

Joint Appropriations Subcommittee on
Justice and Public Safety

**Department of Public Safety
Division of Juvenile Justice**

March 20, 2013



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Outline

- **Brief History of Juvenile Justice**
- **Juvenile Justice Jurisdiction**
- **Court Services**
- **Detention Centers**
- **Dispositions**
- **Community Programs**
- **Education and Treatment**
- **Youth Development Centers**



Brief History of Juvenile Justice

- 1919 – Juvenile Court Created
- 1909 – First Training School Built
- Admin of Juvenile programs moved from DOC to AOC to HHS, finally to separate agency in 2000
- **1998 – General Assembly passed the Juvenile Justice Reform Act**
 - Move towards community-based sanctions
 - Took status offenders out of YDC population



**Stonewall Jackson Manual Training and
Industrial School**

JPS - DPS

Department of Public Safety (DPS)

Houses the former Departments of Crime Control and Public Safety, Juvenile Justice and Delinquency Prevention, and Correction

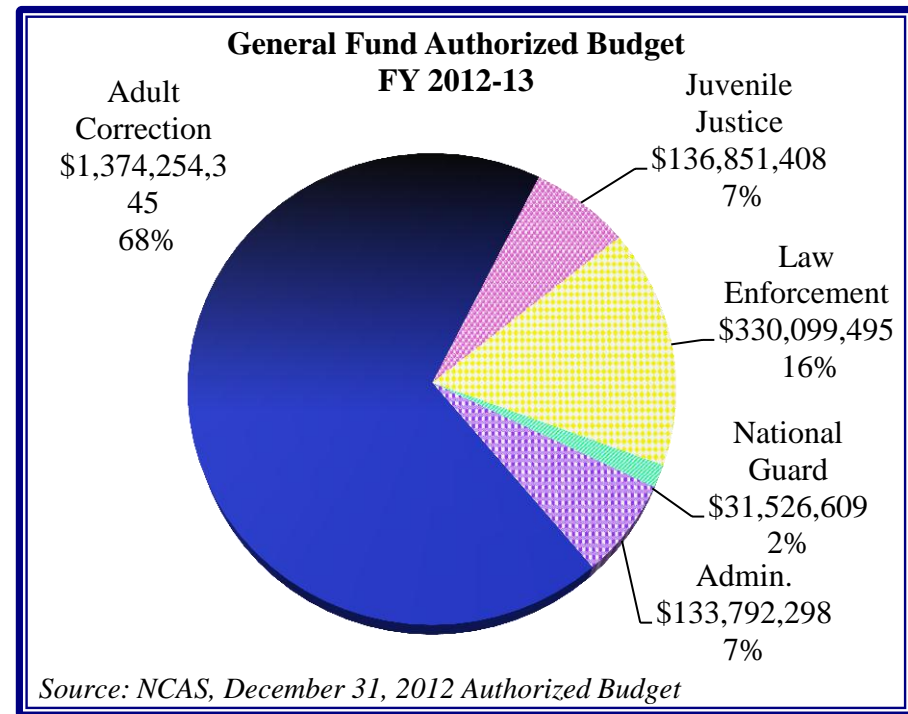
Kieran Shanahan, Secretary

Includes:

- Prisons
- Community Corrections
- **Juvenile Justice**
- Highway Patrol
- Alcohol Law Enforcement
- State Capitol Police
- Butner Public Safety
- Emergency Management
- National Guard
- Victims Services
- Administration

Total General Fund Budget: \$2 billion

Total GF FTE Employees: 25,328.71



Authorized Budget

Total Budget:

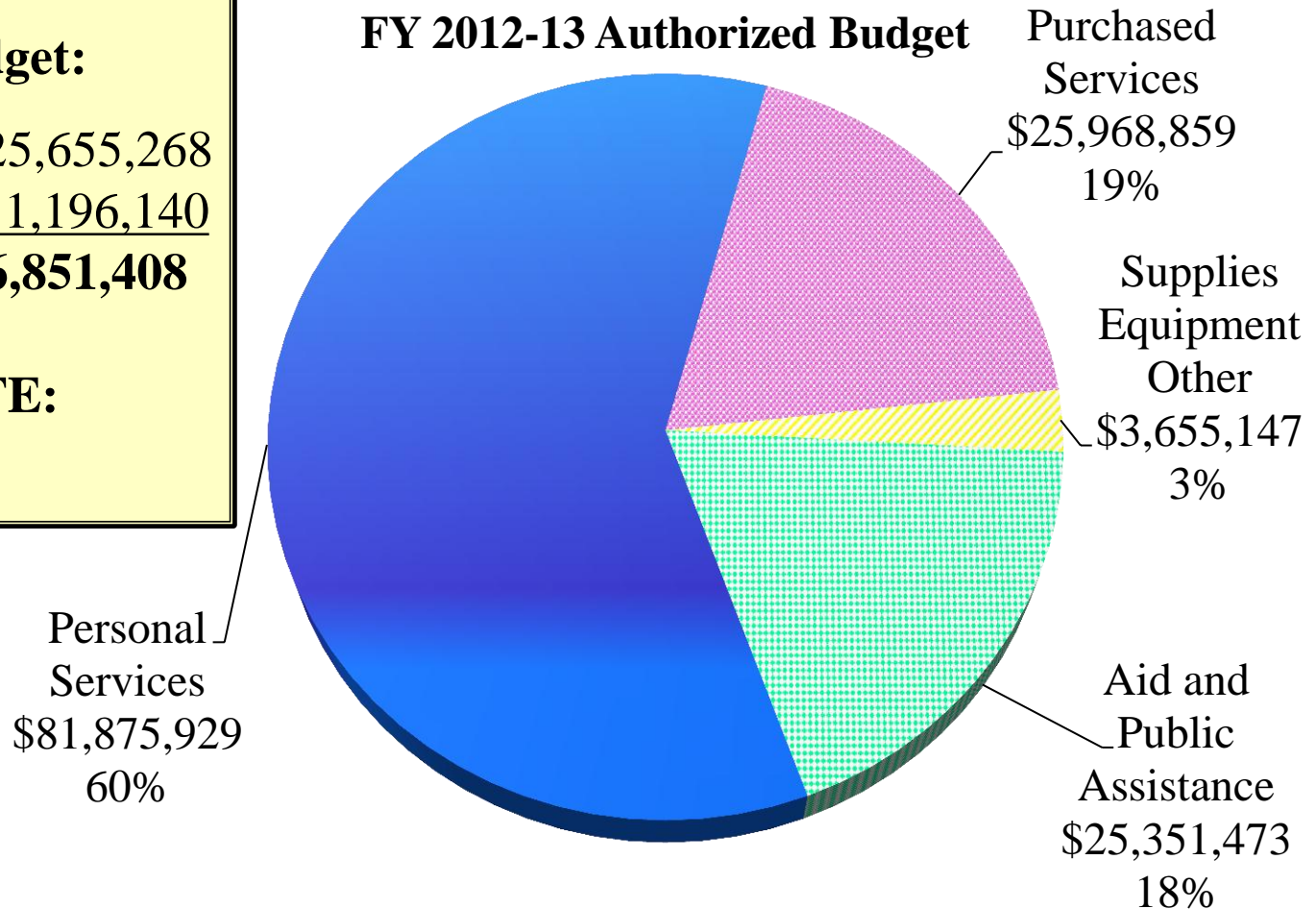
Gen. Fund: \$125,655,268

Receipts: \$ 11,196,140

Total: \$136,851,408

**Total FTE:
1,595**

Division of Juvenile Justice FY 2012-13 Authorized Budget



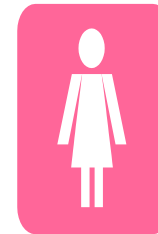
Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE – Beacon BO149 December 2012

Juvenile Justice Jurisdiction

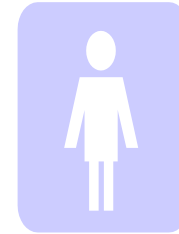
Juvenile Population Age 6 to 17*

1,532,460

Juvenile Pop. By Gender

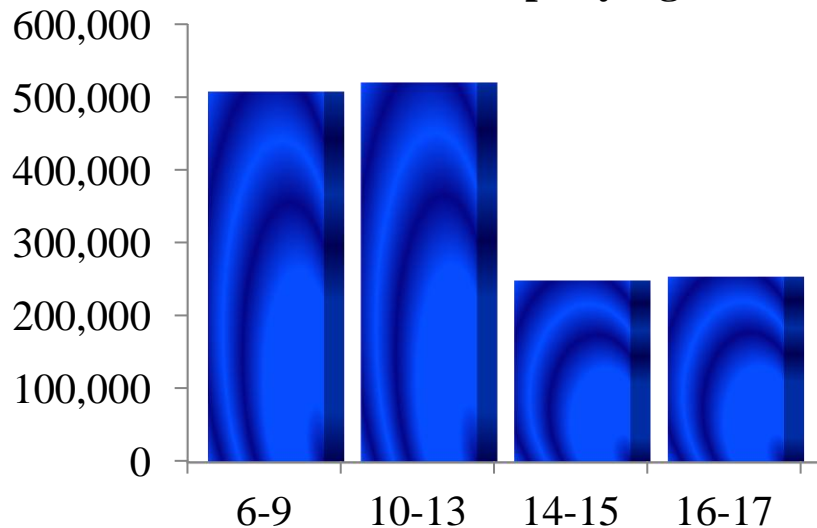


748,009

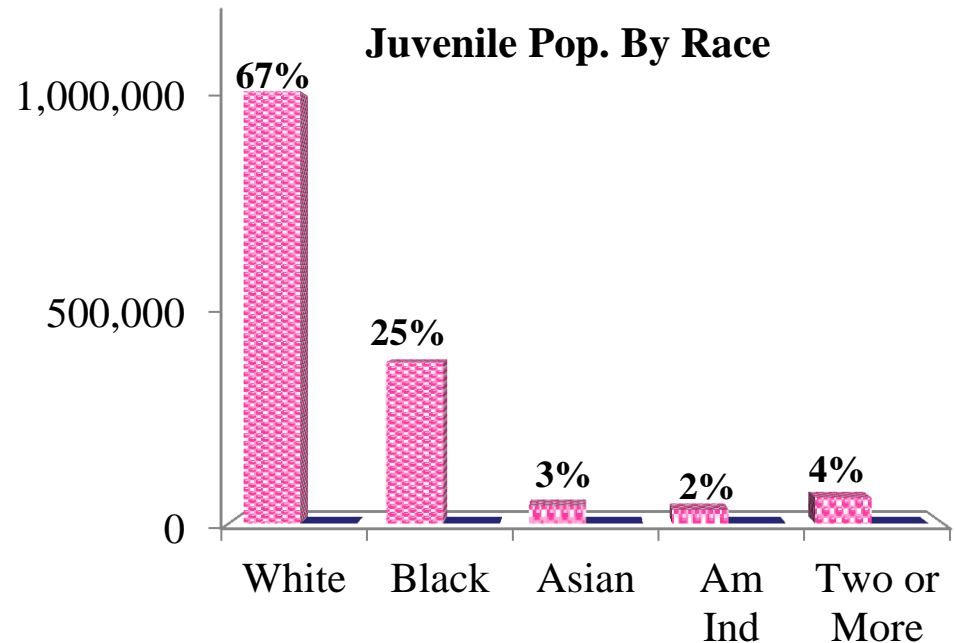


784,451

Juvenile Pop. By Age



Juvenile Pop. By Race



*Population as of July 2011; Source: www.demog.state.nc.us

Juvenile Justice Jurisdiction

- Sentencing Commission projects youth development center population each year
- Projections for juveniles are not as accurate as those for adults due to policy-driven nature of Juvenile Justice

Although juvenile population is increasing, declining trends in juvenile crime are expected to continue.



G.S.. 164-40(b) and G.S.. 164-42.1(b)

Juvenile Justice Jurisdiction

Two Types of Youth in Juvenile Justice

System:

Delinquent Youth:

Children aged 6 to 15 who have committed a crime

Undisciplined Youth:

Youth aged 6 to 17 who are beyond the disciplinary control of their parent or guardian

G.S.. 7B-1501 (7) and (27)

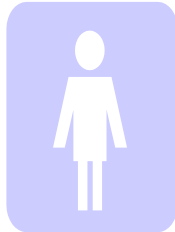
Juvenile Justice Jurisdiction

Juvenile with Complaints FY 2011-12

Complaints By Gender



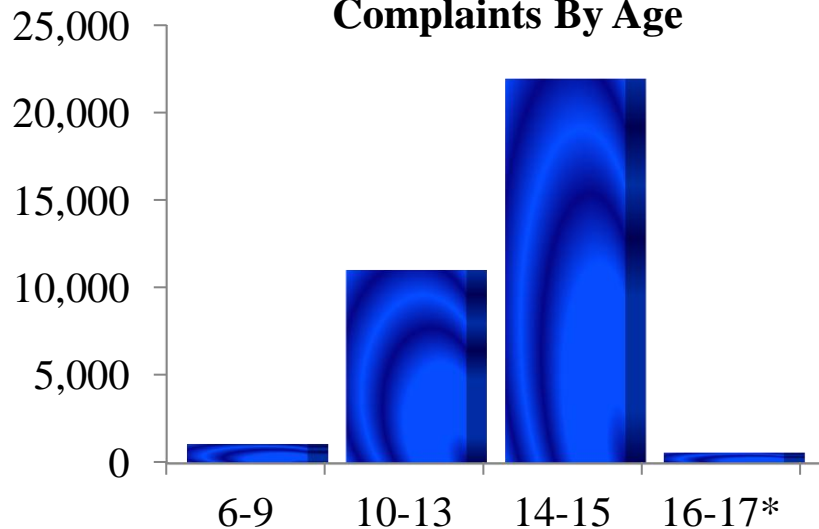
8,692



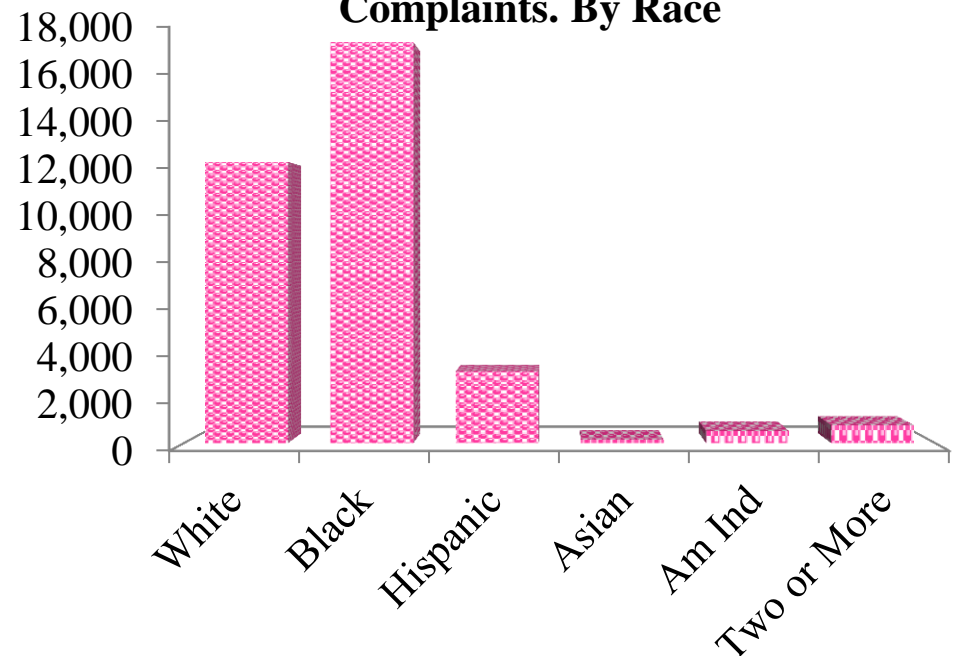
26,077

34,769

Complaints By Age



Complaints. By Race



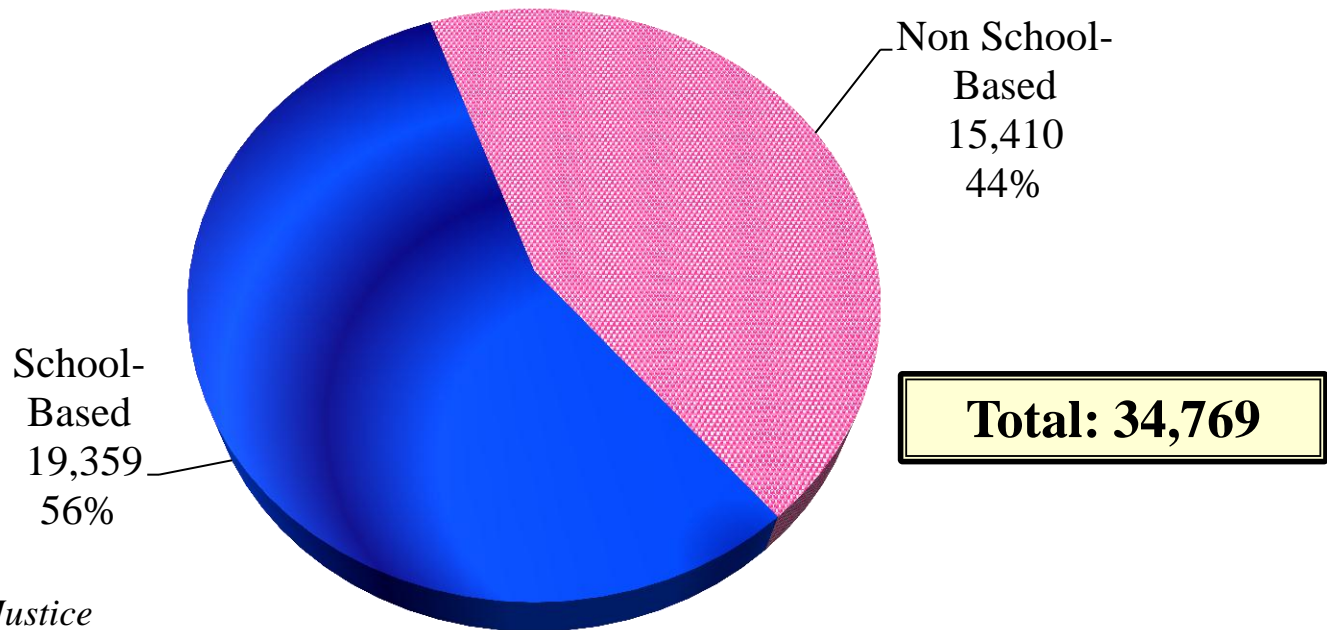
*Data source: Juvenile Justice

Juvenile Justice Jurisdiction

Complaints against juveniles can be made by:

- Law Enforcement
- School Resource Officers
- Parents/Guardians
- DSS

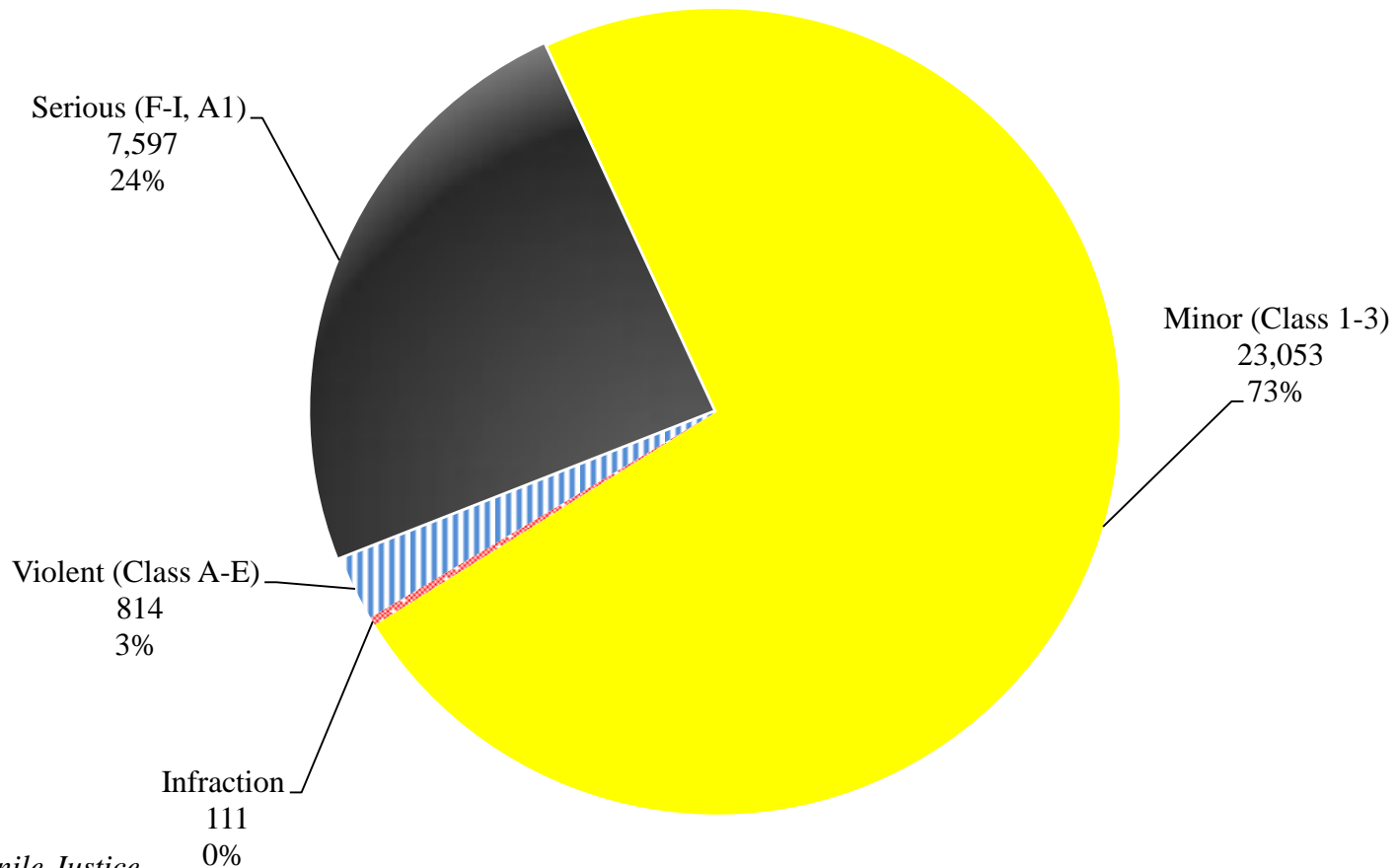
**Complaints by Referral Source
FY 2011-12**



Data Source: Juvenile Justice

Juvenile Justice Jurisdiction

Juveniles with Delinquent Complaints CY 2011-12



**Data source: Juvenile Justice*

Juvenile Justice Process

- **Intake**
- Custody
- Adjudication
- Disposition
- Release from Care



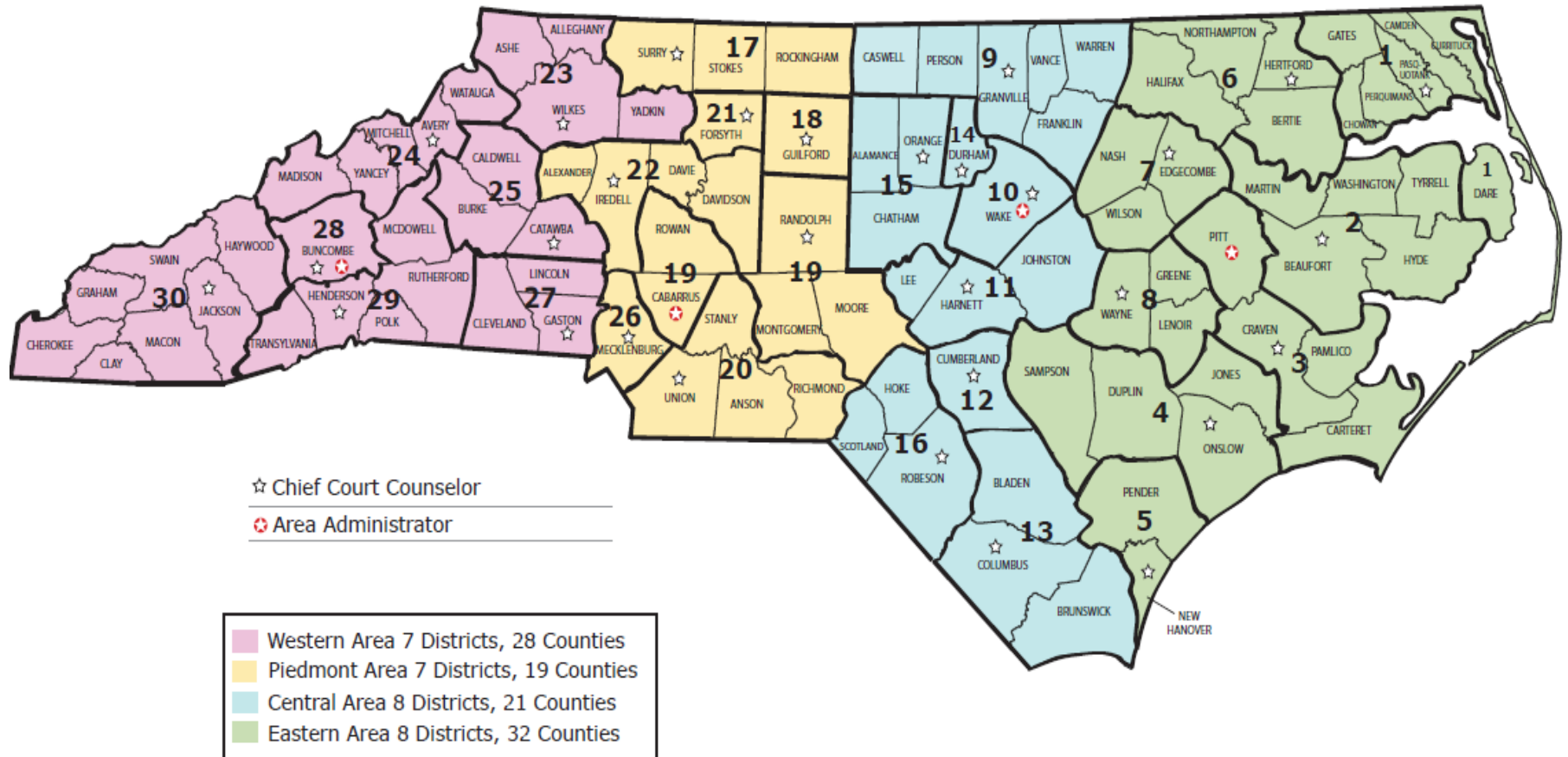
Juvenile Justice Process

Intake

- Approval of Complaint
- Determination of divertible/nondivertible
- Court counselors have 15 days to decide whether to divert, approve for court, or resolve with no further action.
- If divertible, court counselor develops a plan that may include referrals to community resources.
- If approved for court, counselor has up to 30 days from the time the complaint was received to file a petition.

G.S.. 143B-535-536, G.S.. 7B-1700-1707

Court Services



Source: *Juvenile Justice*

Court Services

- **1 Deputy Secretary for Court Services**
- **4 Area Administrators**
- **30 Chief Court Counselors**
- **40 Juvenile Court Counselor Supervisors**
- **383 Juvenile Court Counselors**



Source: Beacon Report B0149, Run February, 2013

Court Services

Total Budget:

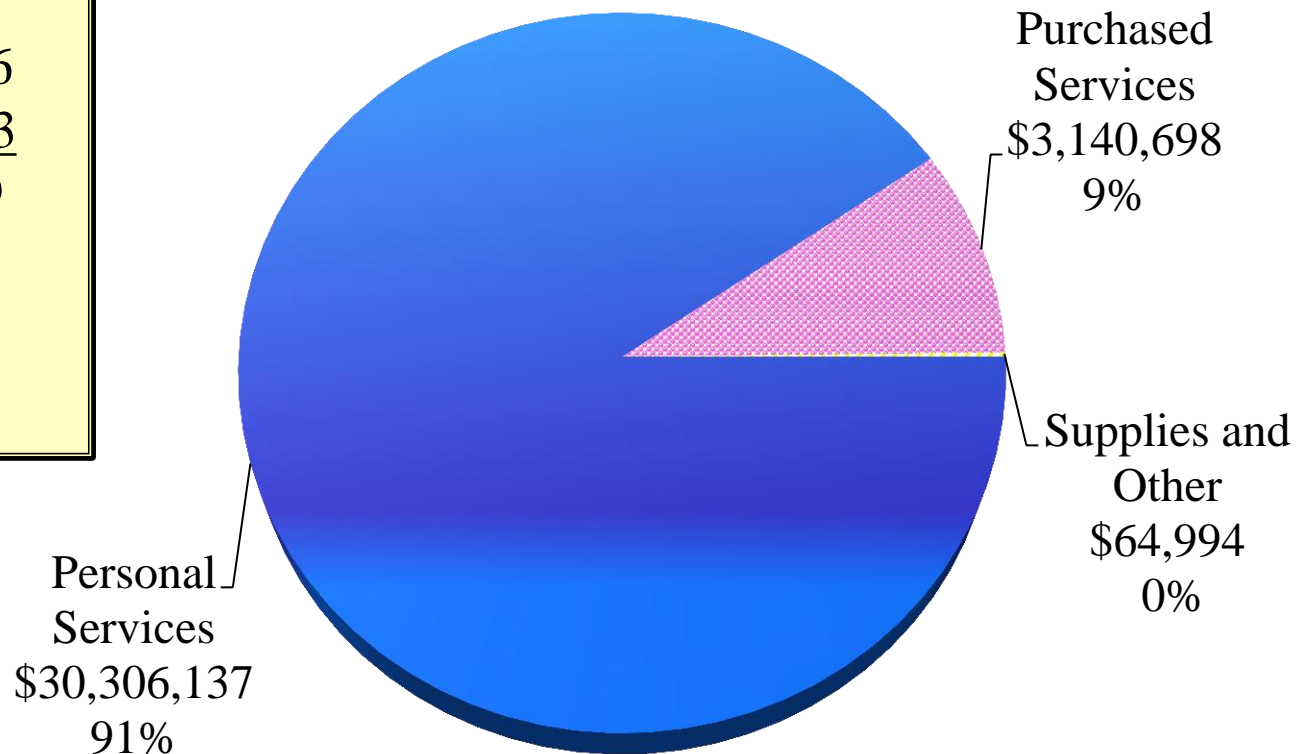
Approp.: \$32,998,006

Receipts: \$ 513,823

Total: \$33,511,829

Total FTE:
548.40

FY 2012-13 Authorized Budget



Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE – Beacon BO149 December 2012

Juvenile Justice Process

- Intake
- **Custody**
- Adjudication
- Disposition
- Release from Care



Juvenile Justice Process

Three Types of Custody

- **Temporary Custody** (Not longer than 12 hours; 24 on a weekend)

- **Non-secure Custody**

Relative, licensed foster home, DSS facility, other home facility approved by the court

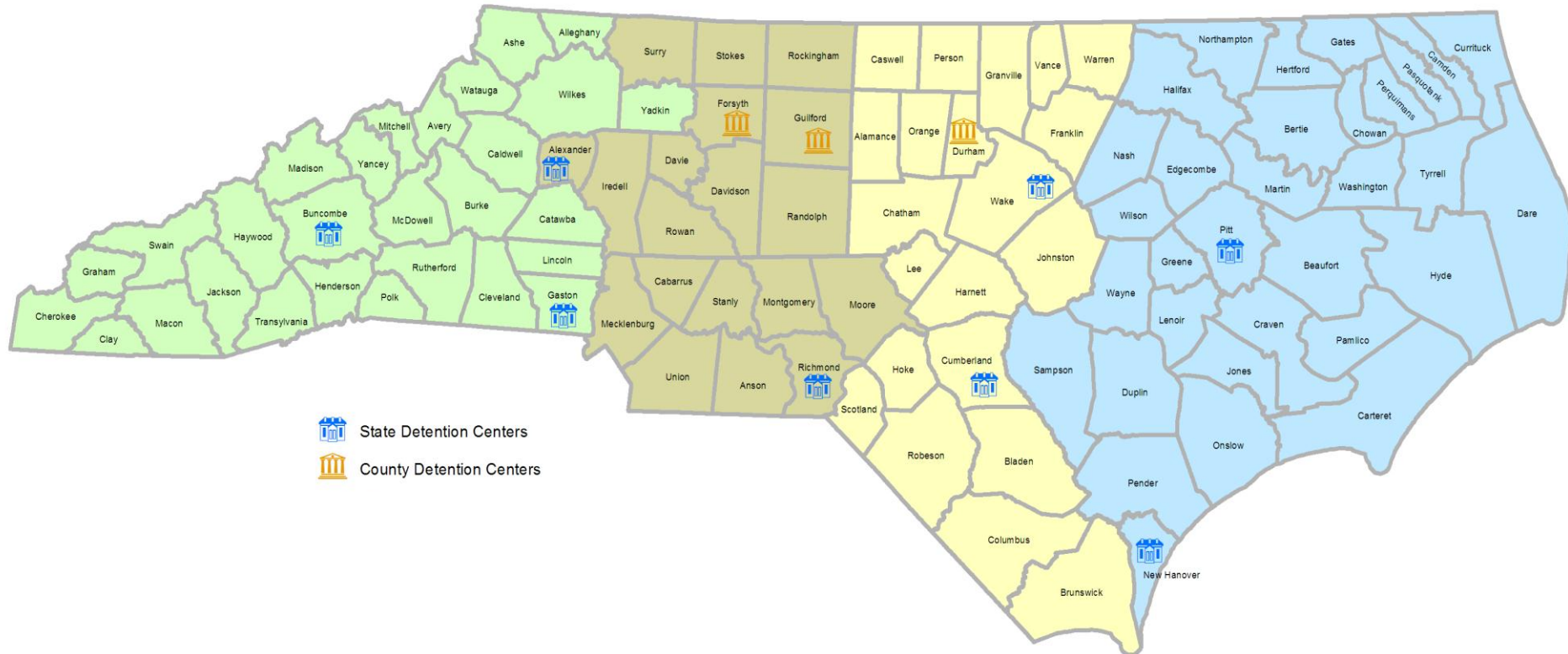
- **Secure Custody**

Approved detention facility separate from adult facility or A-E felonies in holdover facility for 72 hours

G.S. 7B-1900-1907

Detention Center Services

Map of State and County Detention Centers



Source: NCGA, Information Technology Division

Detention Center Services

G.S.. 143B-819 – Regional detention services

Requires Juvenile Justice to:

- **Plan with counties operating a county facility to provide regional services to surrounding counties**
- **Plan for and administer regional detention facilities**

Physical facility complies with State and federal law

Programming complies with Department standards

Authorizes Juvenile Justice to plan with counties that have space to use existing jail space for juveniles (w/ appropriate sight and sound barriers)

G.S.. 143B-819-821, G.S. 7B-1900-1907

Detention Center Services

G.S.. 143B-820 – State subsidy to county detention facilities

Requires Juvenile Justice to pay the county:

- 50% of cost of caring for a juvenile from within the county
- 100% of cost of caring for juvenile from outside the county

Requires counties to pay Juvenile Justice:

- Pay 50% of cost of caring for a juvenile from within the county to Juvenile Justice when placed outside the county

Counties also pay 50% of cost at State facility

Total Net Receipts from Counties: \$5.3 m

\$244/day
Current Rate

Detention Center Services

State Detention Centers	FY 2011-12 Budget	FTE	Beds	Cost/Bed	Population on 03/17/13
Alexander	\$1,671,113	27	24	\$69,630	16
Buncombe	\$1,250,786	22	14	\$89,342	4
Cumberland	\$1,488,002	26	18	\$82,667	15
Gaston	\$1,617,058	29	24	\$67,377	12
New Hanover	\$1,342,074	25	18	\$74,560	13
Perquimans	\$1,360,578	25	24	\$56,691	CLOSED 11/1/12
Pitt	\$1,338,395	24	18	\$74,355	15
Richmond	\$2,055,245	34	30	\$68,508	24
Wake	\$1,691,416	30	24	\$70,476	16
Total	\$13,814,667	242	194	\$71,210	115
County Detention Centers	FY 2011-12 Budget	FTE	Beds	Cost/Bed	Population on 03/17/13
Durham	\$600,753	21.12	14	\$44,183	14
Forsyth	\$626,364	21.00	16	\$40,757	5
Guilford	\$1,310,749	36.00	48	\$29,146	17

Detention Center Services

- **1 Deputy Secretary for Facility Operations**
- **1 Detention Center Services Director**
- **8 Detention Center Directors**
- **13 Detention Center Educators**
- **8 Human Services Coordinators**
- **19 Youth Center Shift Supervisors**
- **154 Youth Counselor Technicians**
- **1 Transportation Coordinator**
- **2 Transportation Assistants**
- **36 Youth Transportation Drivers**



Source: Beacon Report B0149, Run February, 2013

Detention Center Services

Total Budget:

Approp.: \$8,605,800

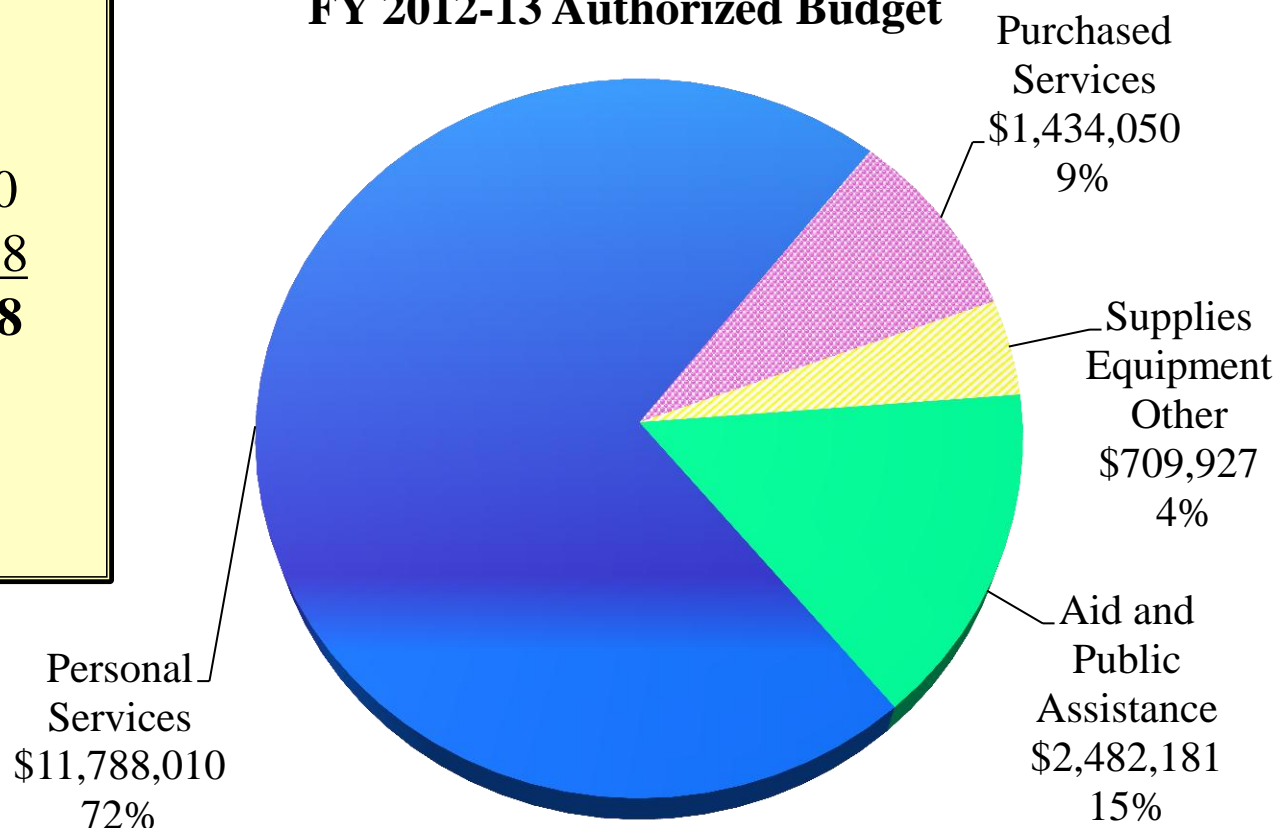
Receipts: \$ 7,808,368

Total: \$16,414,168

Total FTE:

257

FY 2012-13 Authorized Budget



Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE – Beacon BO149 December 2012

Juvenile Justice Process

- Intake
- Custody
- **Adjudication**
- **Disposition**
- Release from Care



Juvenile Justice Process

Adjudication

- **District Court**
Judge, ADA, court counselor, public defender
- **Adjudication Order**
Child is within juvenile jurisdiction of the court
- **Pre-disposition investigation and report**
Risk/needs assessment
- **Dispositional Hearing**
Disposition level is determined by prior history and offense class



G.S. 7B-2411-2413; G.S.. 7B-2501

Juvenile Justice Process

Undisciplined Juveniles

- **Placement**
 - Home supervision by DSS, court counselor, or other;
 - Custody of parent, guardian, custodian, relative, etc.; or,
 - Custody of DSS
- **Protective supervision of court counselor**
 - Up to 3 months, with possible extension of additional 3 months
- **Excuse from school attendance if there is a suitable alternative**

G.S.. 7B-2503-2505

Offense Classification and Disposition Level

Offense	Disposition Level			TOTAL
	Level 1 (Community)	Level 2 (Intermediate)	Level 3 (Commitment)	
Violent (A-E felony)	4 (2.7%)	108 (72%)	38 (25.3%)	150 (2.4%)
Serious (F-I felony; A1 misd.)	466 (29.5%)	1,031 (65.3%)	82 (5.2%)	1,579 (24.7%)
Minor (1-3 misd.)	3,623 (77.8%)	1,020 (21.9%)	13 (0.3%)	4,655 (72.9%)
TOTAL	4,093	2,159	132	6,384

G.S.. 7B-2508; Source: Sentencing Commission Juvenile Delinquent Population Projection Report, November 2012, Table 4

Sanctions

Level I – Community Disposition (4,093)

Community based program, substance abuse treatment, restitution, fines, community service, victim/offender reconciliation, probation, license revocation, curfew, intermittent confinement, wilderness camp, supervised day program

Level II – Intermediate Disposition (2,159)

Anything under Community Disposition, plus must include one of the following: wilderness program, intensive probation, residential treatment facility, supervised day program, detention, regimented training program, house arrest, placement in a multipurpose group home

Level III – Commitment (132)

Placement in a youth development center for at least 6 months

G.S.. 7B-2506-2517; Source: Sentencing Commission Juvenile Delinquent Population Projection Report, November 2012

Community Programs

G.S.. 143B-845 – Legislative Intent

- Develop *community-based** alternatives to youth development centers
- Provide *community-based* delinquency, substance abuse, and gang prevention strategies and programs
- Provide *non-institutional* dispositional alternatives that will protect the community and the juveniles
- Plan and organize programs and services at the community level and develop in partnership with the State

* Emphasis added

Juvenile Crime Prevention Councils

Make-up of Councils:

- School Superintendent
- Chief of Police
- Sheriff
- District Attorney
- Chief Court Counselor
- Mental Health Director
- Social Services Director
- County Manager
- Substance Abuse Professional
- County Commissioner
- Juvenile Defense Attorney
- 2 persons under 18
- Chief District Judge
- Business Community
- Local Health Director
- United Way/non-profit
- Parks & Recreation
- Members of the Public (7)
- Member of the Faith Community

G.S.. 143B-846

JCPC Appropriation

G.S. 143B-1104– Funding for programs

Requires Juvenile Justice to annually develop and implement a funding mechanism for programs that:

- Funds effective programs and not fund ineffective ones
- Uses a formula for the distribution of funds
- Allows and encourages local flexibility
- Combines resources

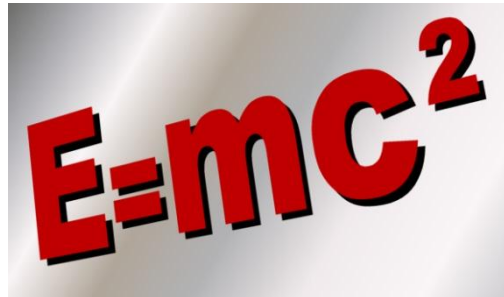
\$21, 862,634

FY 2012-13

Cont. Budget

JCPC Appropriation

- **FY 2001-02** – Formula was base \$31,500 plus \$24.23 per juvenile
- **FY 2002-03** - Reduction applied to total allocation
- **FY 2002-03** - Teen court appropriations rolled into allocation for 18 counties
- **Subsequent increases and reductions apportioned on total county allocations, effectively freezing the formula**
- **Counties must match allocation – rates vary from 10 to 30%**



JCPCs

JCPC Programs by Type FY 2011-12

Program Type	Number of Programs	% of Programs	Participants	% of Participants	State Funding
Assessment	53	9.5%	1,734	6.0%	\$1,046,719
Clinical Treatment	70	12.5%	3,096	10.7%	\$3,373,644
Counseling, family counseling, sex offender treatment					
Community Day	19	3.4%	2,037	7.0%	\$1,782,374
Residential	67	12.0%	964	3.3%	\$2,428,454
Group home care, runaway or temporary shelter care, specialized foster care					
Restorative	178	31.8%	13,073	45.0%	\$7,030,124
Teen court, restitution, mediation					
Structured Activities	173	30.9%	8,123	28.0%	\$6,051,391
Mentoring, interpersonal, parent/family, or experiential skill building, tutoring					
TOTAL	560		29,027		\$21,712,707

29,027 participants at a cost
of **\$748** per participant

Data Source: Juvenile

Justice



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Sanctions

Level I – Community Disposition (4,093)

Community based program, substance abuse treatment, restitution, fines, community service, victim/offender reconciliation, probation, license revocation, curfew, intermittent confinement, wilderness camp, supervised day program

Level II – Intermediate Disposition (2,159)

Anything under Community Disposition, plus must include one of the following: wilderness program, intensive probation, residential treatment facility, supervised day program, detention, regimented training program, house arrest, placement in a multipurpose group home

Level III – Commitment (132)

Placement in a youth development center for at least 6 months

G.S.. 7B-2506-2517; Source: Sentencing Commission Juvenile Delinquent Population Projection Report, November 2012

Multipurpose Group Homes

- **Contract with Methodist Home for Children**
- 5 homes--8 beds each; 100 youth served annually
- \$3.2 million or \$28,801 per child served
- 110 youth served in FY 2011-12
- RTI study found that Level II youth in MHC had:
 - Lower recidivism rates
 - Longer delays before a recidivist charge



Source: JJ, Annual Evaluation of Community Programs, March 2013

Residential Programs

Eckerd Youth Alternatives (boys)

- \$4.5 million contract
- Level II
- 3-month program for 48 boys (program goal=192)
- \$25,000 per juvenile

WestCare (girls)

- \$1.5 million contract
- Level II
- 3-month program for 16 girls (program goal=32-48)
- \$31,250 per juvenile

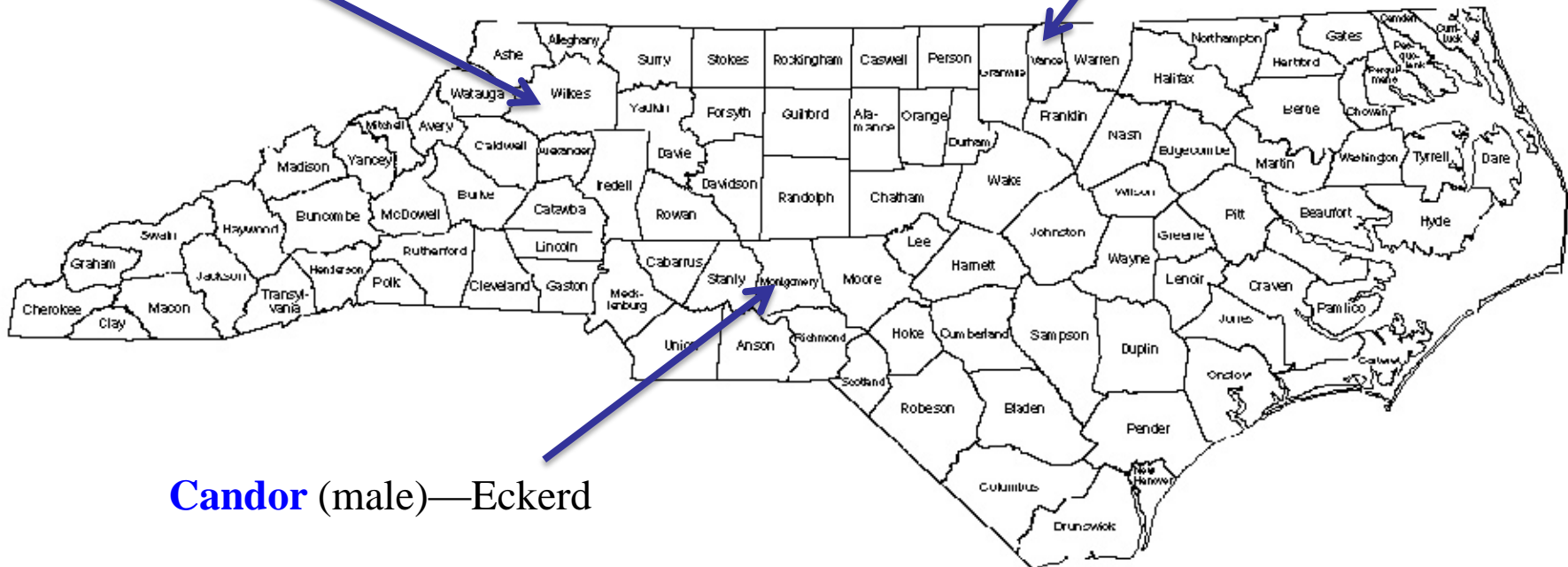
Source: JJ, Annual Evaluation of Community Programs, March 2013



Residential Programs

Boomer (male)—Eckerd

Manson (female)—WestCare



Candor (male)—Eckerd

Community Programs

- **1 Deputy Secretary for Community Services**
- **1 Multi-Purpose Youth Home Administrator**
- **1 Contract Administrator**
- **1 Community Program Development Manager**
- **1 Community Development Specialist**
- **1 Administrative Officer**
- **2 Program Assistants**
- **10 Regional JCPC Consultants**
- **4 Regional Processing Assistants**



Source: Beacon Report B0149, Run February, 2013

Community Services Budget

Program	FY 2012-13 Continuation Budget
Regular JCPC Fund	\$21,866,843
JCPC Demonstration Projects	\$750,000
Group Homes	\$3,168,121
Eckerd & WestCare Residential Programs	\$6,000,0000
Non-Residential	\$5,780,355
	\$37,565,319

Community Services Budget

Total Budget:

Approp.: \$39,084,674

Receipts: \$ 877,600

Total: \$39,962,274

Total FTE:

22

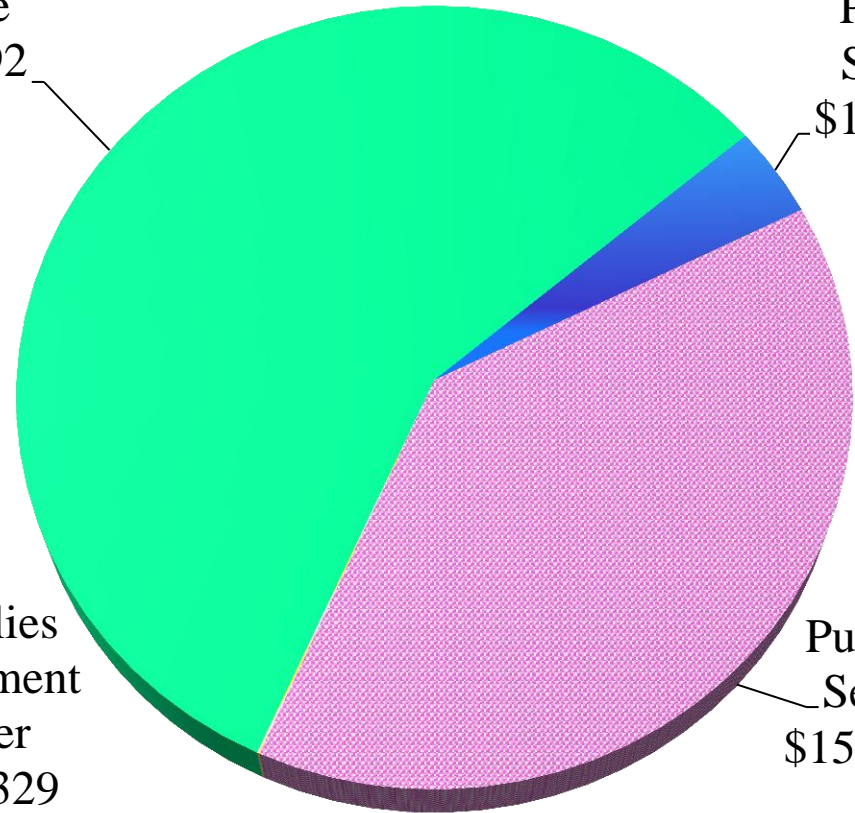
FY 2012-13 Authorized Budget

Aid and
Public
Assistance
\$22,869,292
57%

Personal
Services
\$1,512,960
4%

Supplies
Equipment
Other
\$38,329
0%

Purchased
Services
\$15,541,693
39%



Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE – Beacon BO149 December 2012

Clinical and Education Services Budget

- **Juvenile Justice is responsible for the administration of statewide educational and clinical services within its facilities.**
- **Clinical Administration includes:**
 - Administrator for Education and Health
 - Director of Clinical Services and Programs
 - Facility Clinical Services Administrator
 - Manager of Health Services
 - Facility Program Manager
 - Asst. Manager of Health Services
 - Social Work Program Manager
 - Social Work Regional Coordinator
 - 3 Child Nutrition Program Admin Officers
 - Administrative Assistant
 - Program Assistant
 - Transition Services Coordinator



Source: Beacon Report B0149, Run February, 2013

Clinical and Education Services Budget

- **Education Administration includes:**

- Director of Curriculum and Instruction
- Director of Exceptional Children
- Director of Accountability
- 1 Regional Principal
- 1 Principal
- 2 Assistant Principals



- **67 teachers, 12 teachers' assistants, and approximately 370 students**

Source: Beacon Report B0149, Run February, 2013

Clinical and Education Services Budget

Total Budget*:

Approp.: \$23,665,479

Receipts: \$1,475,326

Total: \$25,140,805

Total FTE*:

435

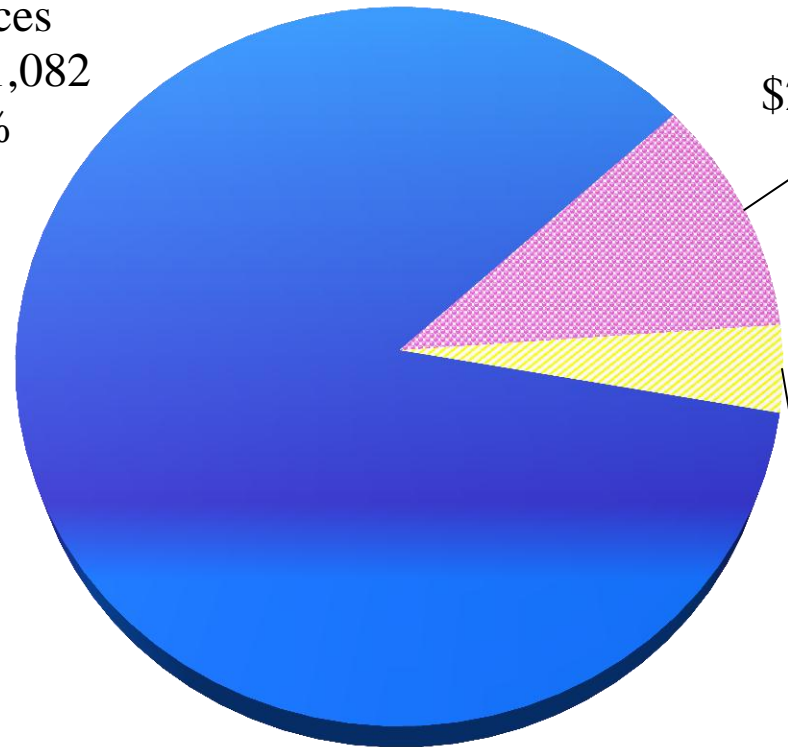
*Includes 319 YDC FTE

FY 2012-13 Authorized Budget

Personal
Services
\$21,471,082
85%

Purchased
Services
\$2,686,534
11%

Supplies
Equipment
Other
\$983,189
4%



Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE – Beacon BO149 December 2012

Juvenile Justice Process

- Intake
- Custody
- Adjudication
- **Disposition**
- Release from Care



Sanctions

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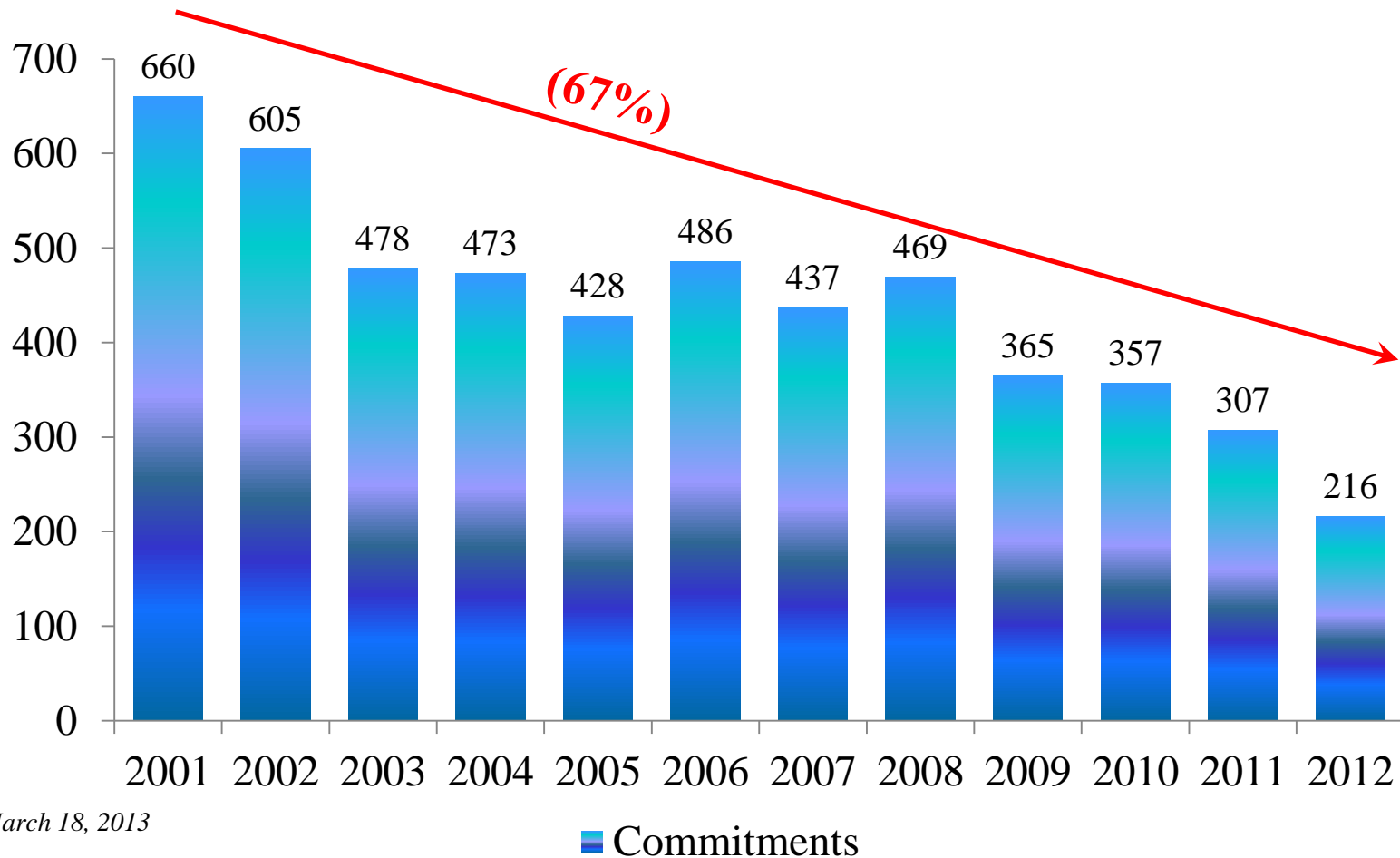
Level III – Commitment (132)

Placement in a youth development center for at least 6 months

G.S.. 7B-2506-2517; Source: Sentencing Commission Juvenile Delinquent Population Projection Report, November 2012

Youth Development Centers

YDC Commitments Since 2001

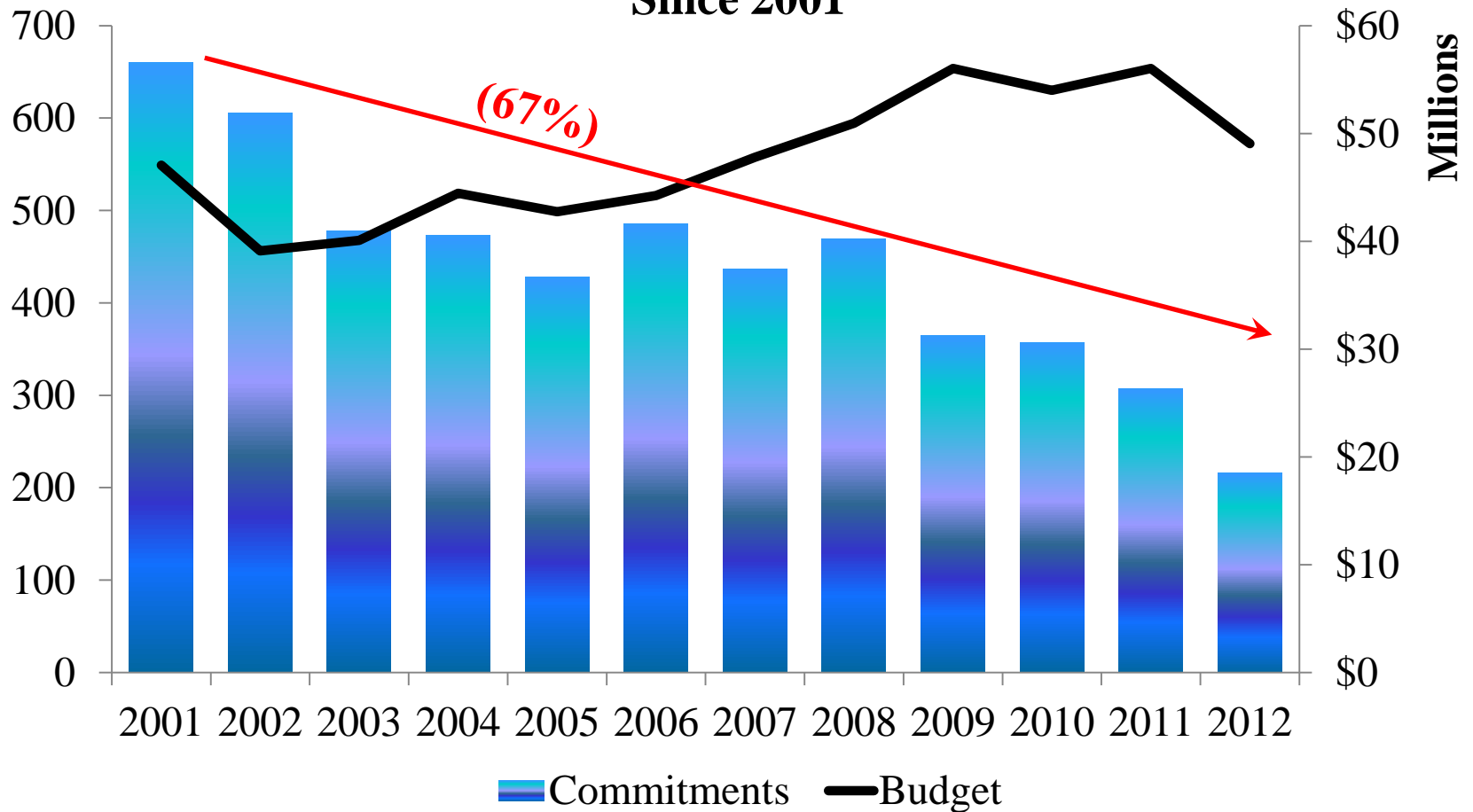


* As of March 18, 2013

Data Source: Juvenile Justice

Youth Development Centers

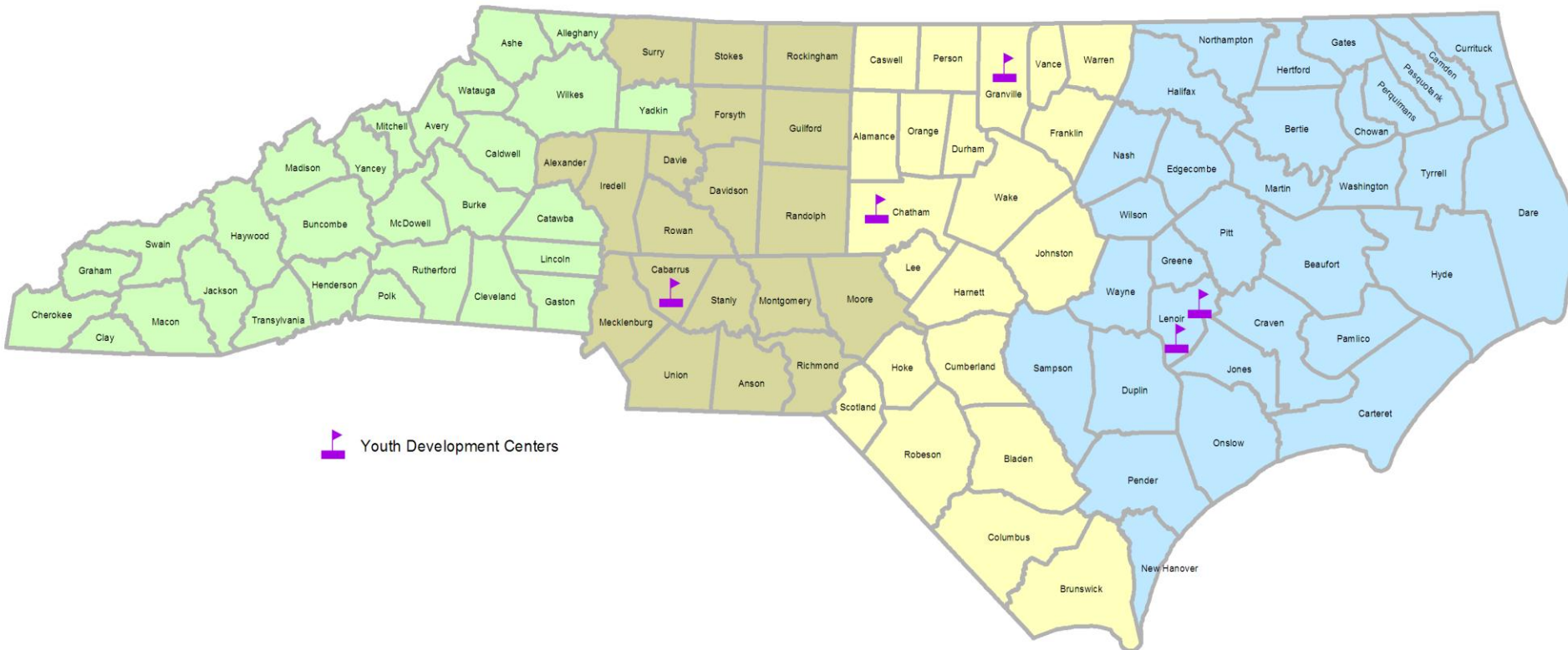
**YDC Commitments and YDC Budget
Since 2001**



Data Source: Juvenile Justice; EOY BD 701s

Youth Development Centers

Map of Juvenile Justice Youth Development



Source: NCGA, Information Technology Division

Youth Development Centers

YDC	Total Budget FY 2011-12	FTE	Capacity	Cost/Bed
Cabarrus/Jackson	\$13,361,226	229	112	\$119,297
Chatham	\$3,449,181	66	32	\$107,787
Dillon	\$8,981,142	152	90	\$99,790
Dobbs	\$4,347,679	74	43	\$101,109
Lenoir	\$3,701,387	66	32	\$115,668
Edgecombe*	\$3,701,387	66	32	\$118,860
Total	\$37,644,150	653	341	\$110,393

**Edgecombe closed 10/01/12*

Source: Juvenile Justice

Youth Development Center Budget

Total Budget*:

Approp.: \$21,301,309

Receipts: \$ 521,023

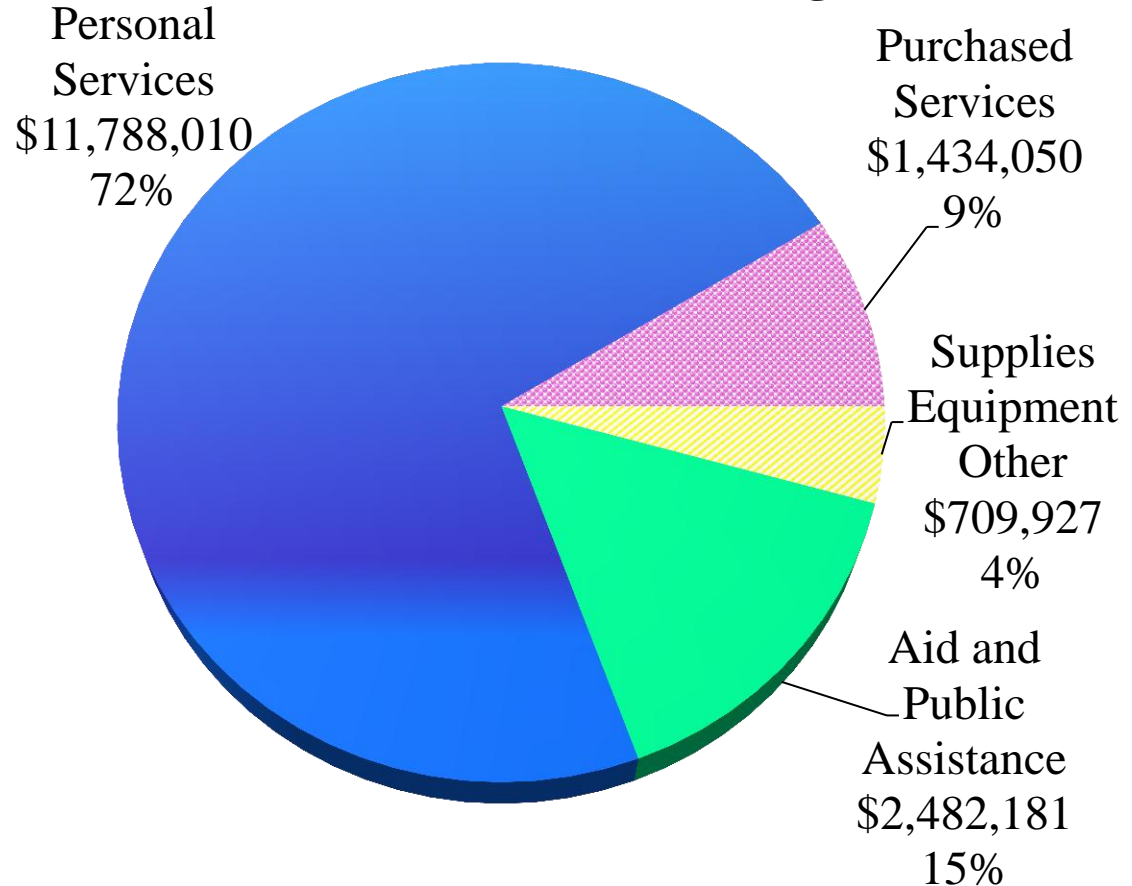
Total: \$21,822,332

Total FTE*:

332.6

*Does not include 319 FTE
funded in Treatment Services

FY 2012-13 Authorized Budget



Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE – Beacon BO149 December 2012

Juvenile Justice Disposition Cost

Disposition	Participants or Beds	Total Cost	Cost/ Participant or Bed
JCPC Program	29,047	\$21,712,707	\$784
State Detention	194	\$13,814,667	\$71,210
Group Homes	40	\$3,168,121	\$28,801
Residential Programs	228	\$6,000,000	\$25,000- \$31,250
YDC*	309	\$33,840,615	\$109,517

* Does not include Edgecombe YDC

Source: JJ FY 2011-12 data

Recent Budget Actions

2011 Budget (S.L. 2011-145)

Total Reduction: \$15.7 million (10.38%)

- Facility closures: \$9.1 million
- Increased detention receipts: \$2.0 million
- Court services reductions: \$2.5 million
- Administrative efficiencies: \$1.3 million

Special Provisions of Note

- Sec. 17.3 – Restricted the use of funds appropriated for Wilderness Camps and Group Homes
- Sec. 17.10 – Directed Juvenile Justice and Adult Correction to establish policies for the use of inmate labor to repair and renovate juvenile facilities. Specifically allowed the use of inmate labor for this purpose.

Recent Budget Actions

2012 Budget (S.L. 2012-142)

Agency-wide management flexibility reduction (\$26,292,018)

Facility Closure: \$1.7 million (\$3.4 million annualized)

Special Provisions of Note

- Sec. 14.3A – Prohibited reductions to community program funding to meet the management flexibility reduction
- Sec. 14.6 – Directed DPS to continue to operate the Craven County multipurpose group home from funds available for the Division of Juvenile Justice.
- Sec. 14.8 – Required DPS to study detention and youth development center populations and submit a strategic plan for facility closure, construction, and repair and renovation by February 1, 2013.

Questions

