



NORTH CAROLINA

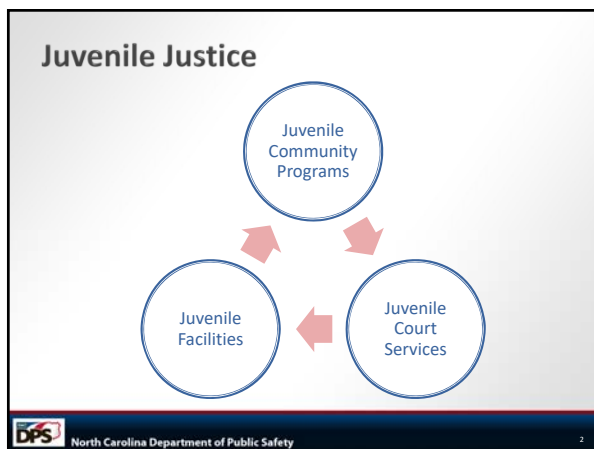
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Protect. Serve. Empower.

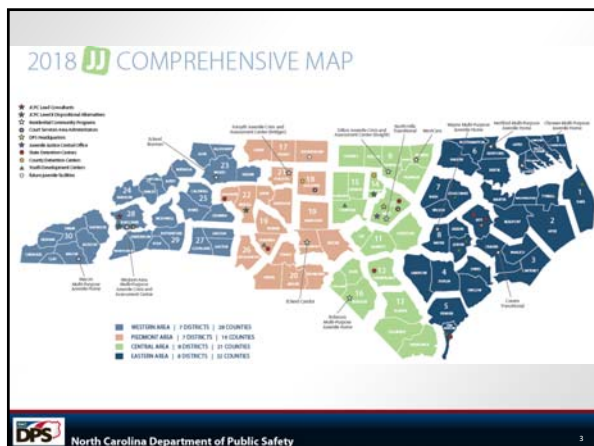
Raise the Age Implementation Briefing

William L. Lassiter, Deputy Secretary for Juvenile Justice

1



2



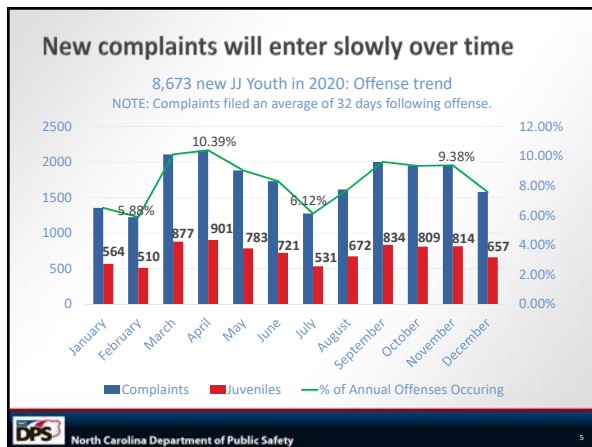
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Key Benefits

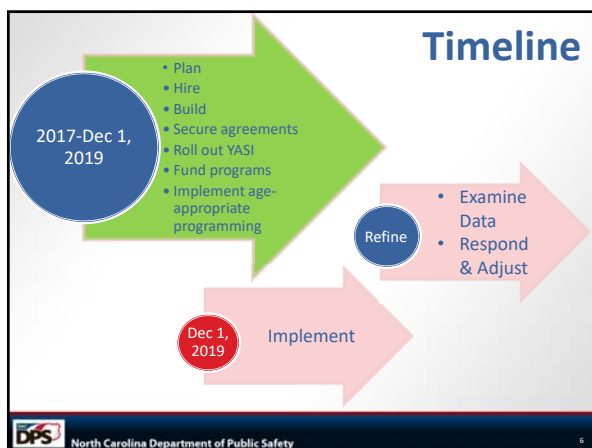
- ▶ Make NC Safer
- ▶ Reduce Recidivism
- ▶ Economic Savings
- ▶ Juvenile employability
- ▶ Parental inclusion in process, strengthening families
- ▶ Professionals in juvenile treatment & intervention
- ▶ Other states' positive experiences
- ▶ Supported by science
- ▶ Consistent with recent legal decisions


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4

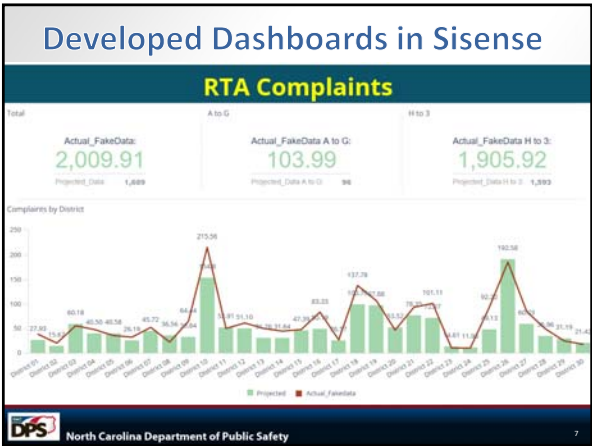
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5



6



7

Presentation Topics

- ▶ Budget & Staffing
- ▶ JCPC and State Contract Service Expansion
- ▶ Facility Plans, YDC Programming
- ▶ Transportation
- ▶ Status Updates
- ▶ Service Directory
- ▶ Other States' Experiences

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8

Budget & Staffing

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9

65 Court Services Positions, and 30 Field Support Specialists

- ▶ JJ received in the FY18-29 budget, 65 Court Services positions to begin May 8, 2019
 - H1001 continued funding
- ▶ Each district now has a field support specialist position

10

JJ Expansion Summary- Compromise Budget & H1001

	2019-20			2020-21	
	FTEs	Recurring	Non-recurring	FTEs	Recurring
Court Services	97	\$ 3,082,600	\$ 1,980,000	97	\$ 8,700,000
Community Programs					
JCPC Aid	0	\$ 4,250,000	\$ -	0	\$ 6,661,930
JCPC Admin	5	\$ 250,000	\$ 80,000	5	\$ 400,000
Level II Contractual	1	\$ 6,500,000	\$ 350,000	1	\$ 11,100,000
Transportation	15	\$ 593,984	\$ 1,044,000	15	\$ 890,976
Facilities					
Detention Operating	0	\$ 4,500,000	\$ -	0	\$ 6,700,000
CA Dillon	38	\$ 1,535,486	\$ 322,000	38	\$ 2,300,000
Education/Vocational	4	\$ 350,000	\$ 24,914	4	\$ 500,000
Facility Administration	7	\$ 500,000	\$ 40,000	7	\$ 500,000
Training/Data/IT/HR	12	\$ 1,420,053	\$ 200,000	12	\$ 1,893,404
Continued CS	65	\$ 3,892,394		65	\$ 3,892,394
Operating Subtotal		\$ 26,874,517	\$ 4,040,914		\$ 43,538,704
	244	\$ 30,915,431		244	\$ 43,538,704

Note: These costs do not include juvenile detention costs paid by counties.

11

JJAC Recommended the following resources for courts:

- ▶ Fund existing AOC staff deficiencies at an FY 19-20 annualized cost of \$14,482,340 and nonrecurring cost of \$641,657. The deficiencies are as follows:
 - 10 District Court Judgeships
 - 45 Assistant District Attorneys
 - 60.5 District Attorney Legal Assistants
 - 52 Deputy and Assistant Clerks
- ▶ Supported AOC's RtA request:
 - 5 District Court Judgeships (in 29A, 4, 19A, 22A, and 29B), 8 Assistant District Attorneys (in 12, 15, 24, 38, 13, 36, 11, and 14), 7 District Attorney Legal Assistants, and 6 Deputy Clerks at an FY 19-20 annualized cost of \$2,788,749 and a non-recurring cost of \$122,841.

12

Budget (H1001)		35	
			Effective
Total ADAs:	17		July 2019: 9; July 2020: 7; July 2023: 1
Total Judges:	7		Jan 1, 2021
Total Deputy Clerks:	7		July 2019
Total Legal Assistants:	3		July 2019
Total Office of Juvenile Defender staff:	1		Oct 2019

13



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Juvenile Community Programs:

RtA JCPC and State Contract Service Expansion

14



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State Contract Service Expansion

- ▶ JJ funds:
 - JCPC programs,
 - Residential contractual programs, and
 - Community based contractual programs

15

JCPC Formula and Funding Priorities

- ▶ Increase base amount in each county
- ▶ With uncertainty of detention costs pursuant to RtA implementation:
 - No Match required on **Yr 1**
 - Reconsideration of match in **Yr 2**
- ▶ Equitable access to Restorative Justice

16

JCPC Expansion Funding Priorities

- ▶ Require access to Teen Court services in all 100 counties
- ▶ Prioritize funding for
 - Other restorative justice models
 - Capacity building for 16 and 17 year olds in new and existing program models
 - Services to support the School Justice Partnership initiative

17

Facility Plans

18

Facility Admissions

Across the board, there is projected, a 64% increase in the JJ system.

- ▶ YDCs
 - 62 youth (32.3% increase from 2018's 192 commitments)
 - 62 beds
 - Note that A-G's will transfer to the adult system
- ▶ DCS
 - 420 A-G admissions
 - +2,096 H-3 admissions
 - 2,516 admissions**
 - 106% increase
 - 211 beds (60 H-misd, 151 for A-G)



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19

19

Table 1
Detention Population Projections for 16- and 17-Year-Olds
Held at Complaint and Held for Transfer until Disposition and/or 18 Years¹

Fiscal Year End	Detention Population as of June 30			
	Held at Complaint Class H-3 Felonies, Misdemeanors	Held for Transfer Class A-G Felonies until: Disposition	Age 18	Combined Projections Juveniles Held until: Disposition
2019	n/a	n/a	n/a	n/a
2020	35	129	86	154
2021	60	226	151	286
2022	61	230	153	291
2023	62	235	155	297

Notes: Prepared in conjunction with the North Carolina Department of Public Safety's Division of Adult Correction and Juvenile Justice. The disposition scenario is based on juveniles held in detention until disposition, while the age 18 scenario is based on juveniles held in detention until their 18th birthday or disposition (whichever occurs first). SOURCES: NC Department of Public Safety, Division of Adult Correction and Juvenile Justice, FY 2018 ADC Charge Data (analyzed by the North Carolina Sentencing and Policy Advisory Commission).

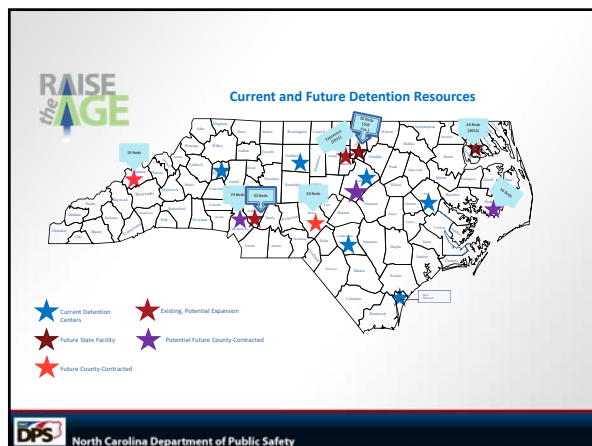
¹ Youth detained for other reasons (e.g., intermittent confinement, adjudicated delinquent awaiting placement) were not included in the projections.



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20

20



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21

Detention Beds

Detention Facility	Beds
CA Dillon	36 beds, 108 potential
Cabarrus Expansion (McWhorter)	32
Hyde	16
Madison	19
Mecklenburg	72
Moore	24
Perquimans (2021)	24

Note: Durham County will expand in 2021 to allow for greater bed capacity. Future Wake County detention beds are under consideration.

22

New Rockingham Youth Development Center (YDC): Feb 2022, 60 beds



23

YDC Programming

24

Core Programming Components

- ▶ Restorative Justice - emphasis on the five elements of accountability:
 - Understanding how your behavior affected others.
 - Acknowledging that you had some amount of choice in your behavior.
 - Understanding the impact of your actions.
 - Taking steps to repair the harm and make amends.
 - Making changes necessary to avoid such behavior in the future.
- ▶ Motivational Interviewing
 - Building rapport and relationships, eliciting change talk, and exploring ambivalence.
- ▶ Financial Literacy
 - Income, expenses, fines, budgeting, saving, delaying gratification.

25

Pilot Site and Current Status

- ▶ Edgecombe Youth Development Center (initial site)
 - July 2019, all Edgecombe YDC staff were trained in 3-hour orientation to Restorative Justice Philosophy and Circle Process
 - August 2019, twenty Edgecombe YDC staff successfully completed a 5-day intensive training in the Restorative Justice Circle and Meditation Process
 - All staff will complete 12-hour Motivational Interviewing training by the end of December 2019.
- ▶ One unit (16-beds) at Stonewall Jackson (2nd site)
 - Key staff members are participating in programming subcommittee meetings and small workgroup meetings at Edgecombe YDC.
 - Begin training staff in Restorative Justice and Motivational Interviewing early 2020.

26

Transportation

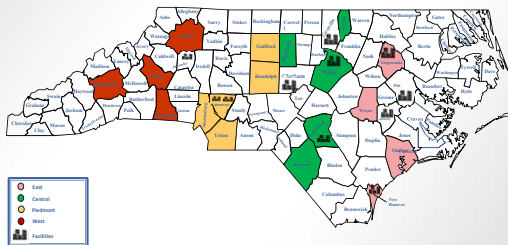
27

Juvenile Justice Transportation

- ▶ Effective 12/1/2019, Court Services will have 18 teams assigned to districts across the state
- ▶ Facilities will have 11 teams stationed at each state detention and YDC facility
- ▶ Facility teams can be utilized if assigned Court Services' Teams are unavailable
- ▶ Transportation positions posted by October 2019

28

Transportation Teams



29

CS Transportation Team Locations

County	District	Districts Served
Onslow	4	Districts 4, 5, 3, 8
New Hanover	5	Districts 5, 4, (and possibly 13)
Edgecombe	7	Districts 7, 6, 1, 2, 3
Wayne	8	Districts 8, 4, 3, 2
Vance	9	Districts 9, 15, 17
Wake	10	Districts 10, 11, 14
Cumberland	12	Districts 12, 11, 16
Alamance	15	Districts 15, 14, (and possibly 17, 18)
Robeson	16	Districts 16, 13, 12
Guilford	18	Districts 18, 21, 17
Randolph	19	Districts 19, 18, 20
Cabarrus	19	Districts 19, 21, 22, 26
Union	20	Districts 20, 22, (and possibly 26)
Mecklenburg	26	District 26
Wilkes	23	Districts 23, 24 (and possibly 22)
Burke	25	Districts 25, 27, 28
Cleveland	27	Districts 27, 29, 25
Buncombe	28	Districts 28, 29, 30, 24

30

Transportation

In accordance with 7B-1901(b), law enforcement may transport a juvenile to the nearest facility within **12 hours**, with the required paperwork:

- ▶ Need secure custody order & a petition
 - **and for ICJ youth**, secure custody order & a warrant/detainer/capias/PIN message (from NCIC)

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31

31

Secure Custody (G.S. 7B-1903):

The Court Counselor shall make confinement recommendations based upon the individual needs of the juvenile and the protection of the public. After petition, pre-adjudication, and Chief approval, any of the following may result in secure custody:

- ▶ Felony + danger to property/person
- ▶ Danger to person + misd w/ assault on person
- ▶ Danger to person + misd w/ weapon
- ▶ Danger to person + impaired driving (G.S. 20-138.1/.3)
- ▶ Failure to appear on delinq. charge/violation of PRS
- ▶ Reason to believe juvenile will not appear in court for delinq. charge
- ▶ Absconder from residential facility/detention
- ▶ 24-hour hold: For self protection (recently self inflicted physical injury) + refused admit by hospital
- ▶ 24-hour hold on runaway for assessment/reunification
- ▶ 24-hour undisciplined hold for failure to appear

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32

32

Considerations

Supervision History

Offense History

Physical,
Mental,
Chemical
Conditions

Age &
Trauma

Is release to
parent/LG
appropriate?

**Seriousness of
Offense**

- Aggravating Factors
- Mitigating Factors

Availability of
Community/
Alternative
Resources

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33

33

Transportation Monetary Assistance

- ▶ Reimbursement
 - Law Enforcement Officers (LEO) can continue to be reimbursed for assisting with transportation
 - Reimbursement rate is \$.58/per mile
 - Complete reimbursement form & mail it to the address listed at bottom of form


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34

34

Who does Law Enforcement Call for Transportation?

- ▶ Call the Court Services' Office or on-call staff (after hours) for transportation assistance
- ▶ Court Services' staff will submit request to Juvenile Justice Transportation Coordinator
- ▶ Transportation Coordinator will contact closest team for transport
- ▶ Will continue to need proper paperwork to release juvenile to a Detention Center
- ▶ When transportation teams are not available, Court Services staff will assist as needed
- ▶ Transport will be to the nearest facility


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35

35

Status Updates


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36

36

School-Justice Partnerships

Effective July 1, 2017

- G.S. 7A-343(9g) authorized statewide implementation of school-justice partnerships by AOC Director
- **Chief Court Counselors** are working with judges to facilitate SJPs, including providing state, district, and county data

37

Greater Protections for Victims

Implemented Oct. 1, 2017

Victims

- Notified of filing decision, reasons for the decision, and whether matter was closed, diverted, or retained;
- Notified of right to have prosecutor review filing decision under amended G.S. 7B-1704 and G.S. 7B-1705; and
- Under new G.S. 143B-806(b)(14a), JJ developed system for informing victims about status of pending complaints and right to review the filing decision.

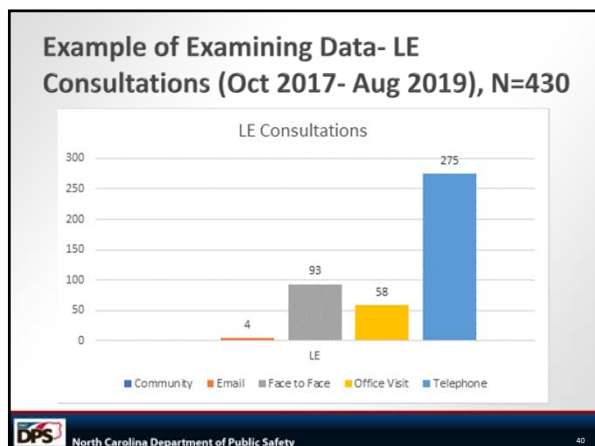
38

Greater LEO Access to Information

Implemented Oct. 1, 2017

- JJ tracks “**consultations with law enforcement**” that do not result in the filing of a petition per amended 7B-3001(a)
- Duty to share info. applies to:
 - Juvenile’s delinquency record & consultations with LEO’s
 - When requested for the purpose of assisting LEO’s during the investigation of an incident that could lead to the filing of a complaint
- **Certain Limitations Apply:**
 - LEO’s may not obtain records from JCC’s
 - LEO’s must maintain confidentiality of any information shared

39

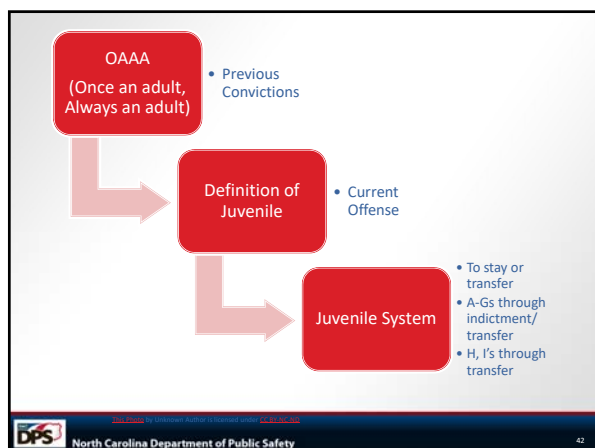


40

The Process...

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41



42

CJLEADS

- ▶ Law enforcement can consult with a Court Counselor to identify OAAA excluded juveniles
- ▶ CCs will use CJLEADS to check for prior convictions
 - MV offense history access rolled out beginning Aug 2019
- ▶ LE can also use CJLEADS to ID alternative resources in the community (i.e., service directory)

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43

43

Policy

- JJ is implementing policies to further reduce crime
 - Re-entry Programming
 - Service Matching/Typologies
 - Service Directory

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44

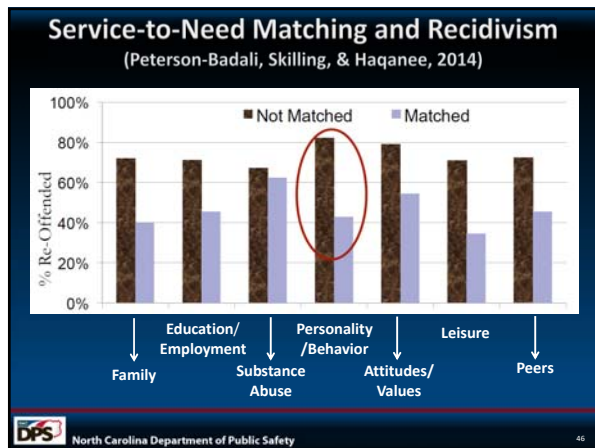
44

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Service Directory for CJLEADS Users

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45

45



46

Why Use the Juvenile Justice Service Directory?

- Direct referral of a youth/family to a program or service in lieu of filing a juvenile complaint
- Information sharing to people in need of programs and services

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47

Accessing the JJ Service Directory

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48

Search Filters

- ▶ Program Name
- ▶ Youth's Age
- ▶ County Served
- ▶ Problem Area(s) Addressed
- ▶ Sub-problem Areas Addressed


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49

49

When will CJLEADS users be able to use the directory?

NOW!

Friday, September 13th
It is ready and available for use by all with CJLEADS access!


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50

50

Training is being offered...

- ▶ Justice Academy Video
- ▶ NCDPS Video of this training
- ▶ Clerks training Aug 21-23
- ▶ Conference of DA's training Sept 13
- ▶ NCLEAN (law enforcement accreditation network) conference Sept. 30
- ▶ Magistrates training Oct 7-10
- ▶ NC Association of Police and Sheriffs Attorneys conference Oct 14
- ▶ District Court Judges fall conference Oct. 16
- ▶ Superior Court judges fall conference Oct. 16
- ▶ NCCODA fall conference Oct. 17
- ▶ Juvenile Justice Reinvestment Act Seminar for Judges Nov. 18-19
- ▶ Defenders' Office is also offering training opportunities
- ▶ Some localities are conducting scenario based workshops with police, school, DA, and others.




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51

51

Other States' experiences

52

Connecticut:

- ▶ “Raise the Age” has proven to be good fiscal and public safety policy. Concerns about large numbers of older juveniles and their associated costs straining juvenile justice systems have not come to pass, and juvenile crime has continued to decline.

-Campaign for Youth Justice, June 7, 2016

53

Other States' Experiences

- ▶ **Connecticut -2010**
 - Fewer <=12 year olds
 - Few resulting commitments
 - Better behavior in facilities by older population
- ▶ **Illinois- 2010**
 - Overall crime and complaints decreased
 - Increased use of diversion
- ▶ **Mississippi- 2010**
 - Overall crime and complaints decreased

Age at Disposition in the juvenile justice system – demographics:

Year	2008	2009	2010	2011	2012
% of 17 year-olds and older	19	18	21	21	24
Total number of juveniles	18,535	17,539	16,584	14,568	14,690

-21%

54

Other States Experiences

► Massachusetts -2013

- Saw about half of the number projected for facility admissions and commitments

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55

55

Questions? Send them to:

RaiseTheAgeNC@ncdps.gov

Materials & Training Video:

<https://www.sog.unc.edu/resources/microsites/juvenile-law/resources-and-links-raise-age>



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56

56
