
- The top 5 offenses for RtA juveniles are misdemeanor offenses.
- 50% of complaints received for RtA juveniles were “minor,” 41% were “serious,” and 9% were for “violent” offenses.
- 71% of RtA complaints are against youth of color. 65% of RtA distinct juveniles are youth of color.
- District 11 was the only district to receive a higher count of “Raise the Age” complaints than projected (994 received, 741 projected). This is largely attributable to Johnston and Lee counties, rather than Harnett.
- 11% of RtA complaints were school-based (n=1,401). The most common RtA school-based offenses are: Simple assault (14%), Simple affray (11%), Disorderly conduct at school (7%), Communicating threats (6%) and Simple possession schedule VI (5%).
- 624 “Raise the Age” juveniles were detained in Year 2. Since school restarted, the percentage of projected juvenile detained has been very close to the projection: Sept 2021 (95%), Oct 2021 (93%), and Nov 2021 (97%).

Top 10 Complaints

Break or enter a motor vehicle (Class I) - 12%
Simple assault (Class 2) - 7%
Larceny - misdemeanor (Class 1) - 5%
Possess handgun by minor (Class 1) - 4%
Resisting public officer (Class 2) - 3%
Robbery with dangerous weapon (Class D/E) - 3%
Larceny of motor vehicle (Class H) - 3%
Breaking and or entering (Class H) - 2%
Larceny - Felony (Class H) - 2%
Injury to personal property (Class 2) - 2%

A. Goals Attained

Several key goals were attained in the first year, and continued into Year 2:

- Maintained open lines of communication to accept feedback and solutions.
- Provided regular legislative and implementation updates to stakeholders through the Juvenile Jurisdiction Advisory Committee.
- Working with UNC-School of Government to provide updated resources materials that reflect established law (most recently, S207/S.L. 2021-123).

- Continuing to implement age-appropriate programming and seeking specialized program for specific populations.
- Grew detention capacity throughout the state, adding 133 detention beds to meet the demands of the increasing population that accompanied Raise the Age.
- Opened new residential sites, one in Forsyth County and one in Union County.
- Juvenile Crime Prevention Council expansion budgets for 2019-20 and 2020-21 increased accessibility of Teen Court and other restorative justice models and rolled out a new protocol for JCPCs to engage in a two-year funding cycle.
- Pursuing pre-trial release opportunities, programming for gun violence prevention and gang involved/associated youth, and funding for comprehensive clinical assessments. Exploring programming in the areas of vulnerable juveniles, traffic offenses, and 18-21 year old re-entry.

B. Data Trends – Year 2 (Dec 2020-Nov 2021) compared to Year 1 (Dec 2019-Nov 2020)

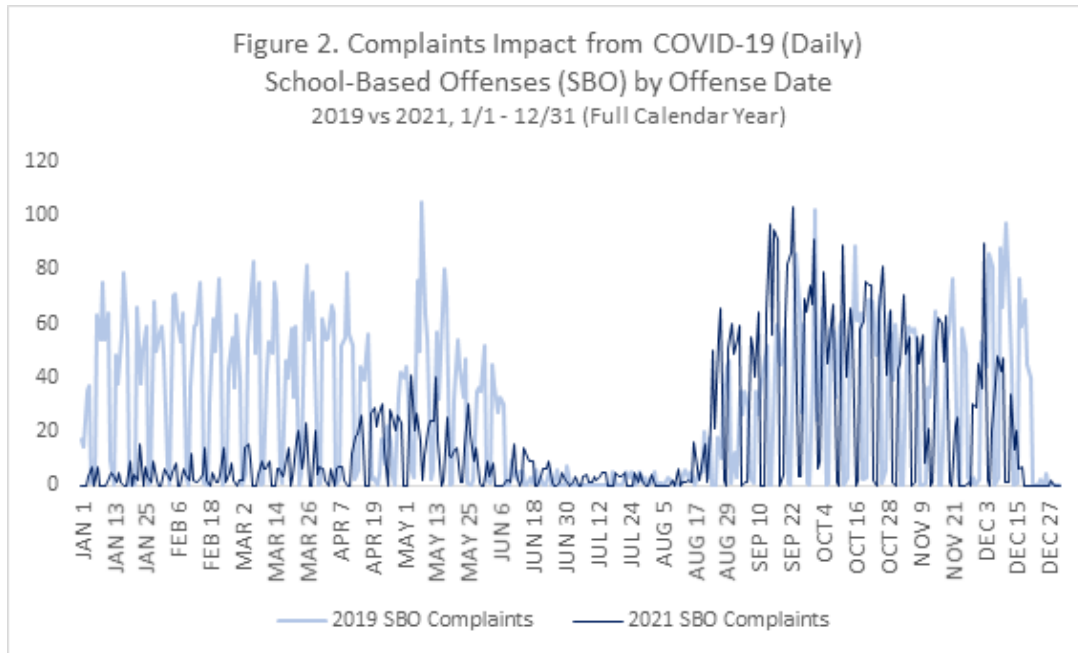
Note that comparison data between younger juveniles and RtA juveniles is available in the annual report at <https://files.nc.gov/ncdps/documents/files/2020-Juvenile-Justice-Annual-Report-FINAL.pdf>. The annual report indicates that complaints for RtA juveniles are more likely to be approved for court and less likely to be diverted from court, while the percentage of closed complaints remains consistent with those of younger juveniles.

The following table reflects counts by month for youth aged 16/17 on date of offense (i.e., Raise the Age youth). Counts of distinct juveniles across the year will differ from distinct juveniles by month.

Measure*	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	Total
Yr 1 Complaints	400	1,323	1,018	1,318	1,088	849	1,053	1,074	1,129	1,215	1,038	845	12,350
Yr 2 Complaints	854	1,139	828	1,018	904	826	750	1,077	1,085	1,418	1,262	1,288	12,449
Yr 1 A to G Complaints	57	93	101	142	114	97	85	138	129	100	110	112	1,278
Yr 2 A to G Complaints	92	117	100	151	129	90	61	95	137	138	96	134	1,340
Yr 1 H to 3 Complaints	343	1,230	917	1,176	974	752	968	936	1,000	1,115	928	733	11,072
Yr 2 H to 3 Complaints	762	1,022	728	867	775	736	689	982	948	1,280	1,166	1,154	11,109
Yr 1 Juveniles	234	535	566	561	493	348	407	407	396	422	413	344	5,126
Yr 2 Juveniles	297	365	364	417	368	403	338	401	365	595	626	557	5,096
Yr 1 A to G Juveniles	42	62	53	53	66	48	49	65	62	62	68	64	694
Yr 2 A to G Juveniles	45	73	66	81	70	57	46	52	62	70	66	58	746
Yr 1 H to 3 Juveniles	200	502	538	530	451	323	379	371	363	387	373	307	4,724
Yr 2 H to 3 Juveniles	276	322	326	369	326	367	311	370	335	557	588	527	4,674

*Sisense, system-build version reported (v2)

- Year 2 of “Raise the Age” implementation saw slightly more complaints (8%) and slightly fewer juveniles (6%) age 16 or 17 at offense.
- The increase in Year 2 complaints received increased in alignment with schools reopening after summer break.



C. Race/Ethnicity and Gender, Delinquent Complaints for 16/17- year olds at age of offense

- Males were charged with more complaints per juvenile (3.40 Male, 2.02 Female).
- 71% of complaints received were on youth of color.
- 65% of distinct juveniles were youth of color.
- Black/African American youth compose the majority of RtA complaints and the majority of *reverse waived* juveniles.

Reverse Waivers (December 1, 2019-November 30, 2021)

Race/Ethnicity	Females	Males
American Indian or Alaska Native	0	1
Black or African-American	5	24
Hispanic/Latino	0	6
Two or More Races	0	1
White	1	10

D. Raise the Age Complaints Received

In planning for Raise the Age implementation, Juvenile Justice worked with several partners to obtain data and analyze trends to formulate projections of what to expect upon implementation. Projections of the number of juveniles to be affected by Raise the Age in the first year were based on the behaviors of 15 year-olds in the juvenile justice system and how complaints received were handled in FY16. This was coupled with Administrative Office of the Courts statistical defendant data and Sentencing and Policy Advisory Commission conviction data to formulate a comprehensive projection.

Juvenile Justice projected a 64% systemic increase and received a 36% increase amid Year 2 of a pandemic. Systemic increases are determined by the number of complaints received because that entry point affects the entire system. Existing rates for various pathways for 15-year-olds throughout the system were used to determine resource needs. The focus of this report will be on the data related to youth for whom a complaint was received.

When comparing complaints received to complaints projected, differences highlight: 1) whether the Raise the Age population complaints followed the same pathways as those for 15 year olds previously in the Juvenile Justice system, and 2) whether statistical defendant data from criminal court replicated itself in the Juvenile Justice system. However, differences including school closures and a pandemic may add an extra layer of complexity when translating the data.

Year 1: 12,349 delinquent complaints were received for 4,107 juveniles aged 16 or 17 on the date of offense.

Year 2: 12,449 delinquent complaints were received for 4,091 juveniles aged 16/17 on date of offense.

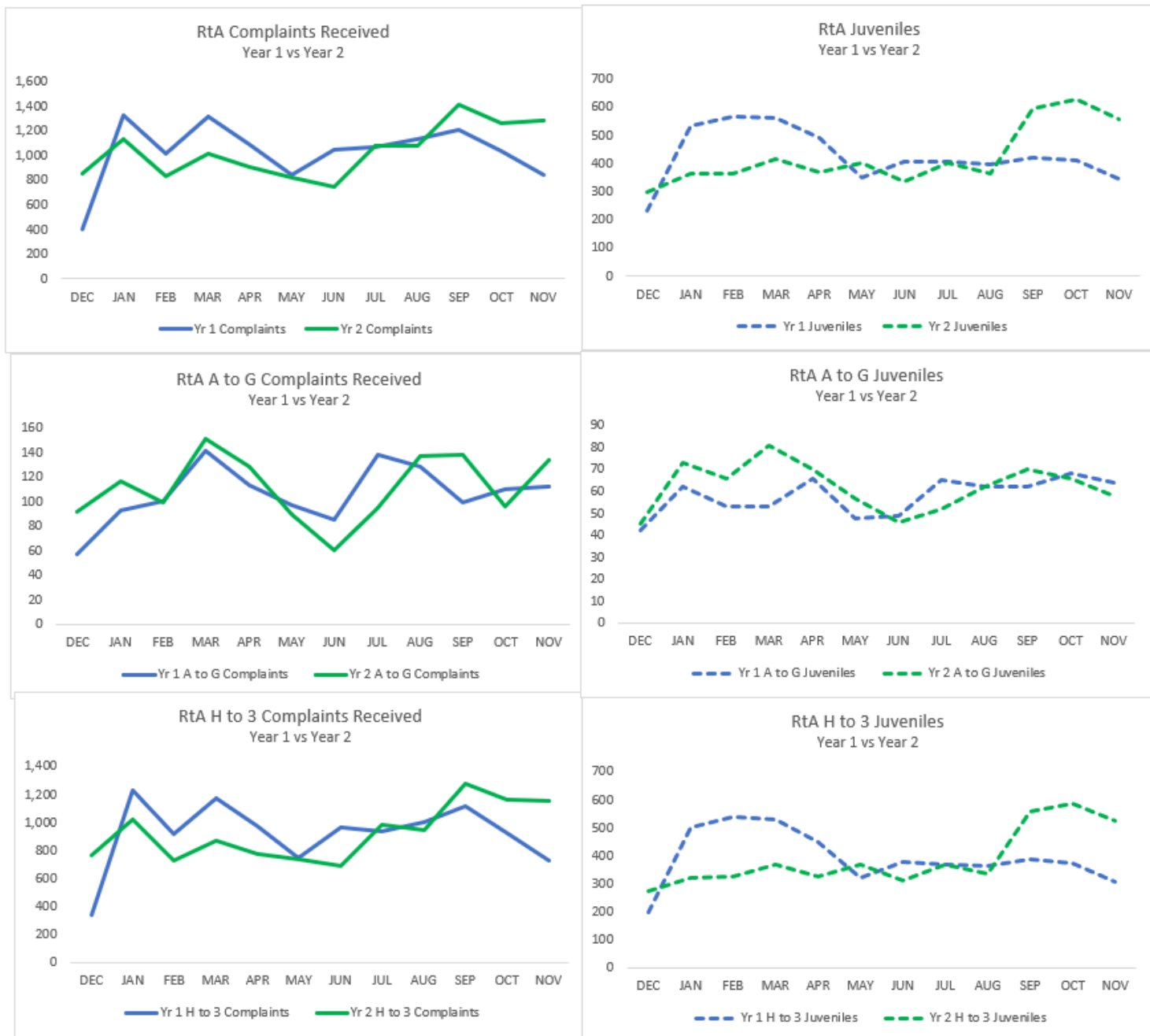
Key Data Points, Complaints Received

Volume: 56% of the complaints received projection was met. 105% of the felony class A-G offense projection was met. 53% of felony class H through misdemeanors projection was met.

Projected complaints per juvenile were estimated at 2.4 complaints per juveniles based on FY16 trends for the 15-year-old juveniles for which a complaint was received, and though there was a rise in complaints per juvenile during the pandemic school closure months, the average monthly complaints per juvenile from December 1, 2020 to November 30, 2021 was 2.44 (a slight increase from 2.41 in Year 1).

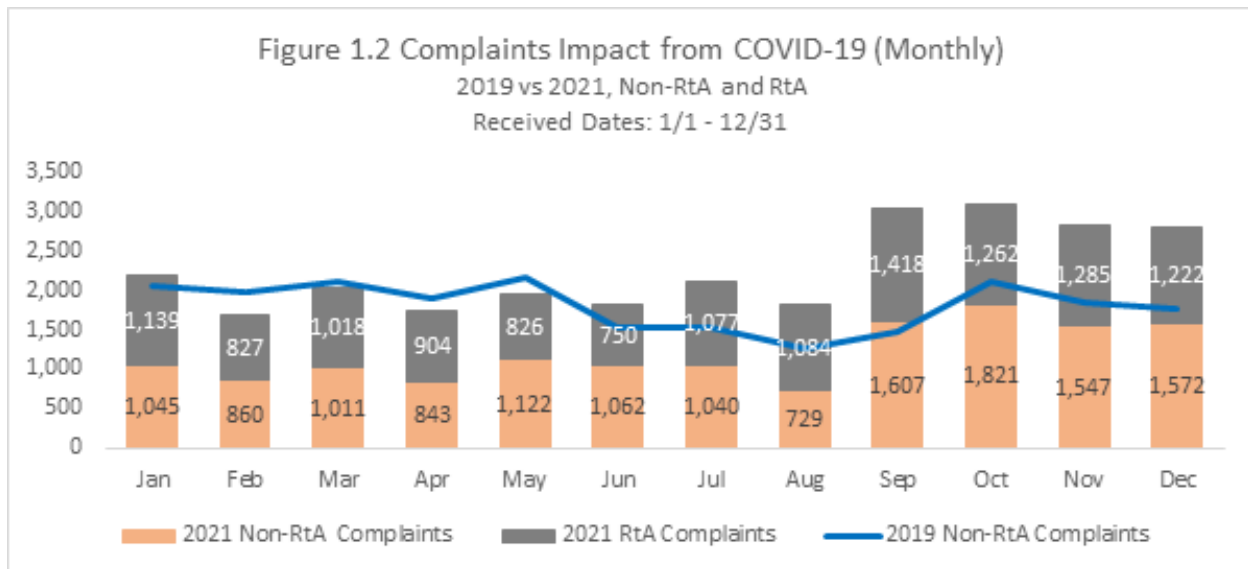
Complaints per Juvenile

	<i>Year 1</i>	<i>Year 2</i>
	<i>Dec 1, 2019- Nov 30, 2020</i>	<i>Dec 1, 2020- Nov 30, 2021</i>
<i>Dec</i>	1.71	2.88
<i>Jan</i>	2.47	3.12
<i>Feb</i>	1.80	2.27
<i>Mar</i>	2.35	2.44
<i>Apr</i>	2.21	2.46
<i>May</i>	2.44	2.05
<i>Jun</i>	2.59	2.22
<i>Jul</i>	2.64	2.69
<i>Aug</i>	2.85	2.97
<i>Sep</i>	2.88	2.38
<i>Oct</i>	2.51	2.02
<i>Nov</i>	2.46	2.31
<i>Total</i>	2.41	2.44



There have been 48 cases reverse waived since Dec 1, 2019 (juvenile began under juvenile jurisdiction, was transferred to superior court and prosecutor and defense agreed to transfer the youth back to juvenile justice system; and was so ordered by the court).

The following illustrates 2020 Raise the Age complaints and non-RtA complaints compared to 2019 complaint counts (pre-RtA).



E. Raise the Age Juveniles

Volume: 4,091 distinct juveniles were added to the Juvenile Justice system throughout implementation of Raise the Age December 1, 2020-November 30, 2021. Over half (55%) of the distinct juveniles projection was met. 141% of the projected Class A-G felony juveniles were received.

Decisions:

Raise the Age Complaint Decisions	Felony Class A-G Complaints	Class H-3 Complaints
Approved for Court	98.43%	70.63%
Closed	0.82%	14.75%
Diverted	0.75%	13.94%

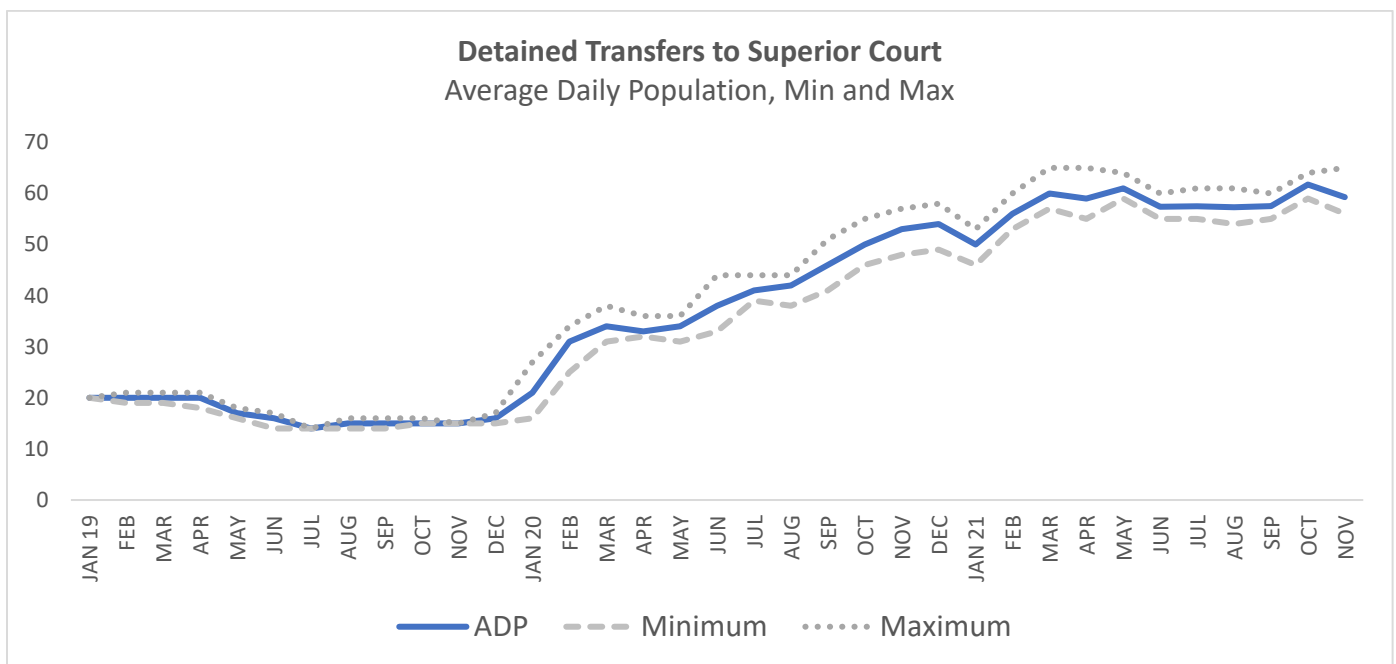
F. Detention

Juvenile Justice projected a 158% increase in detention bed needs (from 190 to 490) based on Sentencing and Policy Advisory Commission staff data. Data from Dec 1, 2020 to November 30, 2021 (12 months) reflects that 89% of juveniles projected to be detained, were indeed detained (642 juveniles of the projected 723). A larger percent of the Raise the Age population was detained than projected (12.6% compared to 7.8% projected).

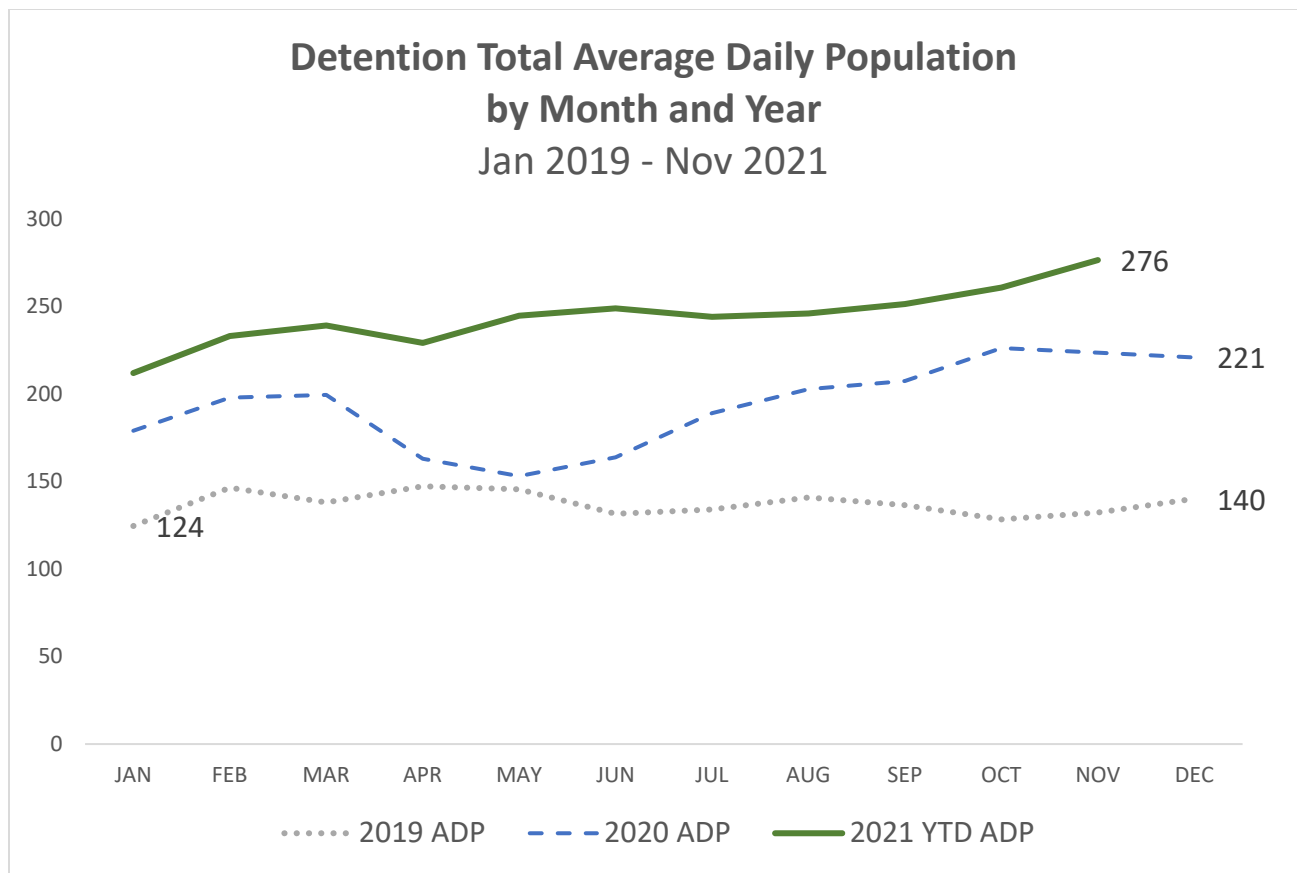
Juvenile Justice worked with county officials including sheriffs to open county operated juvenile detention centers in Brunswick, Mecklenburg, and Madison counties.

The federal Juvenile Justice and Delinquency Prevention Act (JJDP A) renewal included a requirement that all persons under the age of 18 be detained in juvenile detention instead of jail. H593/S.L. 2020-83 took steps towards implementing that requirement, effective August 1, 2020.

The original projection for RtA implementation was 300 detention center beds, which implementation data currently supports given the A-G transfer youth with longer average length of stays. The Department received \$6.7 million allocated to-date (half of original projected need). Detention admissions for youth under age 16 have declined. The degree to which a smaller number of admissions reflects “Raise the Age” implementation or Covid-19 local precautions and decisions is unknown. Though, other states have seen similar reductions in the younger population for detainments and commitments following “Raise the Age” implementation. Longer stays due to court closings and hearing availability during the pandemic affected detention bed needs in 2020. H593 further increased bed needs as youth originating in criminal court are housed in juvenile detention as of August 1, 2020, including youth who would have previously been sentenced to a jail stay. And localized staffing shortages and jail decisions regarding the pandemic have limited the number of juvenile beds available.



For transfers to superior court who exited during 2021, the average length of stay in juvenile detention was 148 days, an increase from an average of 79 days in 2020. This compares to juvenile jurisdiction youth’s average length of stay, which is 24 days (2021) and 22 days (2020).



G. Youth Development Centers

The Juvenile Justice section currently operates four youth development centers statewide, with a new fifth campus in the construction phase. YDCs provide mentoring, education and therapeutic treatment to prepare youth for a fresh start when they re-enter their communities.

Youths who are adjudicated for offenses that occurred prior to their 18th birthday may be committed to the Juvenile Justice section and assigned to a youth development center, which is the most restrictive, intensive dispositional option available to North Carolina's juvenile courts. A commitment is typically for an indefinite period of at least six months.

In CY 2019, there were 148 commitments to youth development centers. In Year 2 of RtA, there were 182 commitments, reflecting an increase of 23% overall. The youth development center population between Year 1 and Year 2 of RtA implementation has shown a 73% increase in the number of 16/17- year olds on date of offense, while the younger committed population remained constant.

	RtA YDC Commitments	Non-RtA YDC Commitments	Total
YEAR 1	51	94	145
YEAR 2	88	94	182
Total	139	188	327

VII. School Justice Partnerships

The following update on School Justice Partnerships is provided by the Administrative Office of the Courts (AOC).

North Carolina's 2017 Raise the Age law (S.L. 2017-57 § 16D.4.(aa)) authorized the NCAOC Director to establish policies and procedures for chief district court judges and local stakeholders to establish School Justice Partnerships (SJP). A SJP is a group of community stakeholders, including school administrators, the law enforcement community, court officials, juvenile justice personnel, and others, who work together to keep kids in school and out of court. SJPs strive to reduce in-school arrests, out-of-school suspensions, and expulsions by developing and implementing effective strategies to address minor school-based misconduct through in-school and community-based resources. A school-based offense is one that occurs on school grounds, school property, at a school bus stop, at an off-campus school-sanctioned event, or where the school is the victim.

SJP strategies help students succeed in school and prevent negative outcomes for both youth and their communities. Statistics show that contact with the juvenile justice system increases the likelihood that youth will reoffend, and outcomes worsen with deeper involvement in the system. For example, confinement in a juvenile facility increases the risk that a youth will be rearrested as an adult. For some students, a school-based referral can lead to a permanent criminal record, which creates barriers to college financial aid, employment, housing, and military eligibility. As a result, SJPs seek to reduce the use of exclusionary discipline practices and school-based court referrals which push students out of school and into court.

The first SJP in NC was implemented in New Hanover County in 2015. New Hanover Chief District Court Judge J.H. Corpening shared the following statement about the impact of the program:

"The New Hanover County School Justice Partnership experience has been transformative. We have dramatically reduced school referrals to juvenile justice. We have seen a transformation in approaches to discipline for school-based conduct that focuses on changing behavior for the better instead of pushing the child out of school. We have seen support grow across our systems and our community and have built support to work to reduce all forms of exclusionary school discipline and to work on reducing the disproportionate impact on children of color."

SJPs also foster relationships with local law enforcement. New Hanover County Sheriff's Office SRO Commander Lieutenant C. L. Smith stated:

"Our local SJP has created successful partnerships in our jurisdiction wherein stakeholders focus on the diversion of minor criminal offenses, thus keeping juveniles in the classroom and out of the courtroom. Taking an active role in our local SJP provides our School Resource Officers with pre-arrest diversion options, which have proven to be successful in changing juvenile contact outcomes."

Following the success of the New Hanover SJP, Wayne County Public Schools implemented an SJP in 2018. According to Interim Superintendent David Lewis:

“Wayne County Public Schools has enjoyed a strong relationship with the School Justice Partnership Program for many years. We have seen the benefits of programs, such as Teen Court, in helping students overcome circumstances that might once have tainted their records into adulthood. More recently, our school district has worked through and implemented the P.A.C.T.S.² agreement in an effort to reduce the number of students who face criminal charges unnecessarily. We are grateful for the support we get from the School Justice Partnership Program in helping our students.”

In November 2021, the North Carolina Department of Public Safety, Juvenile Justice introduced a data dashboard that offers a fully functional, public-facing SJP dashboard. The dashboard data serves as a resource for SJPs in each county/school district to easily retrieve the number of school-based offenses, charge type, related decisions, and demographics.

As of December 2021, SJPs were active in 40 counties with several more counties in the planning stages. The number of participating school systems or Local Education Agencies (LEAs) in each county varies, since implementation of the program in a school district is voluntary. Individuals can determine which local stakeholders are participating in a particular county’s SJP by reviewing that county’s signed SJP Memorandum of Understanding (MOU) at www.sjp.nccourts.gov. Counties and/or districts interested in creating a SJP may contact the NCAOC at 919 890-2468.

VIII. Resources

1. JJAC Interim Reports: <https://www.ncdps.gov/our-organization/juvenile-justice/key-initiatives/raise-age-nc/juvenile-jurisdiction-advisory-3>
2. JJAC Meetings, Agenda, and Minutes: <https://www.ncdps.gov/our-organization/juvenile-justice/key-initiatives/raise-age-nc/juvenile-jurisdiction-advisory>
3. AOC’s School Justice Partnerships website: www.sjp.nccourts.gov

JJAC Report Data Note: Please note that data in this report is produced for timely notification and that data quality assurance practices may alter the counts slightly over time.

The Juvenile Jurisdiction Advisory Committee extends its many thanks to DeShield Greene and Emily Mehta (AOC), Jacqui Greene (UNC-CH SOG), staff of the Conference of District Attorneys, the ACJJ Rehabilitative Programs and Services Section, Dan Flye (DIT) and Juvenile Justice Research staff Megan Perrault, Lizzie Halstead, and Phil Maychek for their contributions to this report.

² Partnerships Agreement Community Teams with Schools