

# 1/4/22 JJAC Agenda

- ▶ Minutes from 10/29/21
- ▶ Report Content
- ▶ Modifications to Report
- ▶ Vote
- ▶ New Business & Public Comment
- ▶ Next Steps



# 2022 Juvenile Age Report

William L. Lassiter, Deputy Secretary for Juvenile Justice

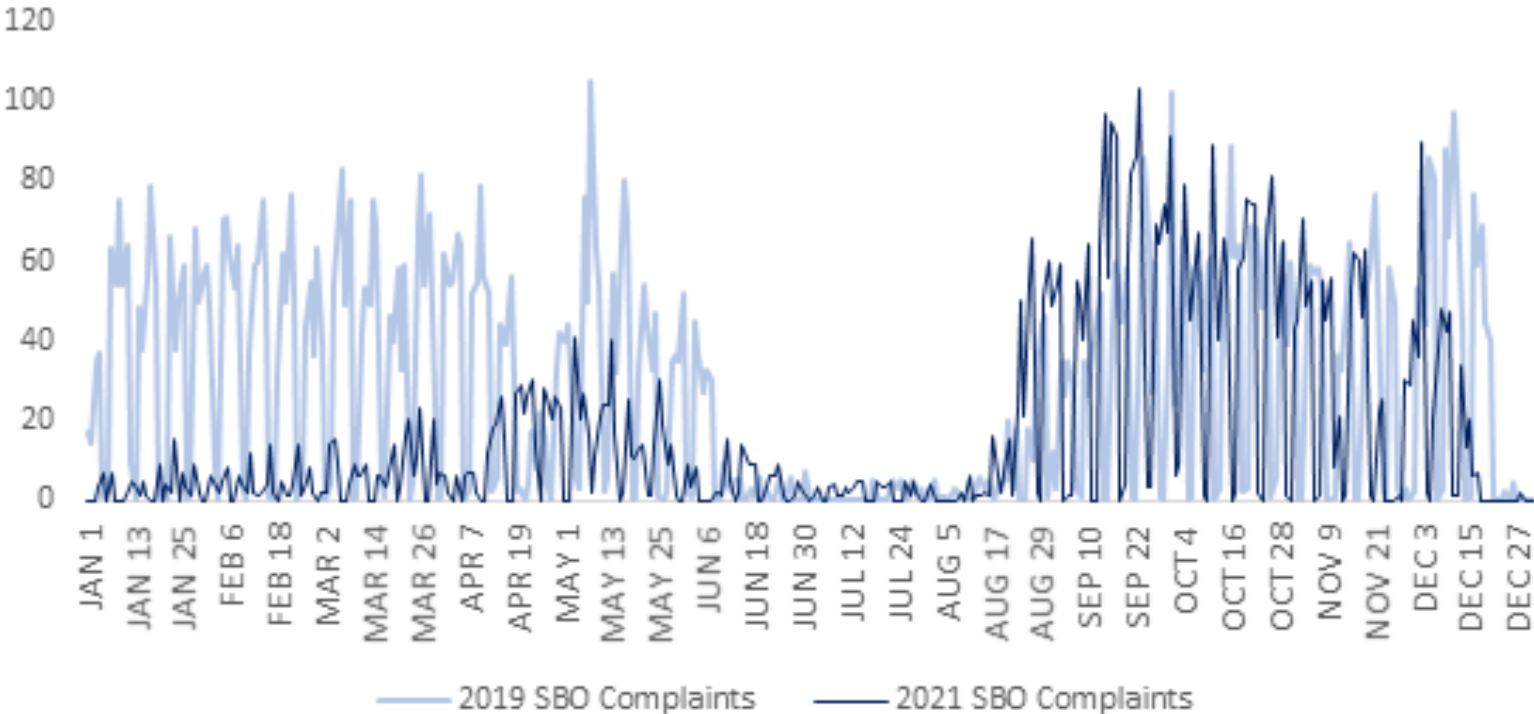
January 4, 2022

# Juvenile Justice Update

- ▶ JJ as a Division within DPS
  - Workgroup to streamline implementation
  - AC as a Department
- ▶ Gun Violence reduction efforts
- ▶ Task Force on Safer Schools
  - Intersection with TREC

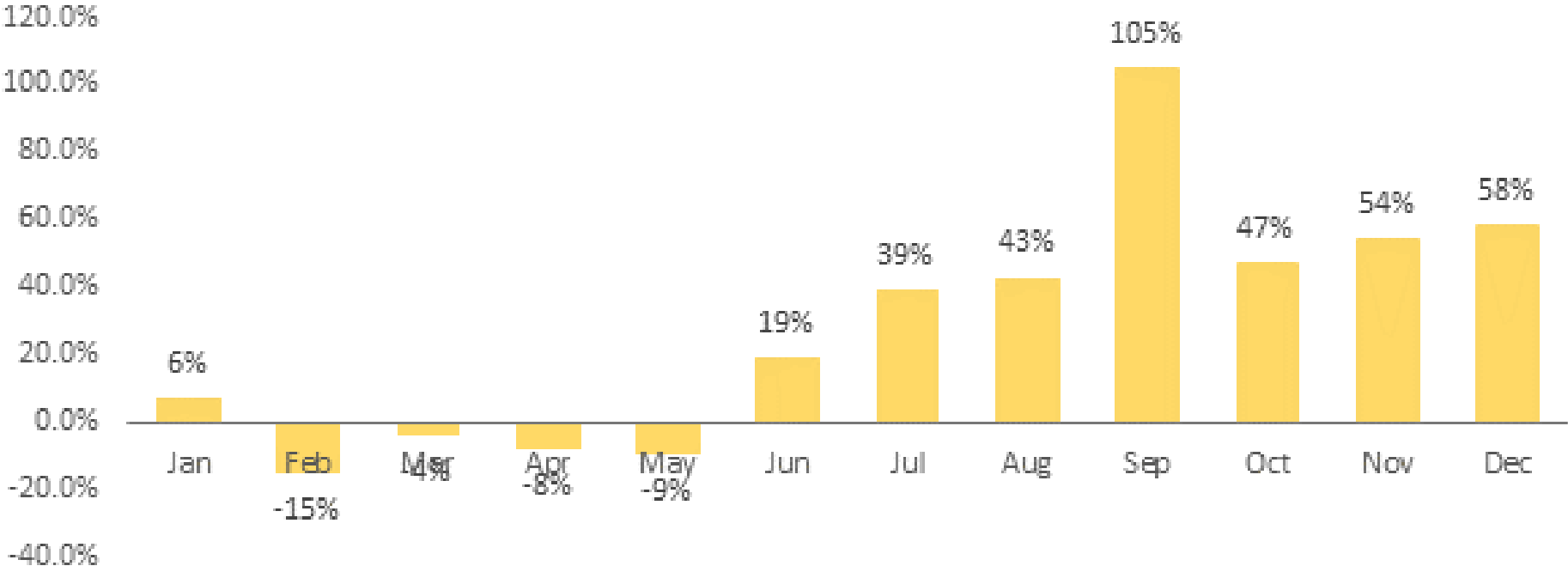
# Reopening of Schools/Face-to-Face Learning Impacts Complaints Received

Figure 2. Complaints Impact from COVID-19 (Daily) School-Based Offenses (SBO) by Offense Date 2019 vs 2021, 1/1 - 12/31 (Full Calendar Year)



# Reopening of Schools/Face-to-Face Learning Impacts Complaints Received

Figure 1.3 Total Complaints Received - Impact from COVID-19 (Monthly)  
Percentage Difference per Month (2019 vs 2021)



# S207 Update (since Dec 1, 2021 implementation)

- ▶ 5 vulnerable juveniles recorded
- ▶ 3 Care Review Teams met



# 2022 Juvenile Age Report

Kimberly Quintus, Juvenile Justice

January 4, 2022

# JJAC Reporting Required: January 15th

Initial

Final



3/1/2018

1/15, annually



1/15/2023

Interim



# Statutory Mandate

- ▶ 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.**”

# Committee to vote at end of presentation:

The Committee votes to accept the content of the draft Juvenile Age report and allows the Department to make technical changes such as grammar and/or punctuation, but no substantive changes.

# Timeline

2017-Jan 15,  
2023

- Plan, Build, Hire, Train
  - Secure agreements
  - Rolled out YASI
  - Fund programs
  - Implement age-appropriate programming
- All secure custody youth under age 18 placed in juvenile detention instead of jail
- Raise minimum age

Refine

- Examine Data
- Examine statute
- Respond & Adjust

# JJAC Accomplishments



- ▶ A Brief Legislative History of the JJRA is updated to include:
  - S.L. 2021-180, S105
    - Funded Richmond JDC renovation (\$10,702,952)
    - \$2,500,000 NR in FY22 for youth transitioning from YDCs into communities. Expand capacity and necessary services to address the increase in detention following RtA

## Funding Bill

# JJAC Accomplishments

## Minimum Age

- S.L. 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.**

# Systemwide data



DATA



KNOWLEDGE



ACTION


## ▶ NC Demographer

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

## ▶ Adult Correction (FY16-FY21)

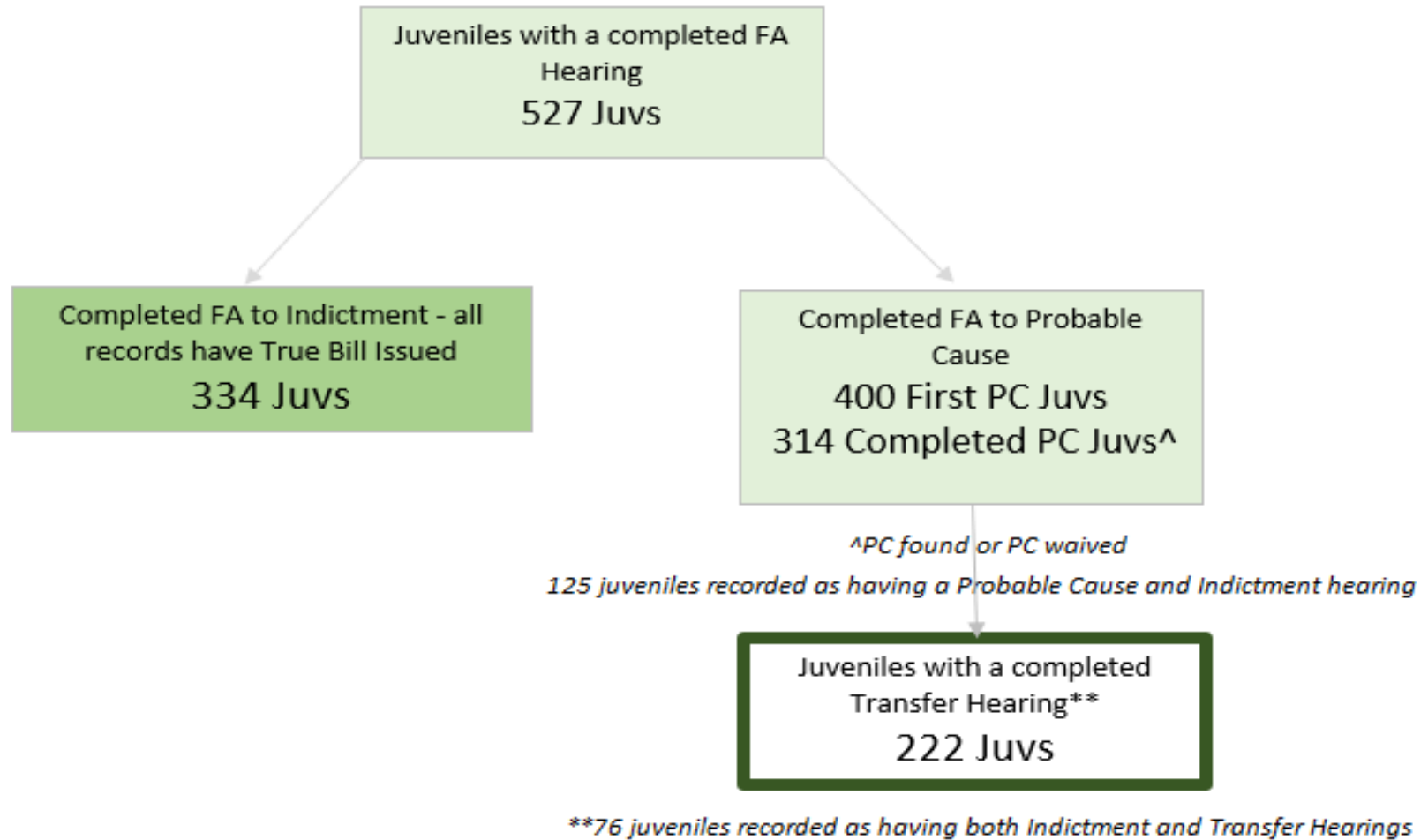
- 72% decline in prison entries under age 18
  - 45% decline over past fiscal year
- 66% decline in ADP (prisons) for youth under age 18
  - 50% decline over past fiscal year

# Systemwide Data

- ▶ Transfers to Superior Court: 539 RtA juveniles with 1,635 complaints
  - 3.03 average complaints per youth
  - Avg. juveniles transferred to superior court
    - Jan – Nov 2020 average per month: 24.4
    - Jan – Nov 2021 average per month: 26.4 
- ▶ Felony Class D offenses were most common transferred class
- ▶ 3.5% of transfers had a most serious complaint of Felony Class H, I [Discretionary]

*NOTE: 41 youth younger than 16 were transferred.*

# Systemwide Data – Transfers to Superior Court





# H593 Criminal Court Youth

- ▶ From August 1, 2020 to November 30, 2021, there were **182** juvenile detention admissions for H593 criminal court youth
  - Mecklenburg H593 youth represented 35% of H593 admissions to juvenile detention.
  - 79% of those H593 admissions were for pre-trial stays in juvenile detention.
  - The average daily detention population for H593 criminal court youth is 15.

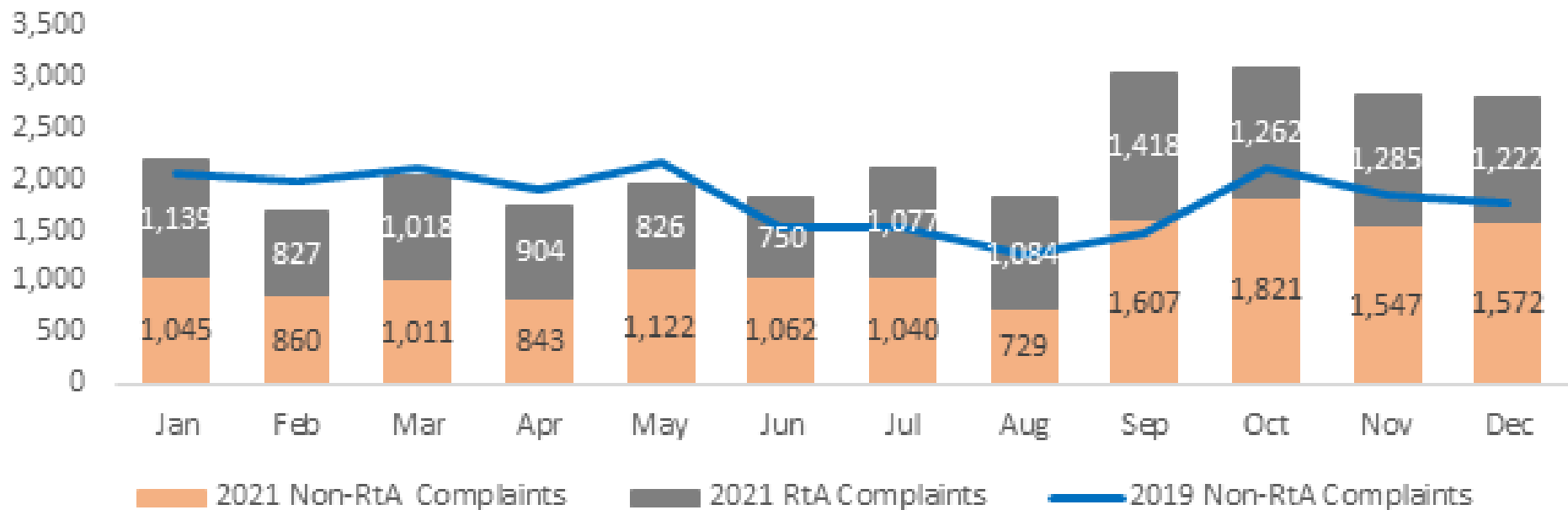
# Juvenile Justice Data: A Second Year in Review



Figure 1.2 Complaints Impact from COVID-19 (Monthly)

2019 vs 2021, Non-RtA and RtA

Received Dates: 1/1 - 12/31



Reporting period: Dec 1, 2020-Nov 30, 2021

▶ Complaints, Annual:

- Year 1: **12,349**
- Year 2: **12,449**



▶ Distinct Juveniles, Annual:

- Year 1: **4,107**
- Year 2: **4,091**



▶ **56%** of the Total Projected RtA Complaints were Received

- Year 1: Received 100% of projected Felony Class A-G offenses
- Year 2: Received 105% of projected Felony Class A-G offenses

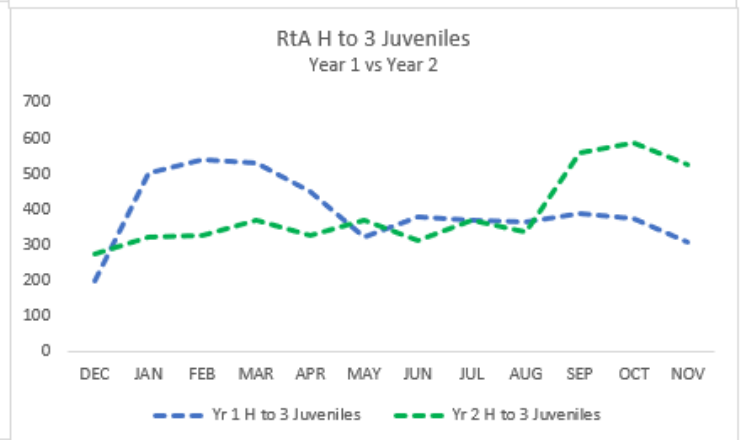
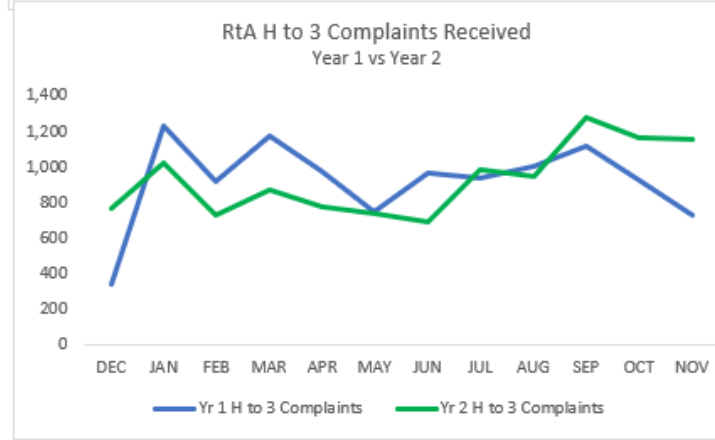
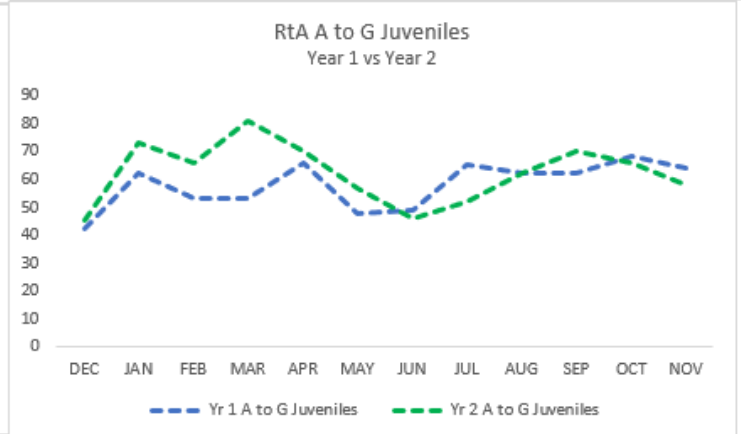
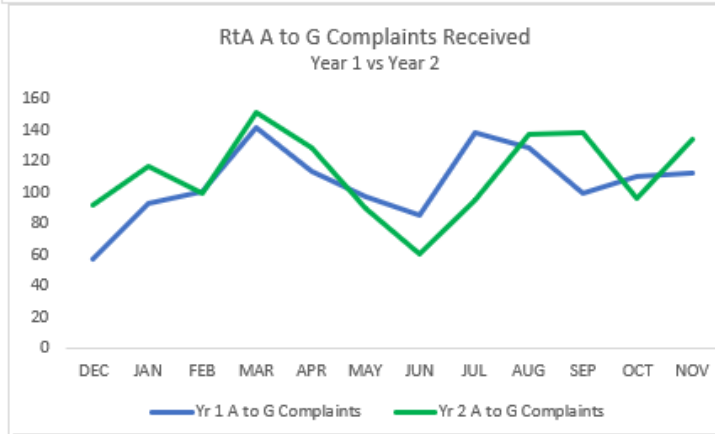
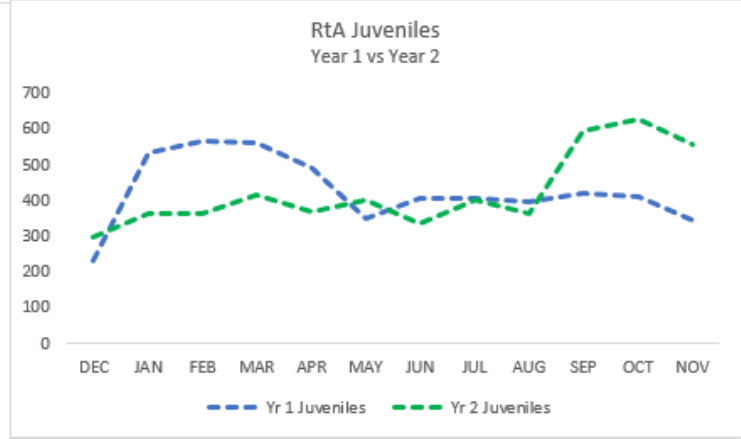
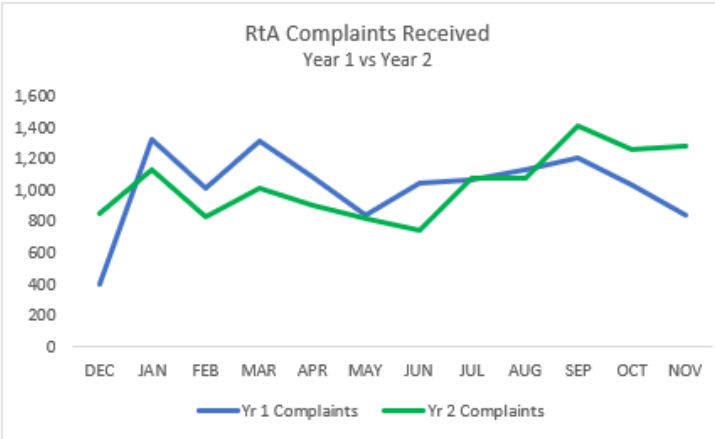


▶ Year 1 and Year 2: Received 53% of H-3 class offenses

▶ Average Complaints per juvenile

- Year 1: 2.41
- Year 2: 2.44

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



# 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%

- Most complaints are approved for court

# Reverse Waivers

- ▶ 48 cases reverse waived since Dec 1, 2019.

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

# School Justice Partnerships (SJPs)

- ▶ SJPs seek to reduce the use of exclusionary discipline practices and school-based court referrals which push students out of school and into court.
- ▶ 40 counties with active SJPs
- ▶ New public-facing dashboard for SJPs



# Legislative Recommendations

- ▶ Indictment Process for Youth (from May 6, 2021 interim memo)
  
- ▶ Recodification of *Injuring or tampering with a vehicle*
  - Amend 20-49(1) in the following way to allow DMV's continued enforcement authority:
    - (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.

# Funding Recommendations

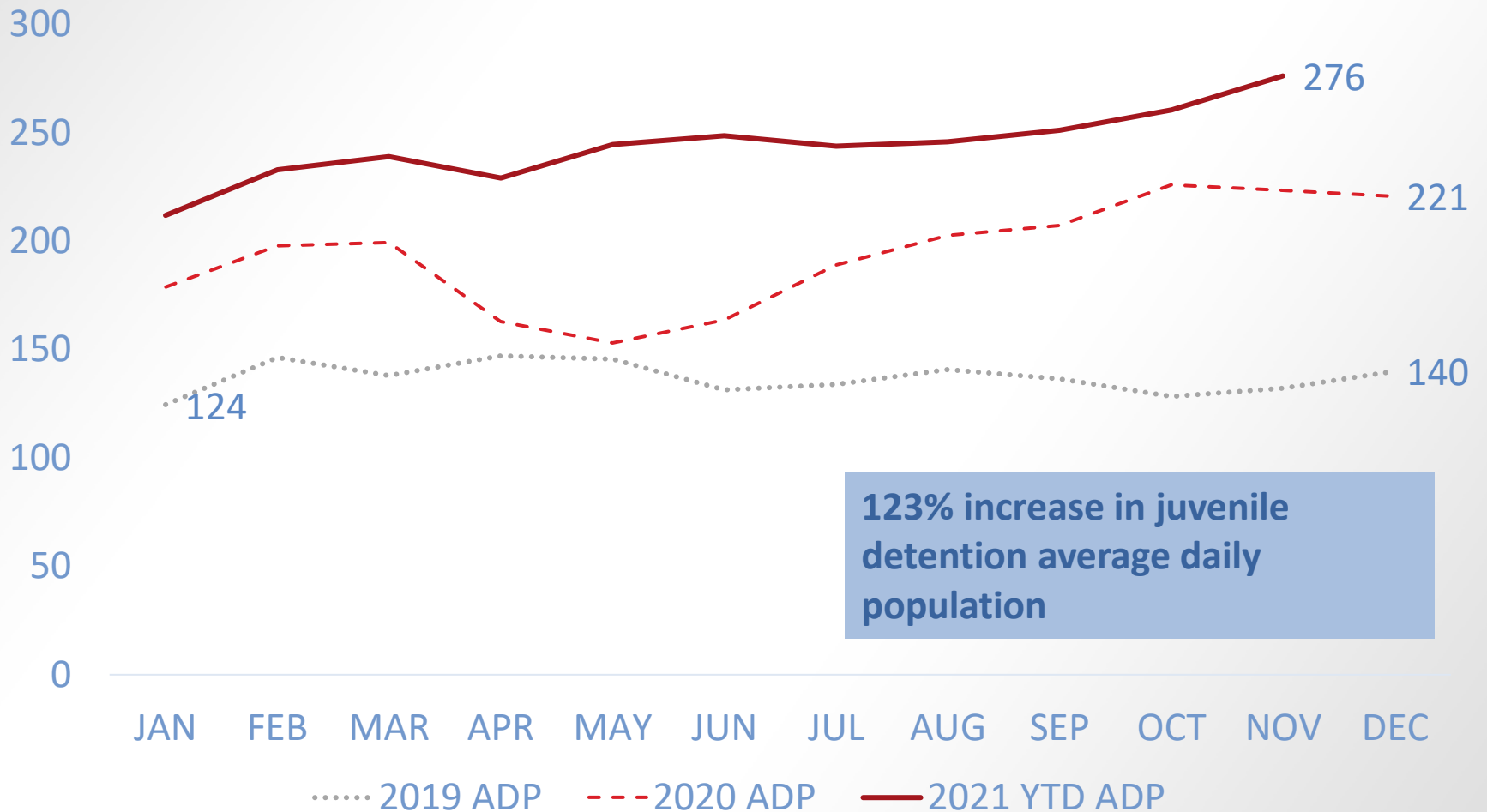
- ▶ **Juvenile Justice:**
  - \$6.7 million for juvenile detention beds. Allow for continued conversion of appropriated funds into juvenile detention center personnel, in order to remain flexible in meeting detention bed needs
  - Fund Rockingham Youth Development Center startup and operating costs. 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.
  - Fund needed repairs and renovations for opening additional detention beds.
- ▶ **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 recurring and \$3,752 non-recurring for one FTE (juvenile court resource prosecutor) to support juvenile court training, resource materials, and legal updates statewide.
- ▶ **Administrative Office of the Courts**
  - Fund the courts' existing Judicial Branch staff deficiencies in 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.

# Additional Detention Beds: \$6.7 million in operating costs for 150 juvenile detention beds

- ▶ 150 beds x 365 days a year x \$244 cost per youth per day / 2 = \$6.7 million based on original projection created from SPAC staff data.
- ▶ The average daily population in juvenile detention increased 78% since “Raise the Age” was implemented.
- ▶ Larger number of the detention population are criminal court and pre-trial transfer to superior court youth, who stay longer than the juvenile population.
- ▶ 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%).

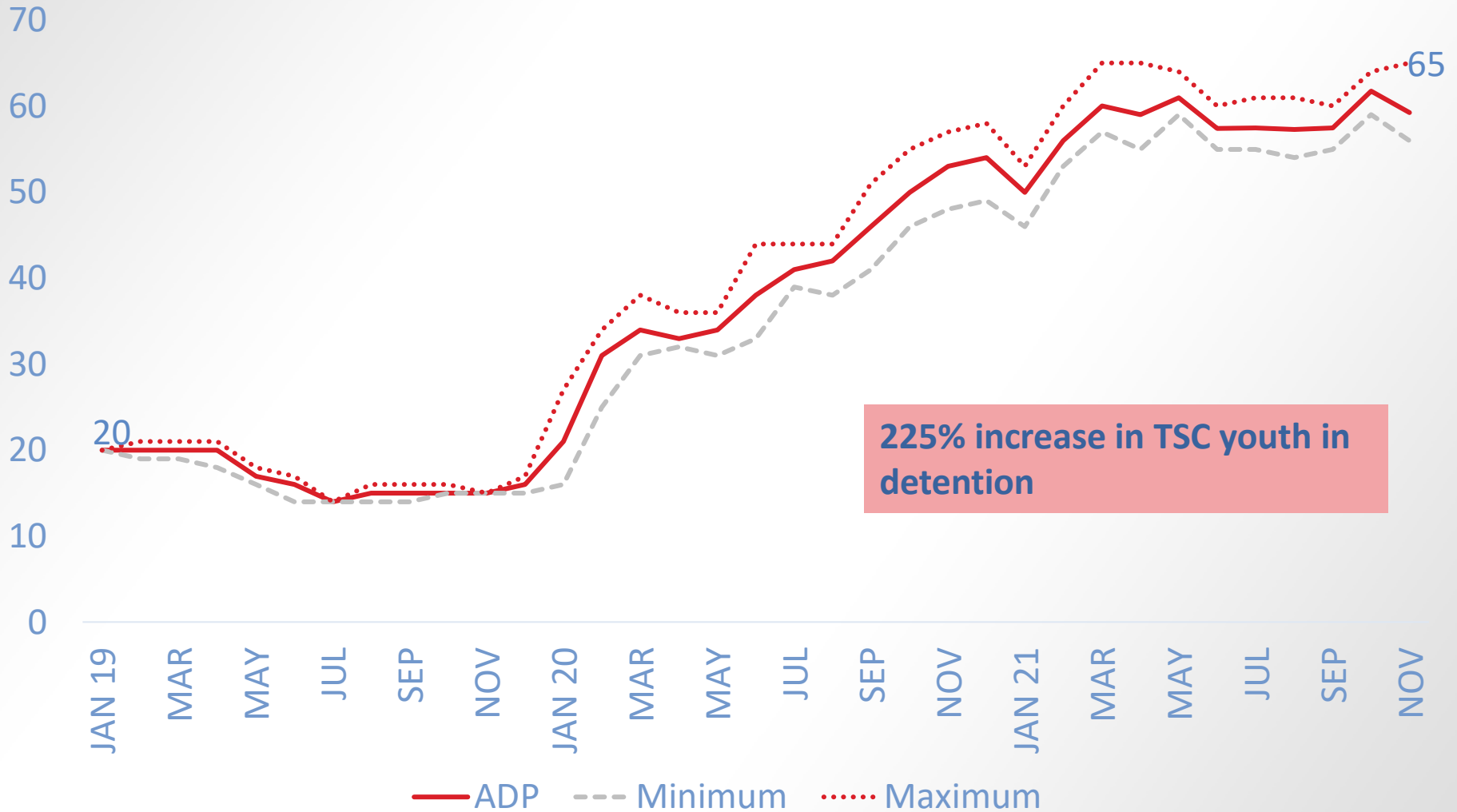
# Detention Total Average Daily Population by Month and Year

## Jan 2019 - Nov 2021



**123% increase in juvenile detention average daily population**

## Detained Transfers to Superior Court Average Daily Population, Min and Max



**225% increase in TSC youth in detention**

# Opening Rockingham YDC

- ▶ General Assembly funded 60-bed secure custody facility (S.L. 2020-15, H1157)
- ▶ Rockingham facility scheduled to open August 2023.
- ▶ Phase-in opening 83 FTE in FY23 and 117 FTE in FY24 with annualized cost of \$9,178,327



Reference page 9

# YSC Commitments

- 73% increase in YDC commitments for RtA juveniles

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

# Upcoming/Future Topics

## ▶ Pursuing:

- pre-trial release opportunities
- programming for gun violence prevention and gang involved/associated youth
- funding for comprehensive clinical assessments

## ▶ Exploring programming in the areas of:

- vulnerable juveniles (e.g., SNAP, ART, etc.)
- traffic offenses
- 18 to 21-year old age-appropriate programming (e.g., vocational, independent living, etc.)

Reference Pages 20-21



# Upcoming/Future Topics

- ▶ Minimum Age Subcommittee, page 13: “Other Subcommittee Reports”
  - Exploring capacity hearing recommendations for full committee consideration
  - Analyzing assessment processes and pathways that would lead to independent judgements and recommendations to the court
  - Consulting with stakeholders to craft formal recommendations, which are expected within an interim JJAC report in 2022
- ▶ Full list of statutory item on page 6: “Future Issues for LRLI Subcommittee” includes items such as...
  - What is the gang enhancement hearing process?
  - 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.
  - Conforming amendment for juvenile sex offender registration to account for RtA.

# Thanks

- ▶ **JJAC extends its many thanks to the following people/entities for their contributions to this report:**
  - **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)**
  - **Juvenile Justice Research staff Megan Perrault, Lizzie Halstead, and Phil Maychek**

