



Joint Meetings of the House and Senate Appropriations Committee on Justice and Public Safety



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

Joint Appropriations Committee on Justice and Public Safety

Juvenile Justice: Overview

Morgan Weiss

March 4, 2021



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JPS Contact Information

Fiscal Research Division (919) 733-4910

William Childs – William.Childs@ncleg.gov
DPS – Prisons and Correction Enterprises

Sean Hamel – Sean.Hamel@ncleg.gov
DPS – Community Corrections, Juvenile Justice, and Administration

Morgan Weiss – Morgan.Weiss@ncleg.gov
AOC and IDS

Mark White – Mark.White@ncleg.gov
DOJ, DPS – Law Enforcement, Emergency Management, and National Guard

frdjpsteam@ncleg.gov

Outline

- Juvenile Justice Distinctions, Budget and 5-year History
- Juvenile Justice Jurisdiction and Statistics
- The Process: Complaint to Disposition
- Raise the Age – 1st Year Impact and Observations
- Funding Considerations
- Adult Corrections Continued: Recidivism & Revocations

Juvenile Justice Distinctions

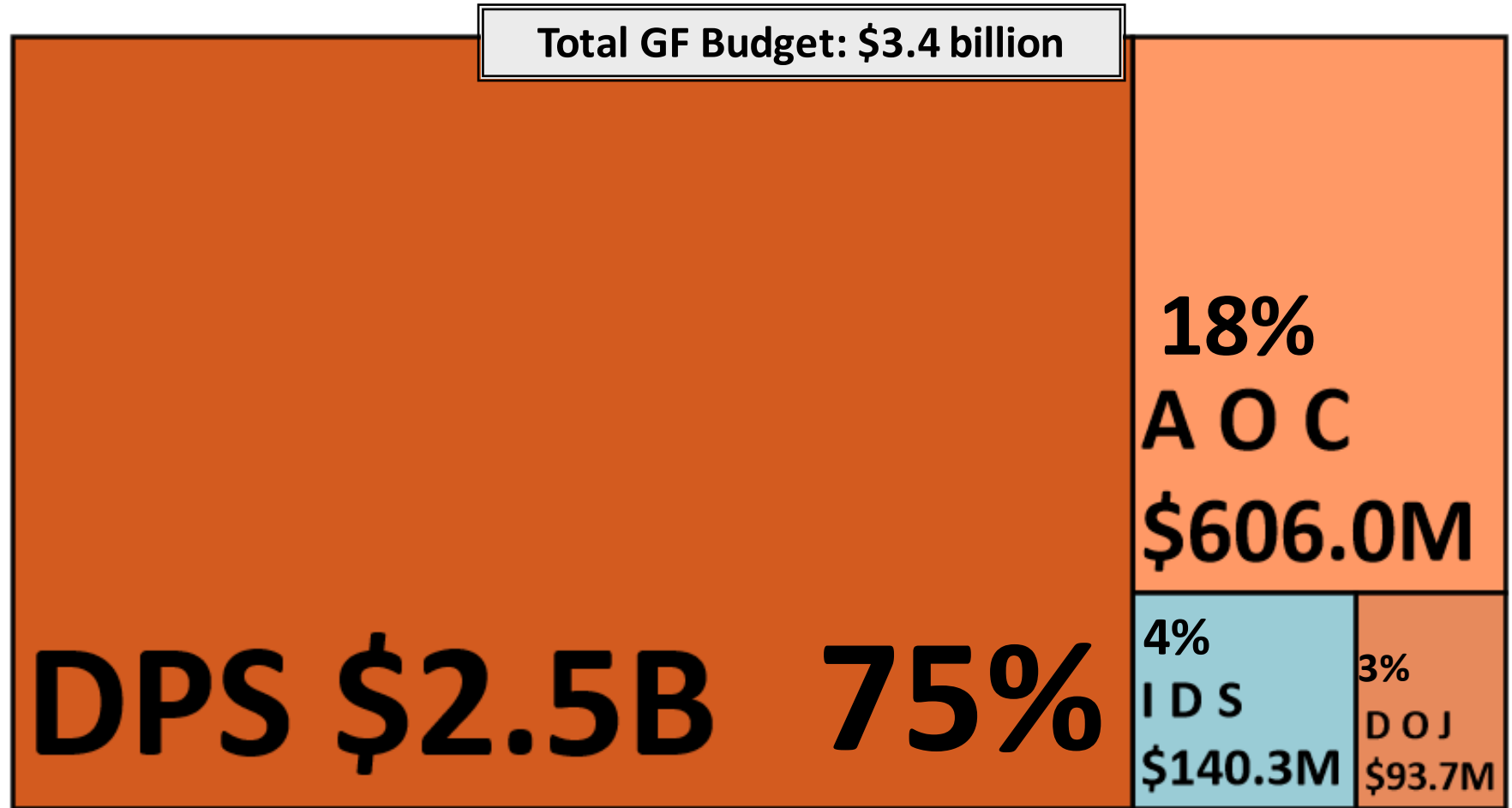
Population: Serves at-risk juveniles and juveniles with a complaint against them

Tailored interventions: Utilizes assessments and diverse treatments to provide therapeutic, evidence-based care tailored to the juvenile's risk and needs

Comprehensive approach: Addresses problematic behaviors through education, treatment, prevention, and accountability-based sanctions to teach pro-social skills

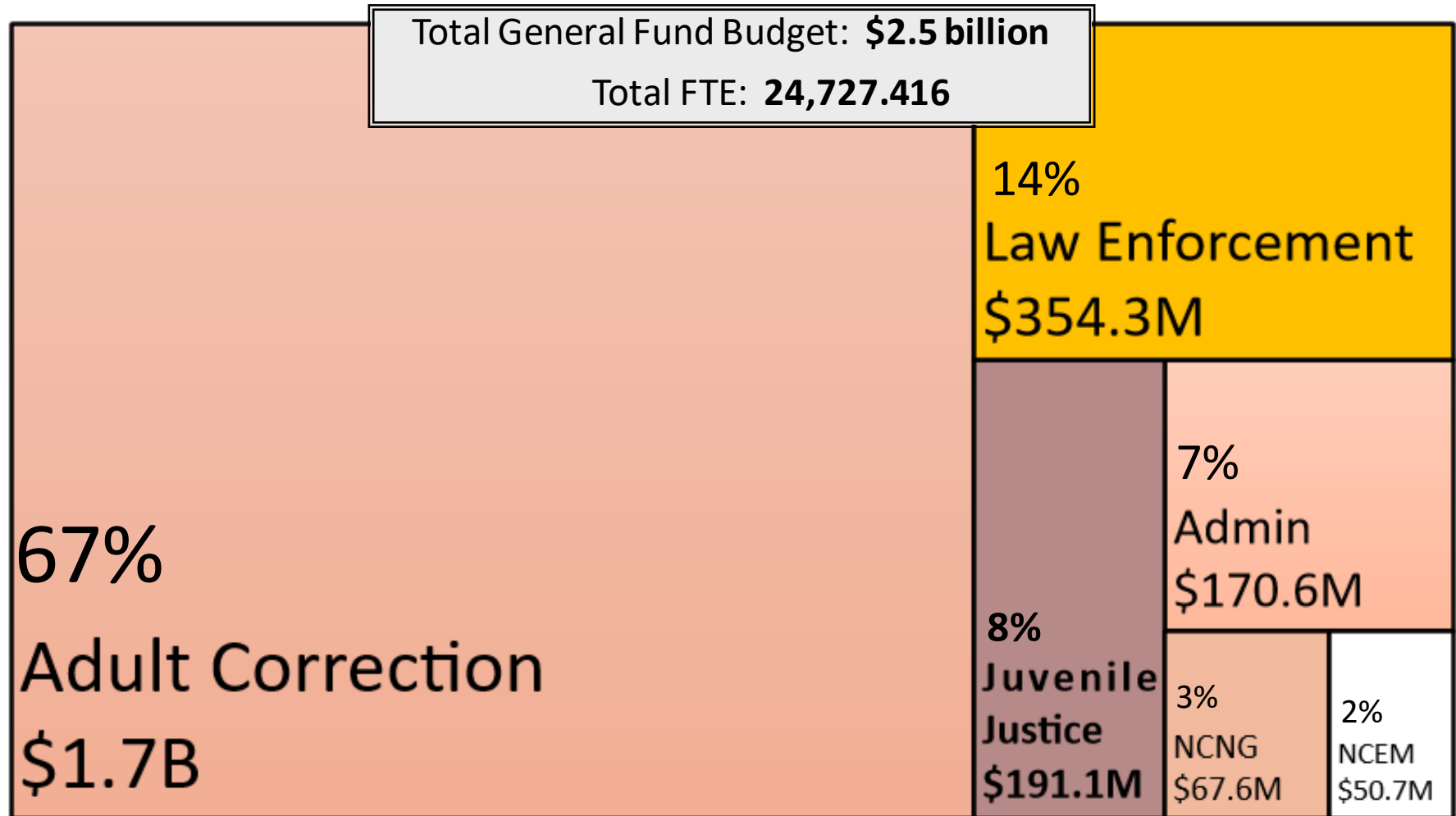
Community-focused: Partners with families, law enforcement, and local resources and programs to minimize juveniles' involvement with the justice system and consequently likelihood of recidivism

JPS General Fund Base Budget Expenditures by Agency FY 2021-22



Source: FY 2021-22 Base Budget, OSBM

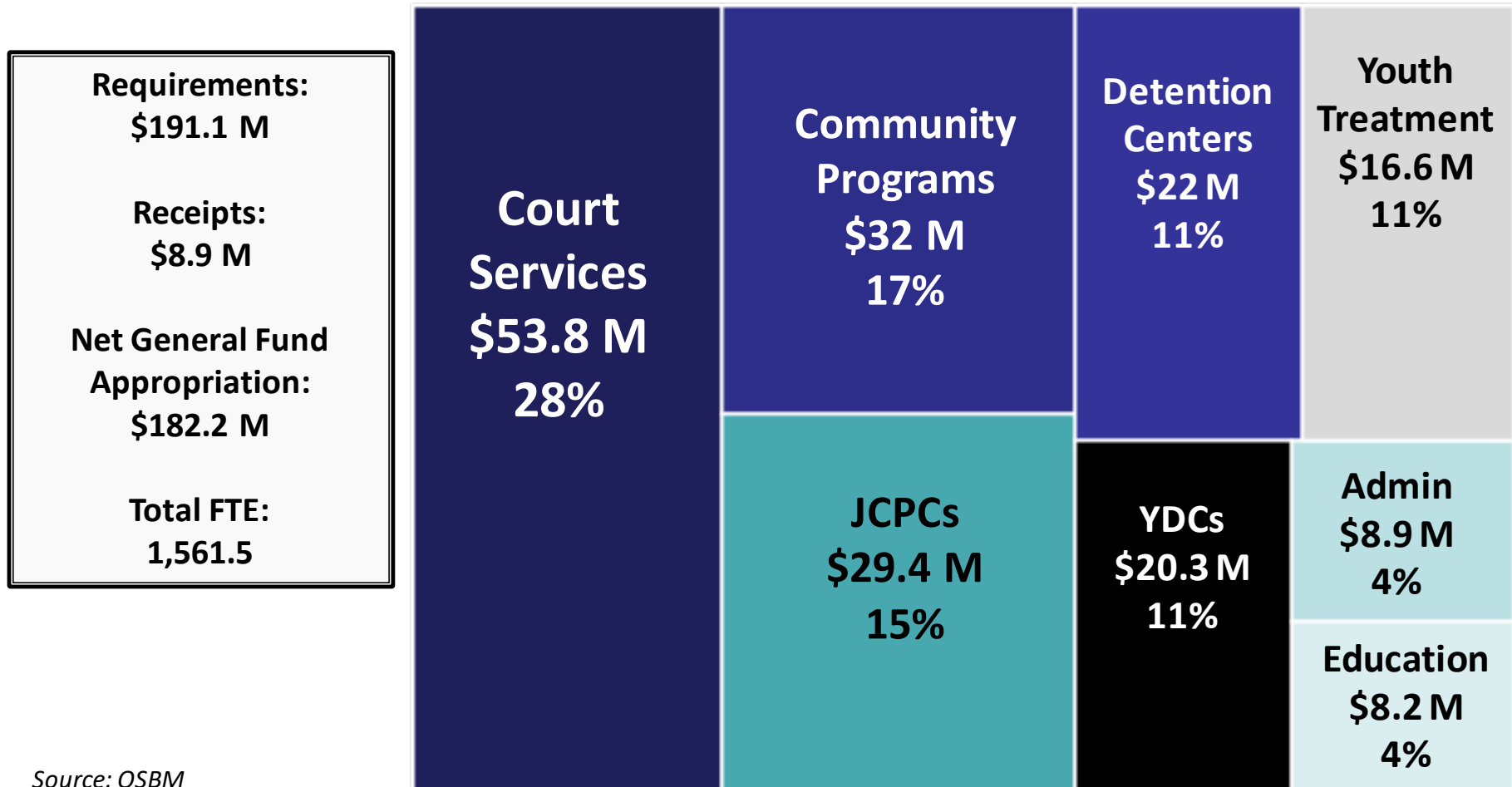
DPS Base Budget by Function FY 2021-22



Source: FY 2021-22 Base Budget, OSBM

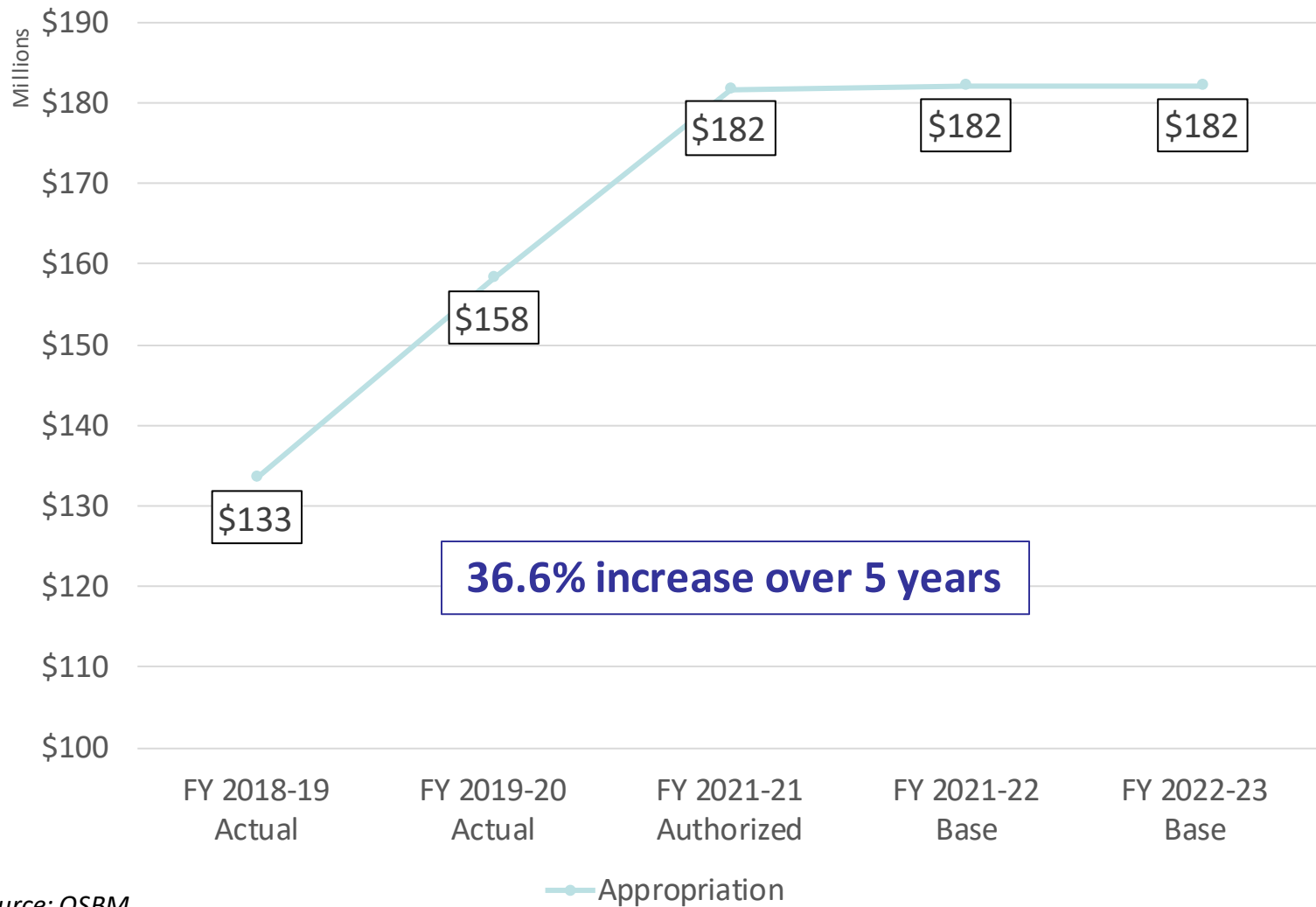
Base Budget FY 2021-22

Juvenile Justice by Fund Code



Source: OSBM

JJ 5-Year Budget History



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“Raise the Age” Jurisdiction Expansion

Juvenile Justice Reinvestment Act (S.L. 2017-57)

Effective: December 1, 2019



Juvenile:

- All offenses committed by 6–15-year-olds*
- Non-motor vehicle offenses committed by 16–17-year-olds

Criminal:

- G.S. Chapter 20 motor vehicle offenses

* Any juvenile with a previous criminal conviction, other than a misdemeanor or infraction motor vehicle offense not involving impaired driving, must be processed as an adult

North Carolinians Ages 6-17

1,584,274

Juveniles By Gender

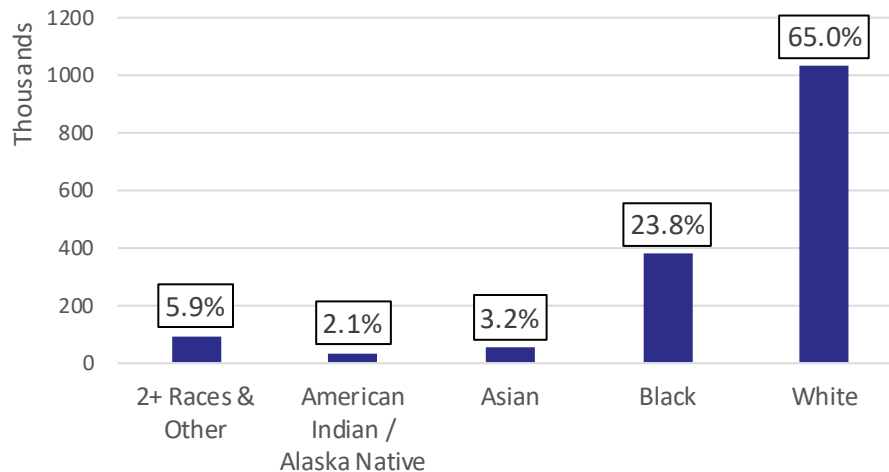


774,698
49%

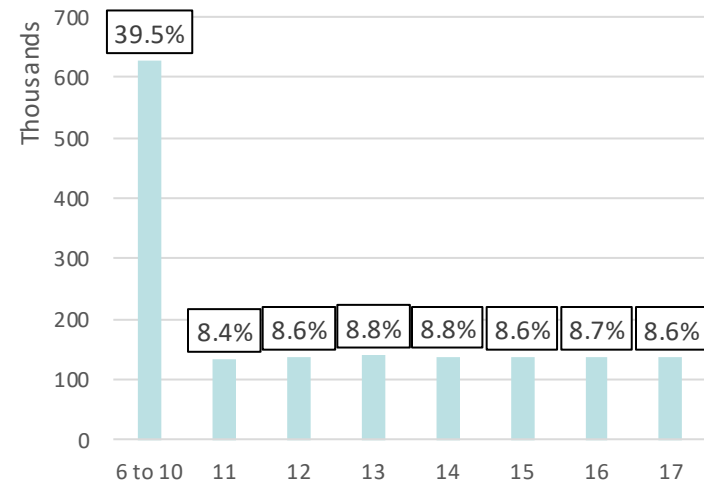


809,576
51%

Juveniles By Race



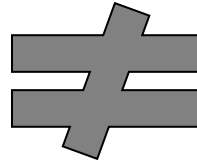
Juveniles by Age



2019 Estimates. Source: <http://www.osbm.nc.gov/demog/county-estimates>

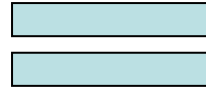
2019 Complaints

1 Complaint



1 Juvenile

24,294



11,462

Complaints

Juveniles

Top 5 Complaints:

Simple Assault (2,812)

Larceny (1,273)

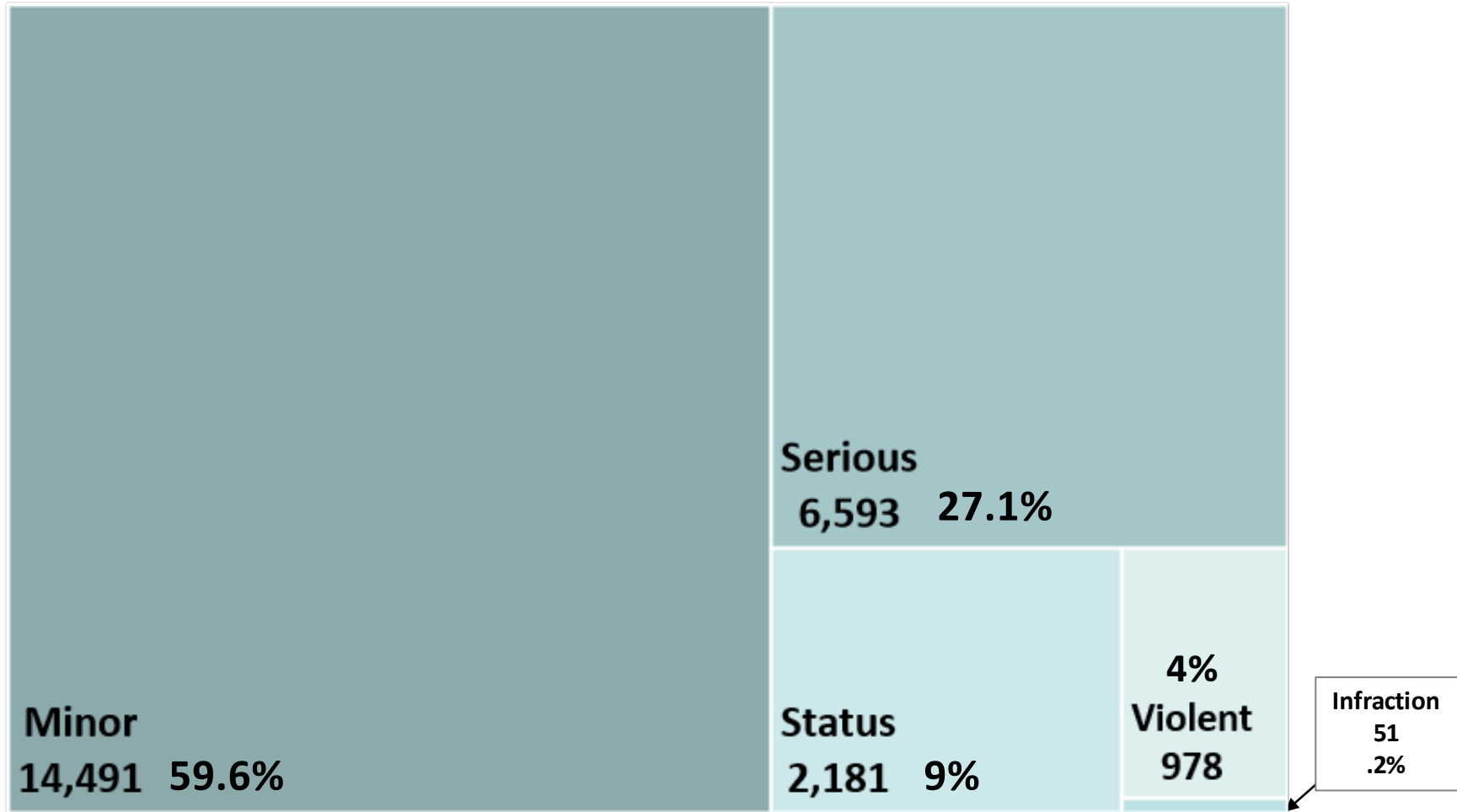
Disorderly Conduct at School (1,156)

Simple Affray (1,037)

Communicating Threats (1,036)

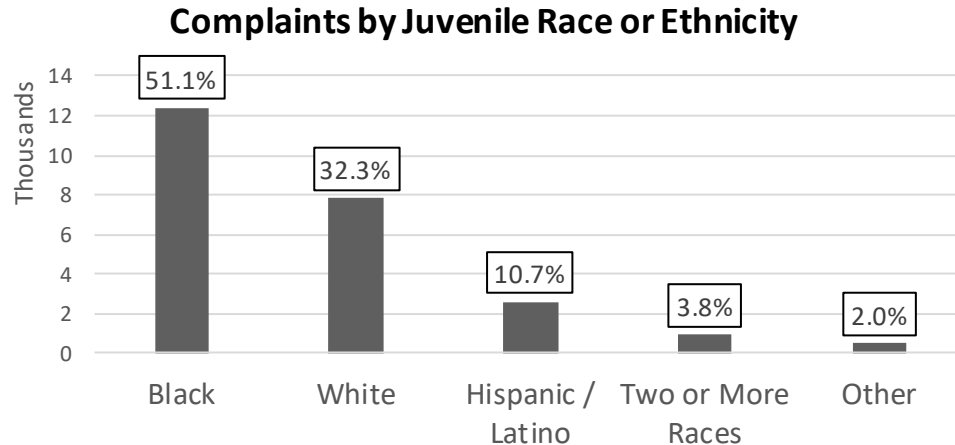
Source: Juvenile Justice 2019 Annual Report

2019 Complaints: Offense Group

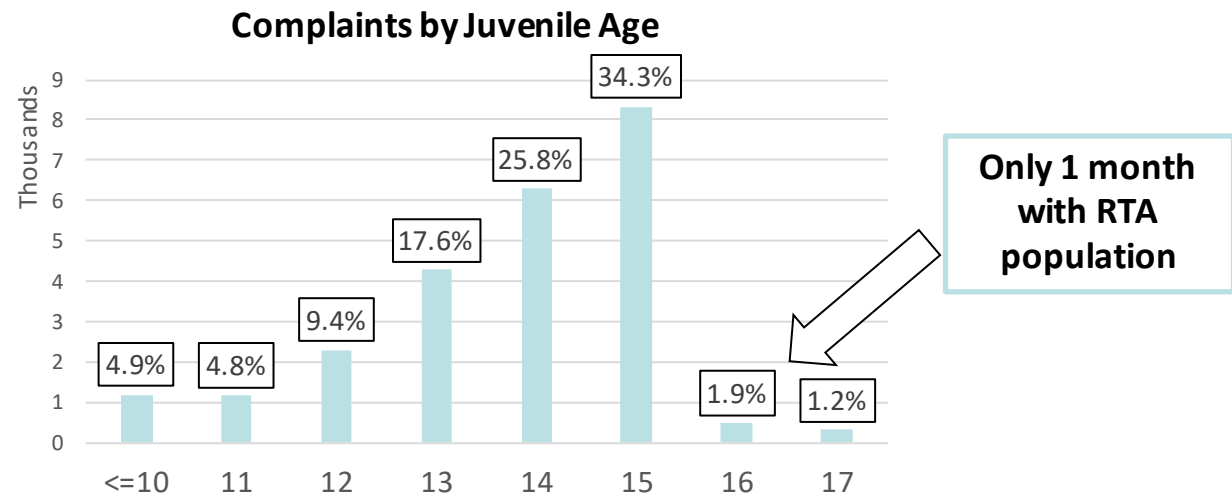
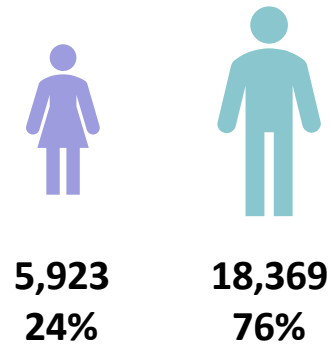


Source: Juvenile Justice 2019 Annual Report

2019 Complaints: Demographic Data

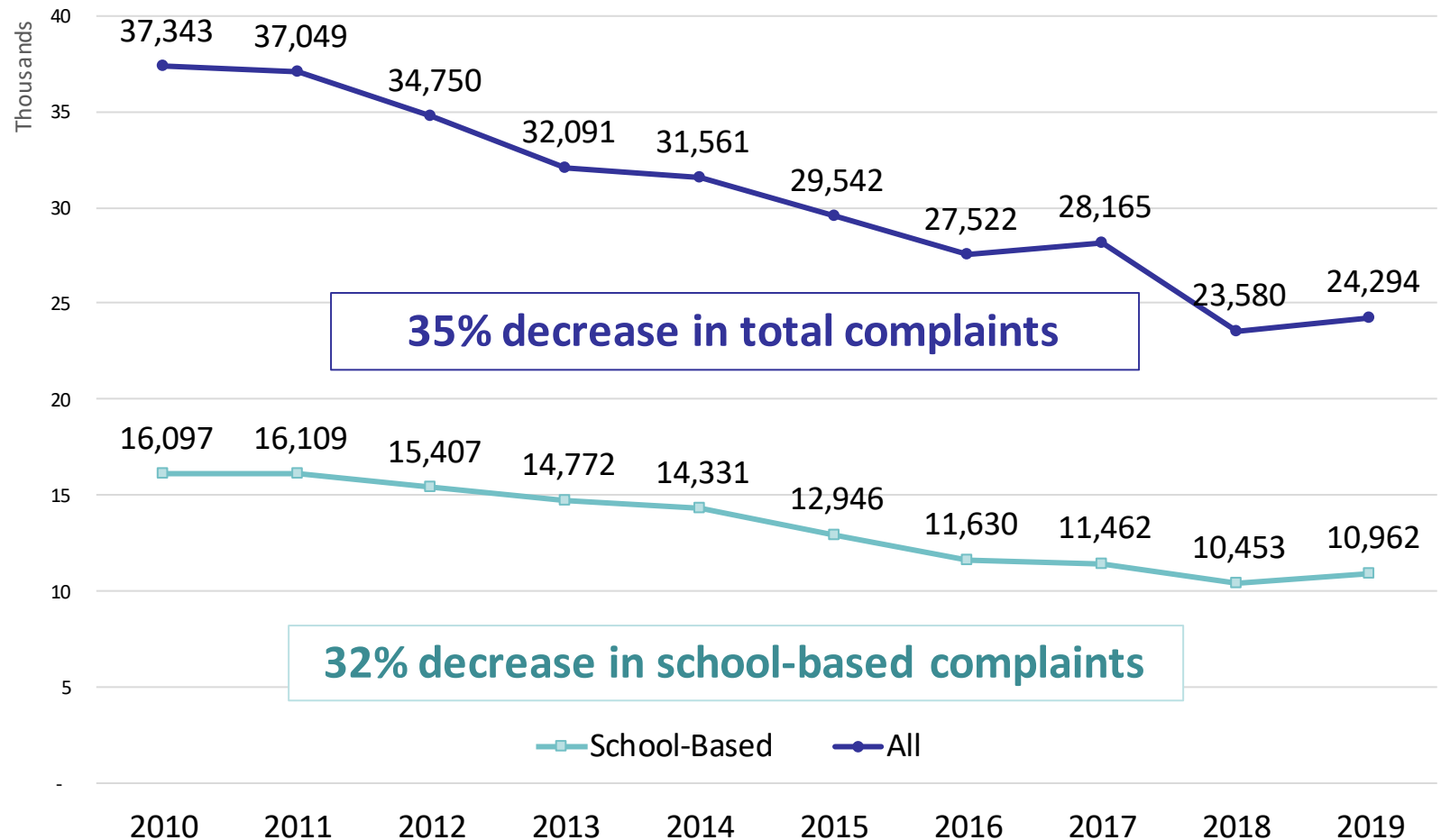


Complaints By Juvenile Gender



Source: Juvenile Justice 2019 Annual Report

Complaints Trends

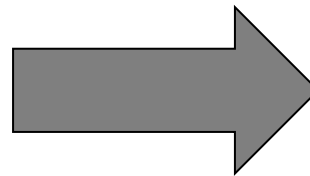


Source: Juvenile Justice 2019 Annual Report

School-Based Complaints & COVID

School-Based complaints historically comprise 41% - 46% of all complaints received

2019:
10,962
45% of all complaints



2020:
5,067
17% of all complaints

COVID-related school closures led to significant drop in 2020



Source: Juvenile Justice 2019 Annual Report

Outline

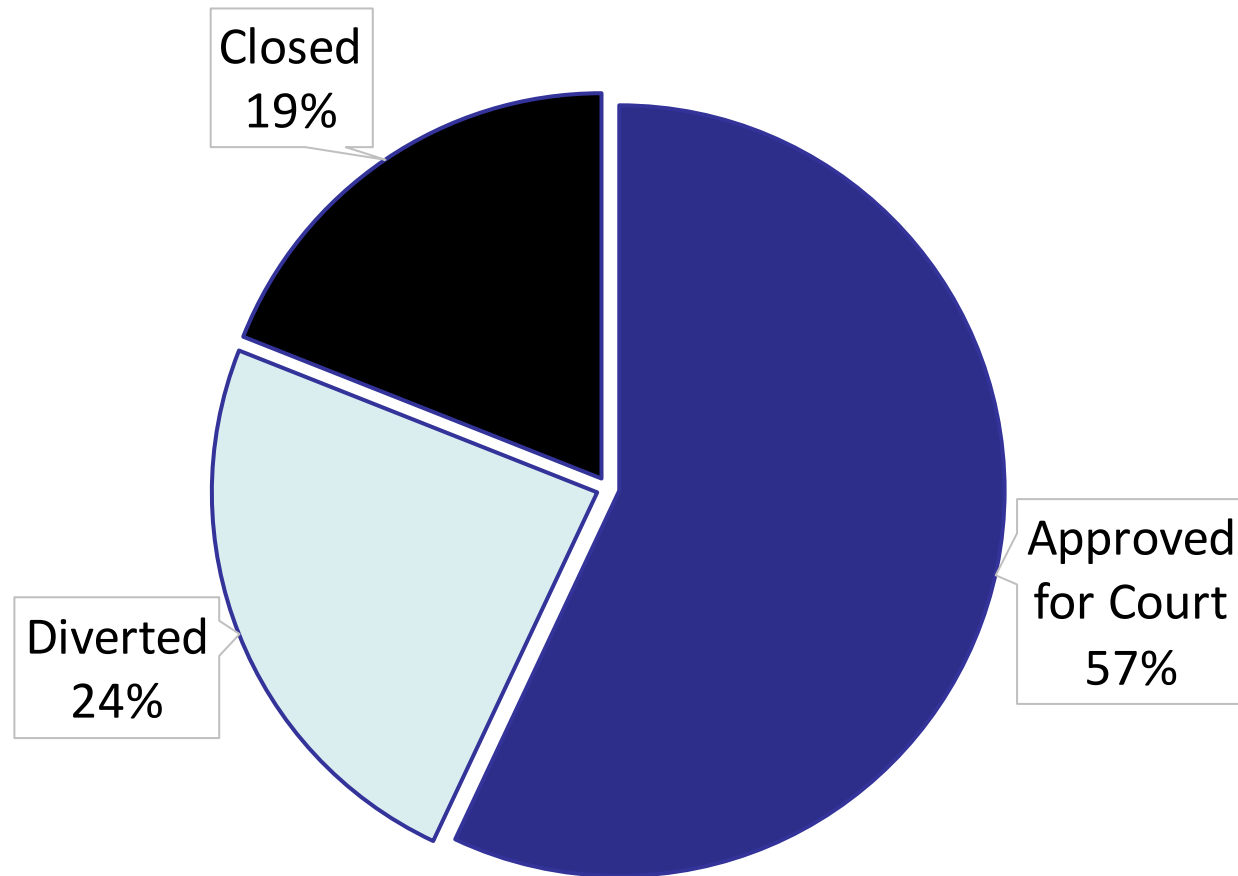
- Juvenile Justice Distinctions, Budget and 5-year History
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The Process: Complaints Intake and Evaluation

- Complaints can originate from parents, school resource officers, law enforcement, or others
- Juvenile assessed by a court counselor, who may:
 - **Close** the complaint with no further action needed
 - **Divert** the juvenile to local resources through diversion plan
 - **Approve** the complaint for court
- Certain serious felony offenses cannot be diverted and must proceed to court (e.g. murder, rape, burglary)

The Process: Outcome of Complaints

Total 2019 Complaints: 24,294



Source: Juvenile Justice 2019 Annual Report

Court Services

Requirements:
\$53.8 M

Receipts:
\$0 M

**Net General Fund
Appropriation:**
\$53.8 M

Total FTE:
693.75

**162 additional FTE since
2018 to support RTA**

Court counselors:

- Conduct juvenile assessments
- Develop diversion plans
- Provide supervision
- Monitor compliance with diversion plan and court orders
- Serve as primary point of contact for juveniles and their families

Average caseload: 15 juveniles at a time

Detention Centers

Requirements:
\$21.9 M

Receipts:
\$5.8 M

**Net General Fund
Appropriation:**
\$16.1 M

Total FTE:
209.75

8 State facilities
5 County facilities

- Primarily used to hold juveniles before a court hearing (only 6-15% of juveniles)
- Average Length of Stay (2019): 21 days
- Average Daily Population (2019): 137
- Counties pay 50% of cost for juveniles placed outside the county
- For county facilities, State covers:
 - 50% of cost for juveniles from the county
 - 100% of cost for juveniles from outside the county

Source: Juvenile Justice 2019 Annual Report

State Detention Centers

FY 2019-20

State Detention Center	Number of Beds	Average Daily Population	Total Expenses	Cost Per-Bed	Cost Per-ADP
Alexander	24	20.1	\$2.0 M	\$84,253	\$100,600
Cabarrus	30	22.3	\$2.3 M	\$76,671	\$103,144
Cumberland	18	12.8	\$1.9 M	\$105,355	\$148,155
New Hanover	18	13.1	\$1.5 M	\$85,851	\$117,963
Pitt	18	14.7	\$1.5 M	\$85,855	\$105,128
Wake	24	16.6	\$2.0 M	\$84,829	\$122,644
Total	132	99.6	\$11.3 M	\$522,814	\$697,634

- Dillon opened January 28, 2020 with 20 beds and is expanding to reach 35 beds
- Dobbs/Lenoir opened July 13, 2020 and has 22 beds

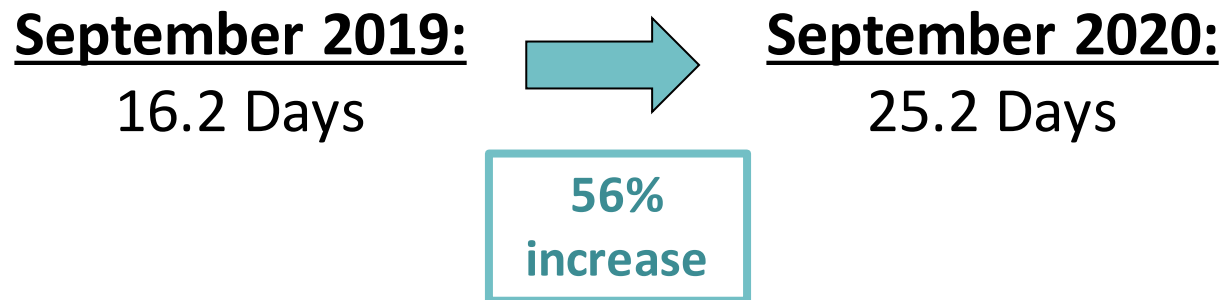
Source: DACJJ

Recent Legislative Change

S.L. 2020-83

- Clarifies that all persons under 18 held in custody must be held in a juvenile detention facility
- Includes pre-trial, upon sentencing, and upon probation revocation
- Once age 18, the individual will be transferred
- Effective August 1, 2020

Result: longer average length of stay at juvenile detention centers



Source: Juvenile Justice Advisory Committee Interim Report, January 2021

The Process: Court Hearing and Disposition

- If case proceeds to court, judge may:
 - *Dismiss* charges;
 - *Transfer* serious cases to superior court;
 - *Hold hearings* for adjudication and disposition
- In dispositional hearing, judge decides plan of action based on:
 - General Statutes
 - Juvenile Disposition Chart, which considers offense classification and delinquency history level



**CY 2019: 4,983 Juveniles
Approved for Court**

**FY 2019-20: 2,535
Juveniles Adjudicated
Delinquent**

The Process: Delinquent Disposition

FY 2019-20: 2,535 Juveniles Adjudicated Delinquent

Level I – Community Disposition (1,513 or 60%)

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

Level II – Intermediate Disposition (940 or 37%)

Above options + must include one of the following: intensive probation, residential treatment facility, supervised day program, regimented training program, house arrest, placement in a multipurpose group home

Level III – Commitment (82 or 3%)

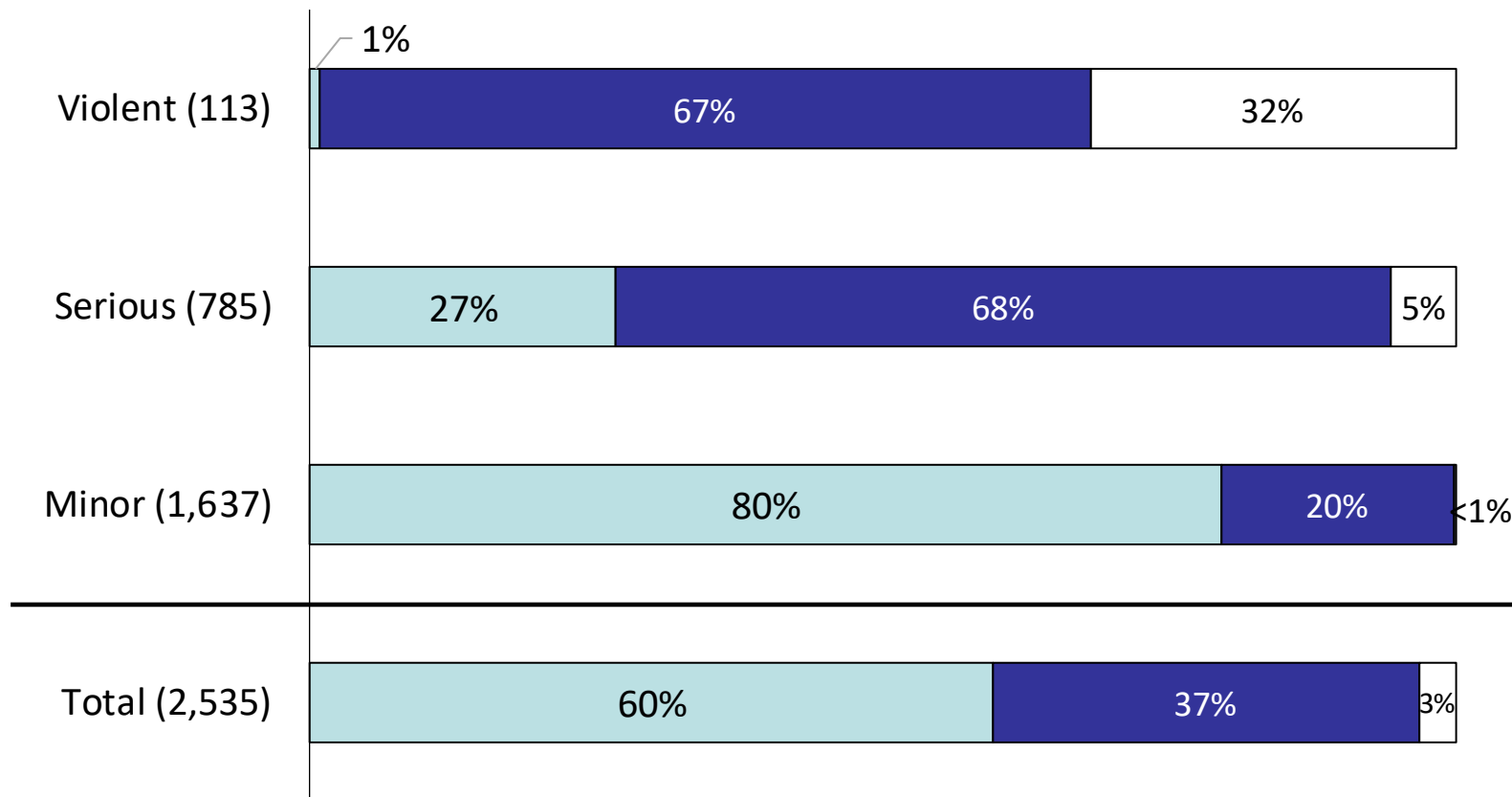
Placement in a youth development center for at least 6 months

Total delinquent dispositions have decreased 61% over last decade, but the distribution among levels has been stable

Source: Sentencing Commission YDC Population Projection Report, Jan. 2021; Sentencing Commission Juvenile Dispositions Quick Facts

Offense Classification and Disposition Level

FY 2019-20



■ Level 1 (Community) ■ Level 2 (Intermediate) □ Level 3 (Commitment)

Source: Sentencing Commission YDC Population Projection Report, January 2021

Juvenile Crime Prevention Councils

Requirements:
\$29.4 M

Receipts:
\$0 M

**Net General Fund
Appropriation:**
\$29.4 M

Total FTE:
0

Youth served in FY 2019-20:
17,997

- County-based council consisting of up to 26 community members e.g. school superintendent, local sheriff, district attorney
- Charged with identifying and funding effective local programs
- Programs serve both justice-involved youth and at-risk youth
 - 52% of youth have no juvenile justice system involvement
 - 19% of youth participating under diversion plan

Juvenile Crime Prevention Councils

Program types serving the most youth:

1. Restitution/Community service: 4,546
2. Interpersonal Skill Building: 3,913
3. Teen Court: 2,978
4. Tutoring/Academic Enhancement: 1,580
5. Juvenile Structured Day: 1,447

Source: Juvenile Justice Annual Report on JCPC Grants

Juvenile Crime Prevention Councils

- Total JCPC programing costs: \$37.6 M
 - DPS funds \$25.6 M
- Average cost per youth served:
 - \$2,088 (all sources)
 - \$1,423 (DPS)

\$\$\$

\$

Group Home Care:
\$9,577/youth

Tutoring/Academic
Enhancement:
\$624/youth

Source: Juvenile Justice Annual Report on JCPC Grants

Community Programs

Requirements:
\$32 M

Receipts:
\$0 M

**Net General Fund
Appropriation:**
\$32 M

Total FTE:
28

- Level 1 and 2 Dispositions
- Includes:
 - Contract Residential Programs
 - Community-based contractual services
 - Alternatives to Commitment programs e.g. Parent/Family Skill Building, Vocational Skills

Contract Residential Programs

Residential Programs:

- Eckerd Short-Term Residential Program
 - WestCare Female Residential
 - Multipurpose Group Homes
 - Craven and North Hills Transitional Homes
 - Crisis and Assessment Centers
-
- Served 741 youth in 2019

Source: Juvenile Justice 2019 Annual Report

Youth Development Centers (YDC)

Requirements:
\$20.3 M

Receipts:
\$0.5 M

**Net General Fund
Appropriation:**
\$19.8 M

Total FTE:
253

4 facilities
1 under renovation
1 under construction

- Level 3 Disposition (only 3% of juveniles)
- Minimum commitment: 6 months
- Average Length of Stay (2019): 14 months
- Average Daily Population (2019): 194
 - Population decreased 47% between 2010 and 2019
- Personnel include teachers, nurses, psychological staff, etc.

Source: Juvenile Justice 2019 Annual Report

Youth Treatment Services

Requirements:
\$16.6 M

Receipts:
\$0 M

**Net General Fund
Appropriation:**
\$16.6 M

Total FTE:
206

- Clinical treatment and programming including medical, psychiatric, dental, psychological, substance abuse, recreational, spiritual, and case management services
- 93% of juveniles at a YDC have 2 or more mental health disorders

Source: Juvenile Justice 2019 Annual Report

Youth Education Services

Requirements:
\$8.2 M

Receipts:
\$1.5 M

**Net General Fund
Appropriation:**
\$6.7 M

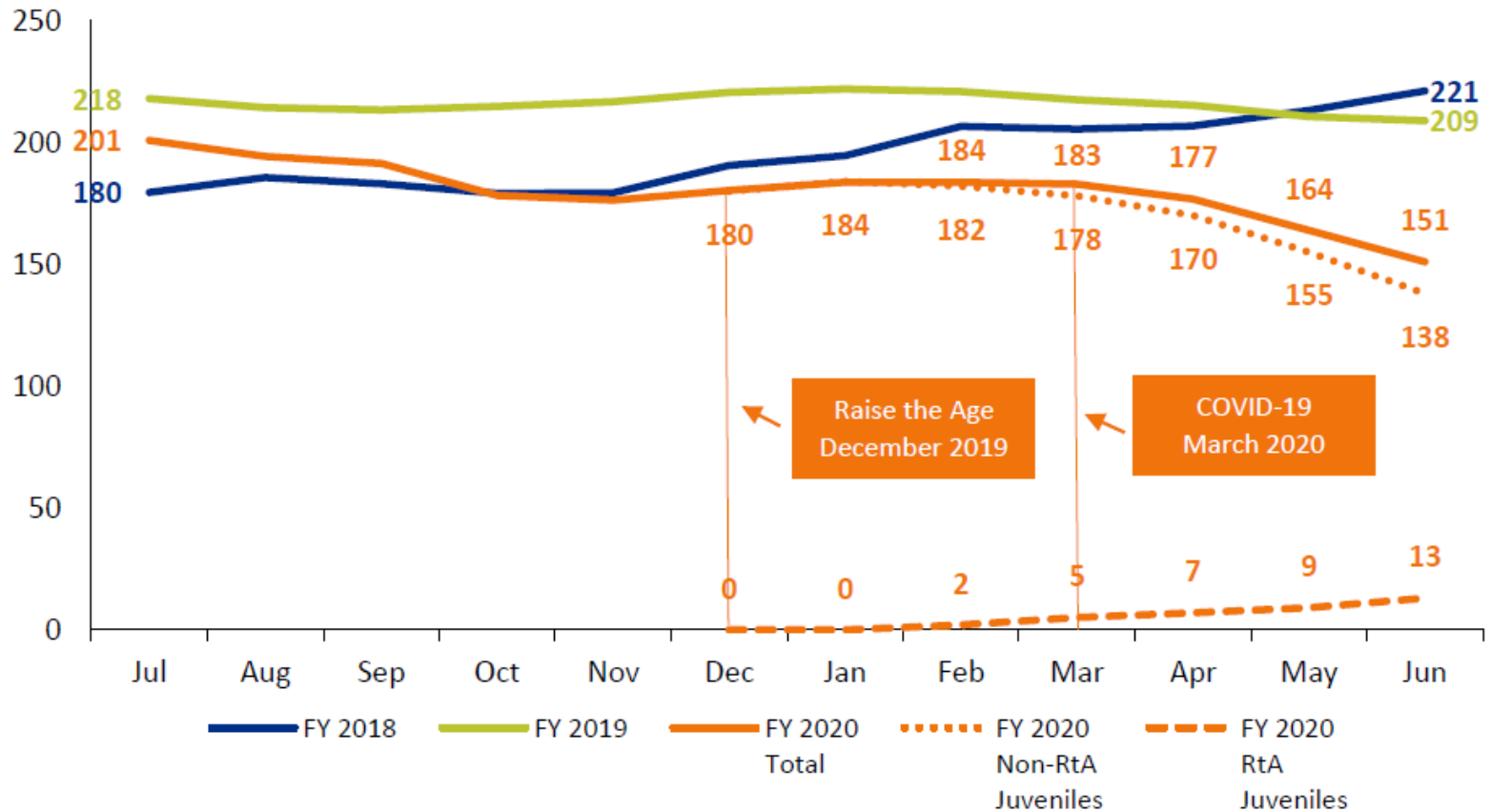
Total FTE:
74

- Educational services to assist juveniles in obtaining high school diploma, high school equivalency, or enrolling in an online post-secondary course
- 86% of students released from a YDC were promoted at least 1 grade, received HS diploma, or passed high school equivalency exam

Source: Juvenile Justice 2019 Annual Report

YDC Population

Average Monthly YDC Population by Fiscal Year and by Raise the Age



Source: Sentencing Commission YDC Population Projection Report, January 2021

YDCs Population and Costs

FY 2019-20

Facility	Number of Beds	Average Daily Population	Total Expenses	Cost Per-Bed	Cost Per-ADP
Cabarrus	128	87.2	\$13 M	\$101,241	\$148,610
Chatham (Female)	32	27.5	\$4.4 M	\$138,914	\$161,646
Edgecombe	44	28.3	\$4.4 M	\$99,747	\$155,084
Lenoir	44	26.2	\$4.6 M	\$103,931	\$174,540
Total	248	169.3	\$26.4 M	\$106,314	\$155,735

Average daily population is lower than recent years as a result of COVID-19 mitigation measures

Source: DACJJ; Annual Report on Youth Development Centers

YDC Capacity v. Projections

Fiscal Year	Pre-COVID Projection	Current Projection	YDC Capacity	Current Projection - Capacity
2020-21	230	169	226	+57
2021-22	236	205	226	+21
2022-23	244	230	321; +35 from C.A. Dillon renovation; +60 from Rockingham opening	+91
2023-24	247	231	321	+90
2024-25	N/A	235	321	+86

Adequate YDC capacity based on current 5-year projection

Source: Sentencing Commission YDC Population Projection Report, January 2021

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“Raise the Age” – 1st year

Juvenile Justice Reinvestment Act (S.L. 2017-57)

- Expected increased demand on court counselor services, judicial staff, community programs, and juvenile detention and youth development center beds

Projected increase in juvenile population in 1st year: 64%

Added 190 detention beds, 132 of which are state operated, to meet expected demand

New total: 332 detention beds, 178 of which are state operated

“Raise the Age” – 1st year

Impact:

- Juvenile population increase in 1st year: **38%**
- Received 100% of projected Felony Class A-G offenses
- Received 54% of projected Felony H- Misdemeanor 3 class offenses

COVID’s Effect:

- Jan. & Feb. 2020: complaints for non-RTA population mirroring 2019
- March 2020: Non-RTA population complaints begin declining as schools close
- May 2020: fewer total complaints than May 2019 complaints

RTA v. Non-RTA Population

Similarities

- Race/Ethnicity breakdown
- Gender breakdown

Differences

- RTA population has higher risk scores
- Greater percentage of:
 - Gang members/associates
 - Association with criminal/delinquent peers
 - Substance abuse needs
 - Mental health needs
 - Runaways

“Raise the Age” Funding

Operational:

2018 Appropriations Act:

- \$1.9 M for 65 FTE in Court Services section of JJ

S.L. 2019-229

- \$32.7 M in FY 2019-20
- \$47.4 M in FY 2020-21
- **DPS:** Community-based and residential programs for juveniles, additional personnel, and detention bed space
- **IDS:** Training and consulting for private assigned counsel
- **AOC:** 7 district court judges, 9 ADAs, and 3 legal assistants

“Raise the Age” Funding

Capital:

2018 Appropriations Act:

- \$13.2 M NR Rockingham in FY 2017-18 for Rockingham YDC construction

S.L. 2020-15

- \$10.4 M NR in FY 2020-21
 - \$2.8 M for renovations to Perquimans detention center
 - \$5.7 M for renovations to C.A. Dillon YDC
 - \$2 M for inmate construction projects to support completion of Rockingham YDC

**Note: amounts do not sum to total due to rounding*

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Funding Considerations

Juvenile Justice Advisory Committee recommends for FY 2021-22:

- \$6.7 M for additional detention beds
- \$110,000 for Contracts Administrator in IDS Juvenile Defender office

JJAC also recommends:

- Funding start-up and operating costs of Rockingham Youth Development Center once opened
- Expected completion date: March 2023

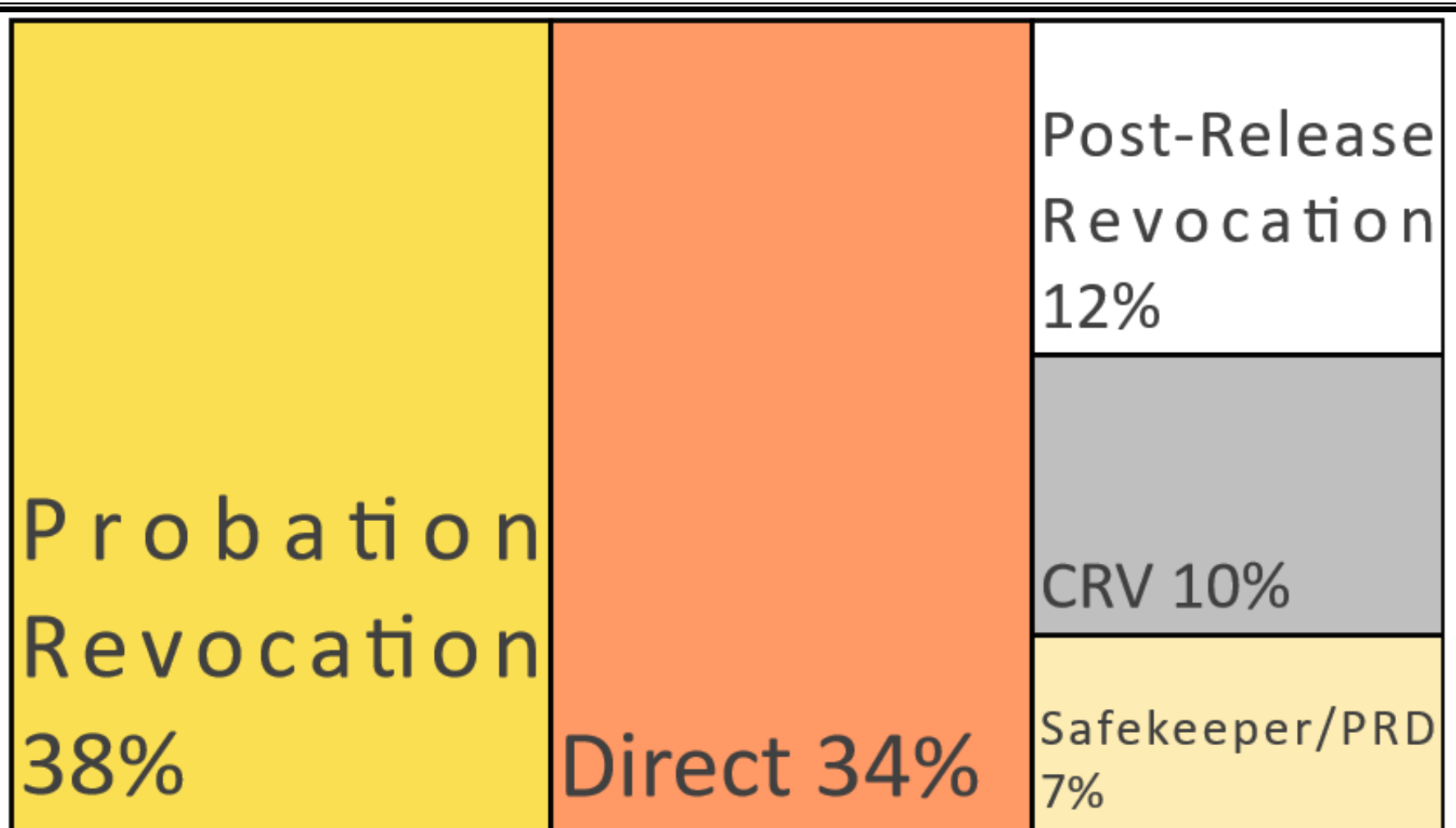
Questions?



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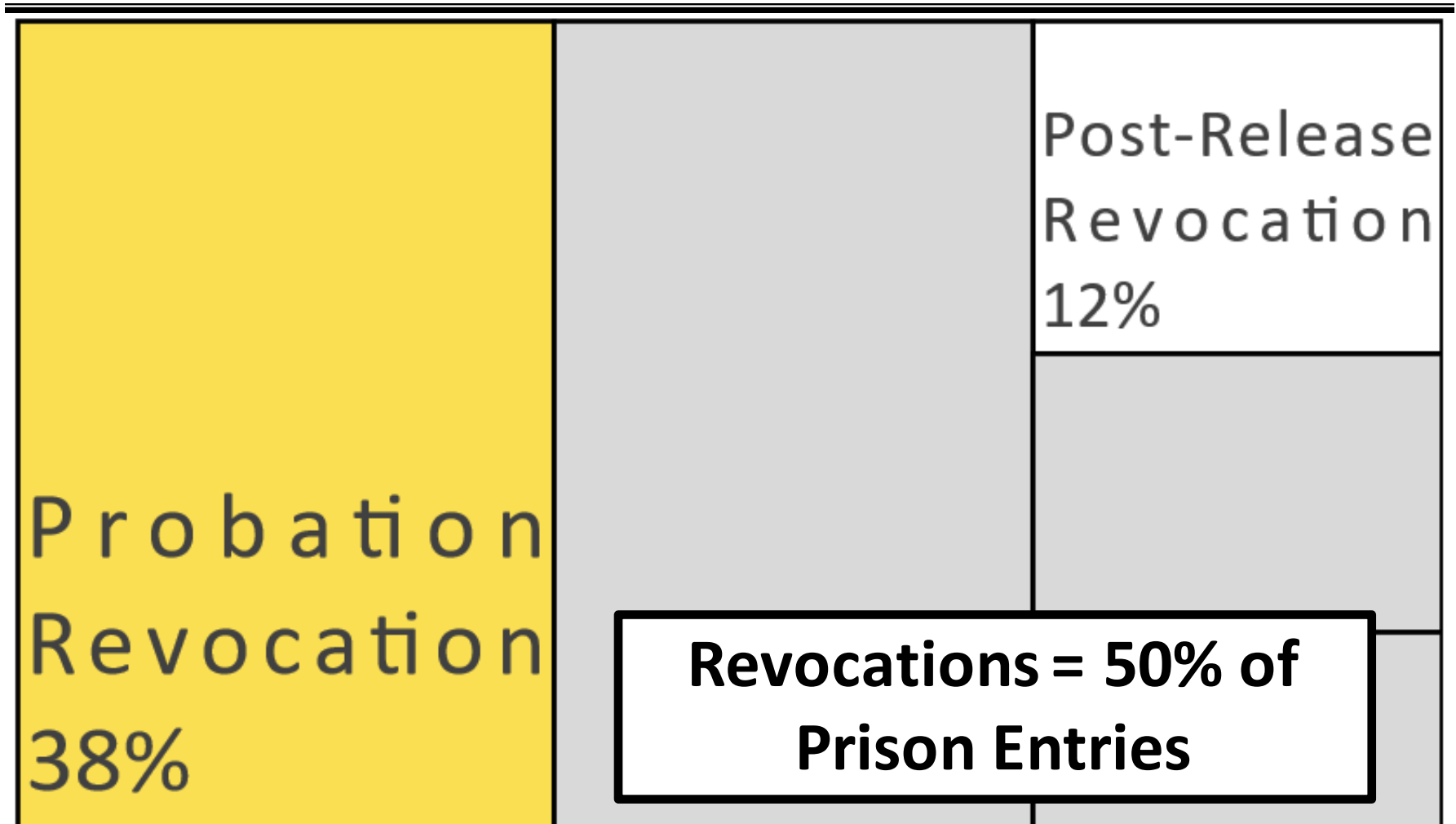
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- **Adult Corrections Continued: Recidivism & Revocations**

Prison Entries, FY 2018-19



Source: DPS Statistical Report, FY 2018-19

Prison Entries, FY 2018-19



Source: DPS Statistical Report, FY 2018-19

SPAC Adult Recidivism Report, April 2020

CORRECTIONAL PROGRAM EVALUATION

OFFENDERS PLACED ON
PROBATION OR RELEASED
FROM PRISON

FISCAL YEAR
2017

 NORTH CAROLINA
SENTENCING AND
POLICY ADVISORY
COMMISSION

THE HONORABLE CHARLIE BROWN
CHAIRMAN
MICHELLE HALL
EXECUTIVE DIRECTOR

- Recidivism does not have universal definition
- SPAC uses re-arrest, re-conviction, and re-incarceration
- Two-year follow up on offenders entering the prison system or probation
- The most recent data in the report is from the offender class of FY 2016-17.

Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

SPAC Adult Recidivism Report Findings, April 2020

CORRECTIONAL PROGRAM EVALUATION

OFFENDERS PLACED ON
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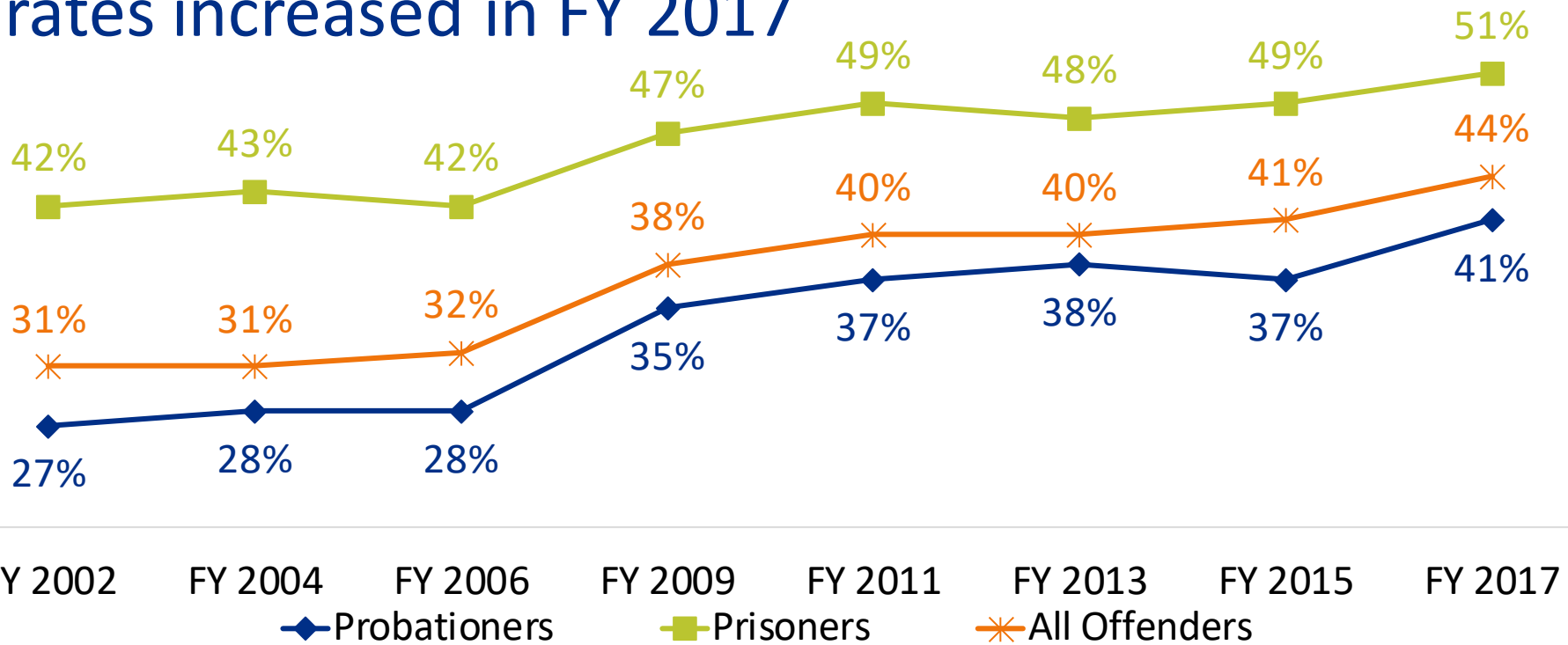
THE HONORABLE CHARLIE BROWN
CHAIRMAN
MICHELLE HALL
EXECUTIVE DIRECTOR

- Recidivist arrest rate increased
- Probationer violations up from 71% to 75%
- Probationer revocation rate from 21% to 25%
- Prisoner recidivist incarceration rate up from 32% to 38%
- Increase in revocations of PRS in response to violations as PRS expanded to lower-level felons

Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

Recidivism

After several years of stability, recidivist arrest rates increased in FY 2017

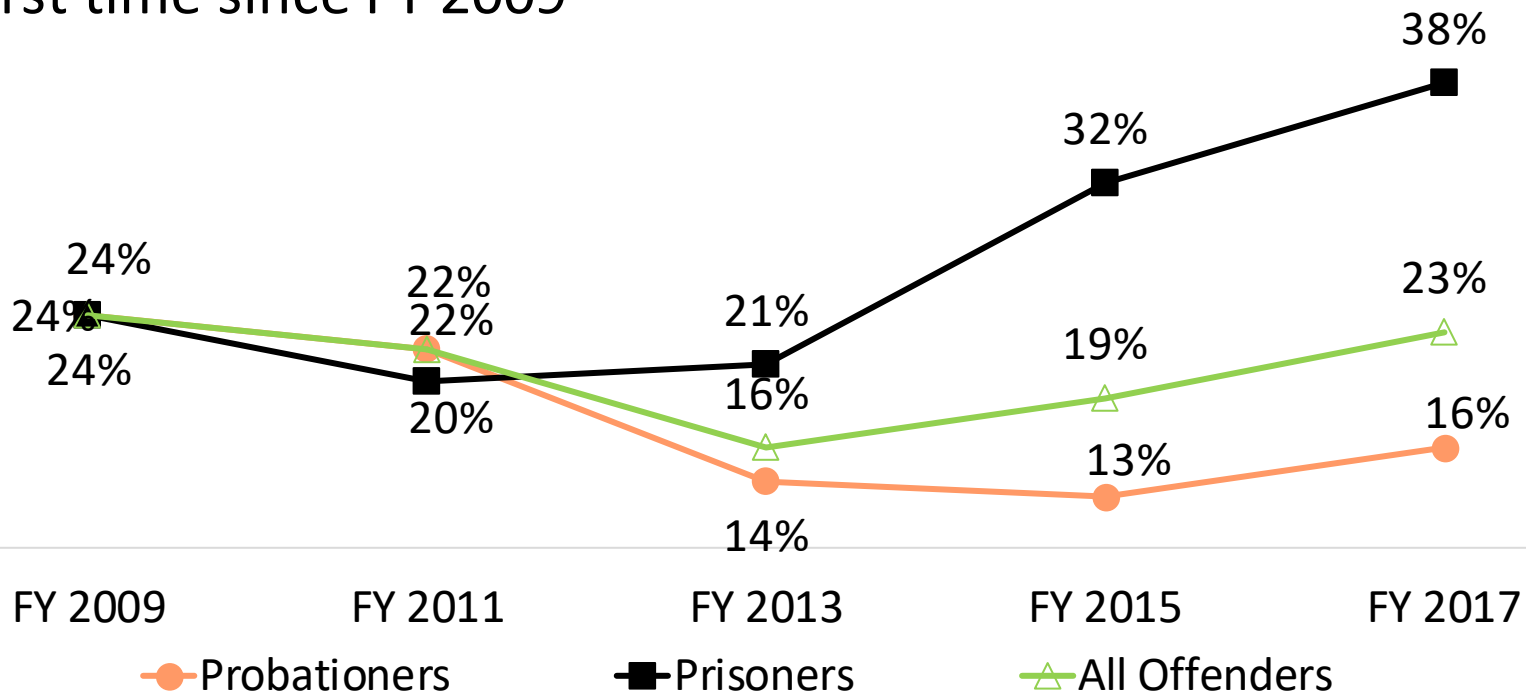


Recidivism rates were calculated using a fixed two-year follow-up period following either a release from prison or an entry to probation.

Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

Recidivism

While recidivist incarceration rates continue to increase for prisoners as a result of the JRA, rates increased for probationers for the first time since FY 2009

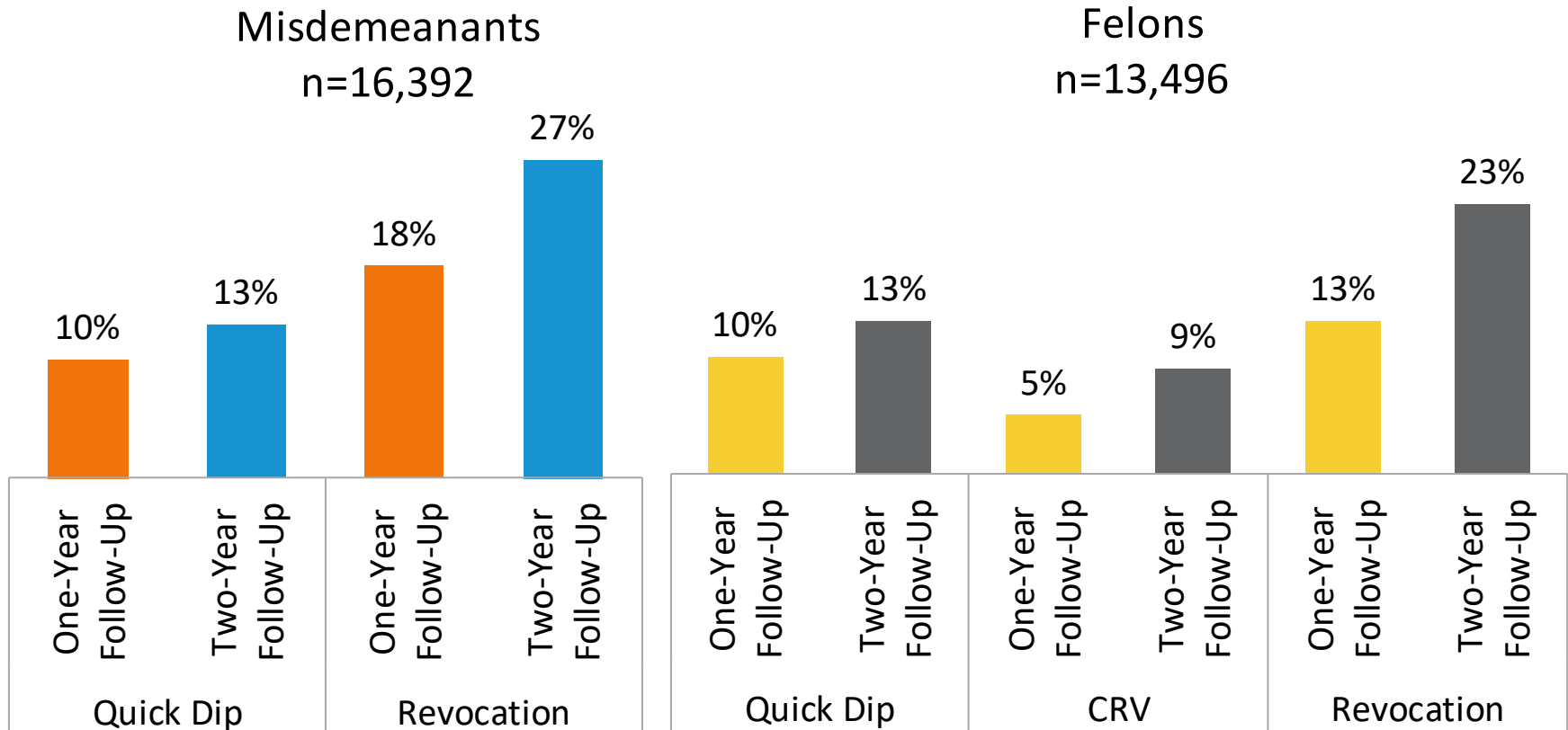


Recidivism rates were calculated using a fixed two-year follow-up period following either a release from prison or an entry to probation.

Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

Recidivism

Revocations were the most common confinement response to violation

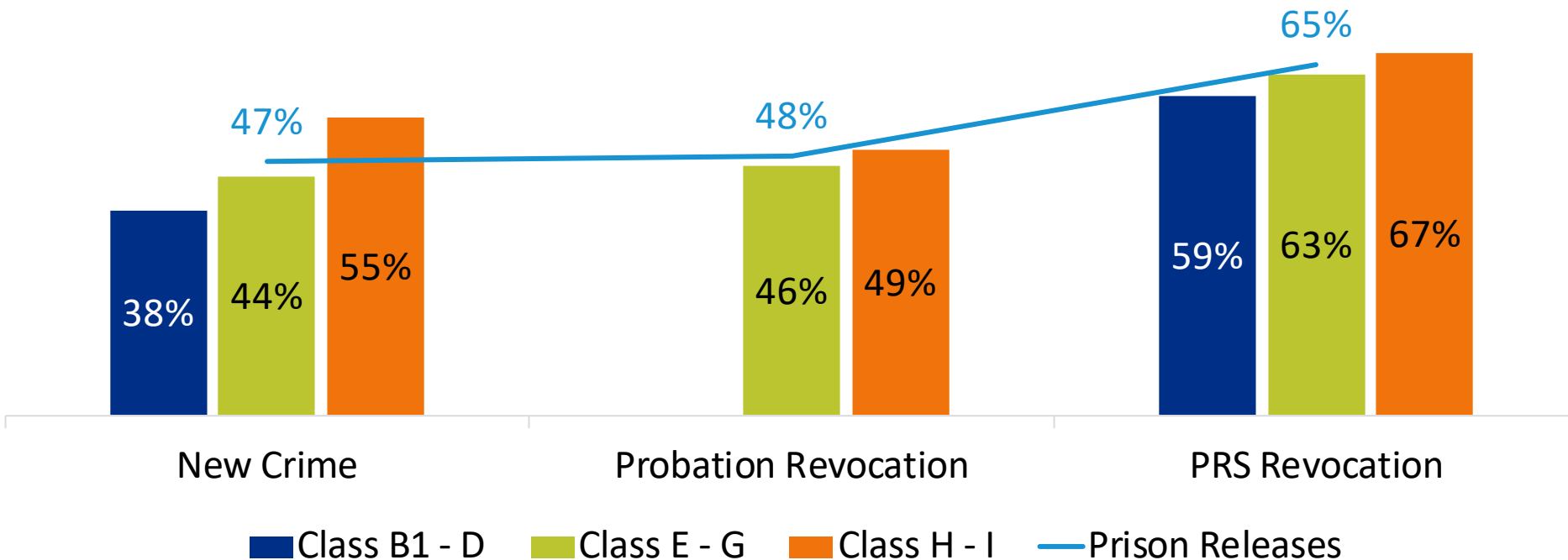


Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

Recidivism

Prisoners with a PRS revocation entry had the highest recidivism rates irrespective of offense class

Recidivist Arrest Rates by Type of Prison Entry

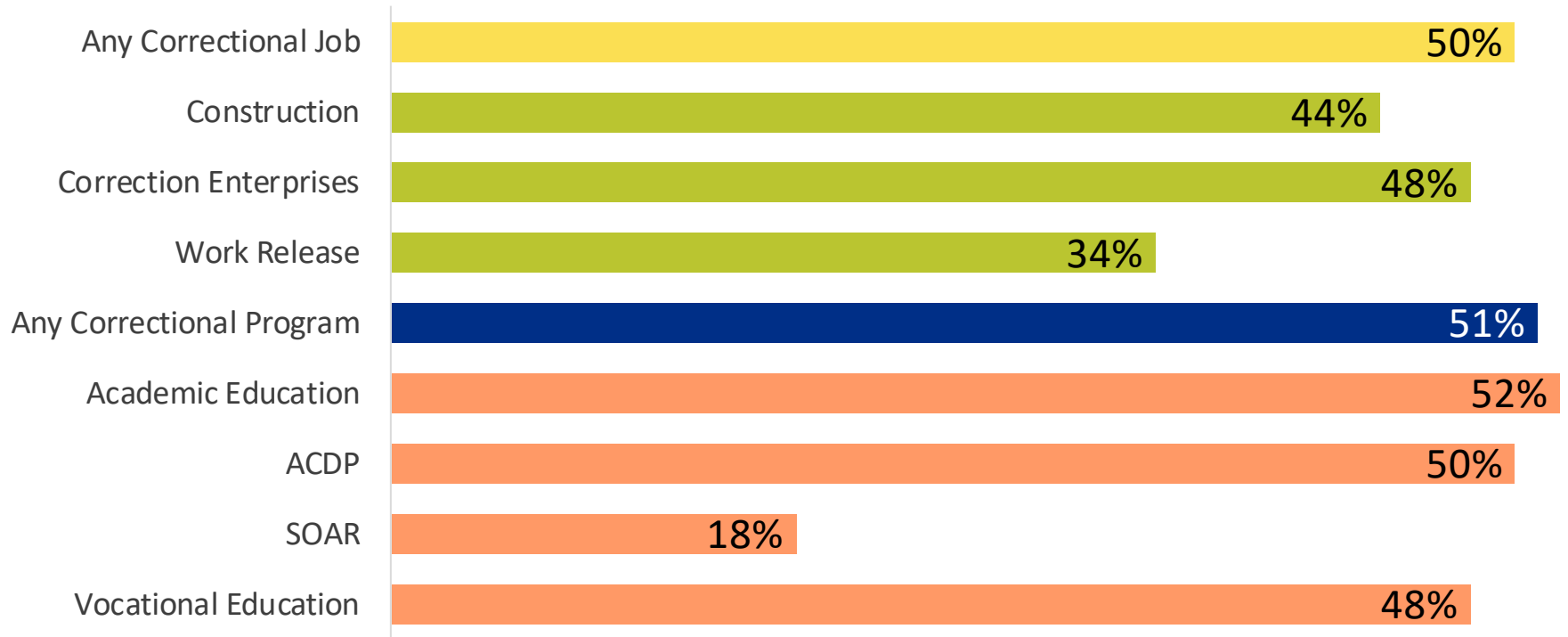


Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

Recidivism

Recidivism rates for correctional assignments should be considered within the context of prisoner and job/program characteristics

Recidivist Arrest Rates



Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

JPS Contact Information

Fiscal Research Division (919) 733-4910

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