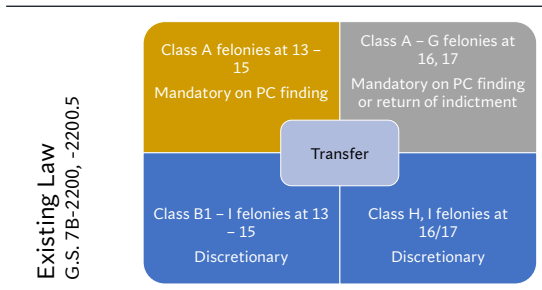
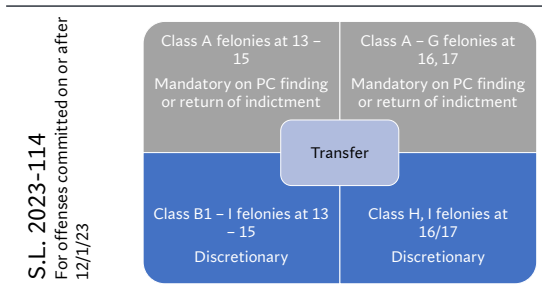


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3



Ongoing secure custody hearing timelines also aligned in mandatory transfer cases – every 30 days

*S.L. 2023-75
Applies to offenses committed on or after 10/1/23*

4



Finding that a qualifying indictment has been returned no longer required



Transfer triggered by notice under G.S. 15A-630

Offenses committed on or after 12/1/23

Transfer Based on Returned Indictment

5

Mental Health Assessments Required before Disposition



In re E.M., 2019

Statutory duty to refer to LME for CCA when any evidence of mental illness



S.L. 2021-123

No duty if CCA within 45 days of adjudication; new care review process



S.L. 2023-114

No duty if CCA within 90 days of disposition; care review duty for all CCAs

6

Interrogation of Youth Ages 16, 17

Caretaker added to list of people juvenile has right to have present during questioning

If request PGC, law enforcement must make reasonable effort to contact that PGC

If PGC not available, a caretaker can be present

Offenses committed on or after 12/1/23

7

Secure Custody Orders

SCO can be issued before juvenile served with petition. Service must occur within 72 hours of detention. Court counselor can effectuate service.

Court counselor added as person who can secure custody of juvenile under an SCO

Incorporates criminal law standard (G.S. 15A-401(e)) for when LE can enter a private residence or vehicle, and use force during that entry, to take juvenile into custody

Offenses committed on or after 12/1/23

8

Release of Identifying Information – “Lyric and Devin’s Law”

Allowed when:

- Petition filed alleging felony at age 13 or older,
- Juvenile presents danger to self or others based on their record or the allegations, and
- Good cause exists for disclosure
- Court order or exigent circumstances



Offenses committed on or after 12/1/23

9

Release of Identifying Information – “Lyric and Devin’s Law”

Information that can be released

- First and last name
- Photograph
- Offense(s) alleged in petition
- If a SCO has been issued
- Statement as to threat to self or others and level of concern of DJJ or LE



10

Release of Identifying Information – “Lyric and Devin’s Law”

Before release of information

- DJJ or LE must make reasonable efforts to notify PGC
- If taken into custody before release, no release allowed



11

Release of Identifying Information – “Lyric and Devin’s Law”

Information must be removed from publicly available websites, DJJ or LE social media accounts if

- Court does not order release after release under exigent circumstances, or
- Taken into custody



12

New Juvenile Capacity Law



13

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