



Raise the Age Update

William L. Lassiter, Deputy Secretary for Juvenile Justice

October 29, 2021

Future

- ▶ Racial equity training for all JJ staff and program providers
- ▶ Discussions with General Assembly of capacity evaluations
- ▶ School based offenses dashboard (public-facing on Nov. 1, 2021)
- ▶ Gun violence and crimes

School Safety

- ▶ August School Safety Summit
- ▶ Governor's School Safety Task Force
- ▶ Intersection with TREC

Equity Projects & Goals

- ▶ Cumberland County & JJ Collaboration: 1 of 5 jurisdictions selected for Breakthrough Series Collaborative (BSC)
 - Began 10/26/21
 - 18-month program (intensive training to reduce racial and ethnic disparities.
 - Supported by Georgetown University McCourt School of Public Policy Center for Juvenile Justice Reform (CJJR) in partnership with the Center for Children's Law and Policy (CCLP).
 - Team goals:
 - chart pathways and processes that lead to youth justice involvement;
 - identify key decision points that create disparities
 - test practices and processes that advance community based services and supports

- ▶ GCC match waiver request approved
 - Effective October 8, 2021
 - Waiving match requirements for all Title II funded JJ (open and future) subawards for the duration of the pandemic plus one year after the date of the end of the national emergency.
 - Allows for more community stakeholders to be included in the racial and ethnic disparities training, specifically school resource officers and school personnel.

S207 Training

- ▶ Trained half of JJ managers on S207 to prepare for Dec 1, 2021 implementation
- ▶ Remaining managers will be trained in November 2021

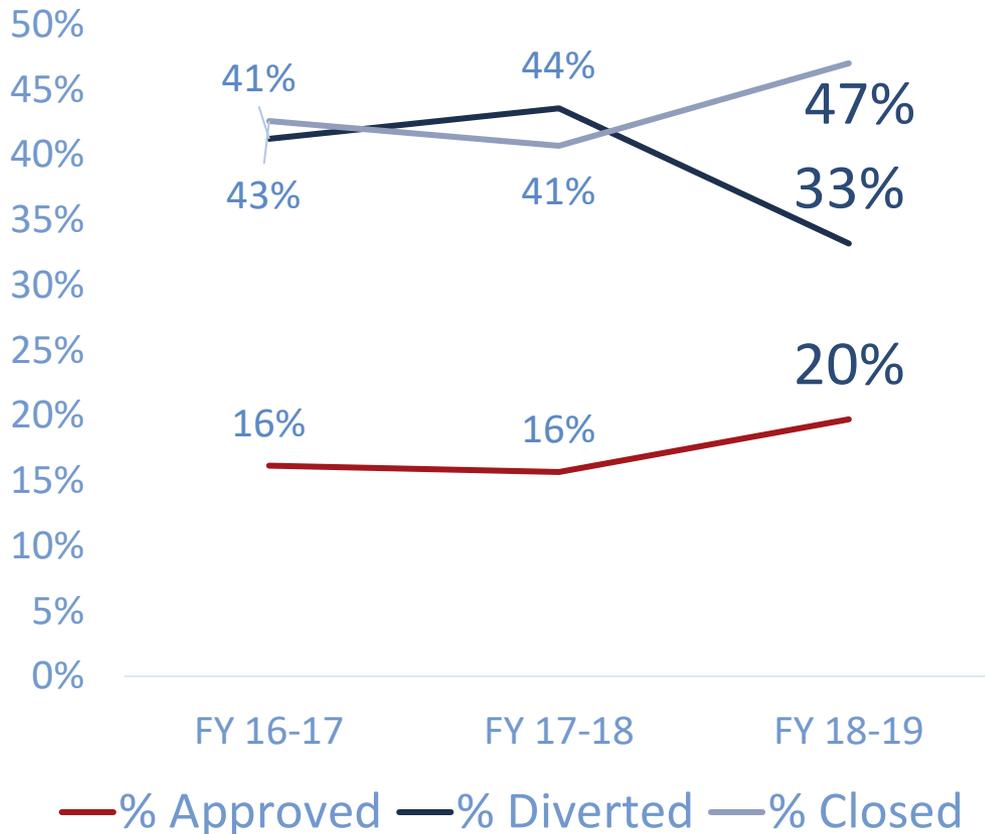
Complaints Received & Distinct Juveniles

For the three fiscal years between FY 16-17 and FY 18-19:

- ▶ **1,147 youth** ages 6-9 received **2,101 complaints**.
 - 3% of these complaints were for Class A-G offenses.
 - 7% were for status offenses. -> **S207** removes

Intake Decisions for 6-9 year olds

Complaints by Decision - Percentage



- ▶ In every year reviewed, at least 80% of complaints were either closed or diverted at intake.
- ▶ 42 youth were placed on probation supervision across all included fiscal years, and 12 were placed on protective supervision.
- ▶ There were no detention admissions.

Serious Offenses

- ▶ **Between FY 16-17 and FY 18-19, 29 distinct juveniles ages 6 through 9 presented with 58 A-G complaints.**
 - 3 complaints were closed at intake and 2 were diverted at intake.
 - Neither diversion resulted in a post-diversion approval.
 - The remaining 53 complaints were approved for court.
 - Of these 53, 45 were dismissed and 8 were adjudicated.
 - All 8 adjudications, received for 6 distinct juveniles, were sex offenses.

RtA Implementation Update

- ▶ More 16 & 17 year olds are being served through Juvenile Community Programs
- ▶ With school back in session, the number of complaints and associated juveniles is rising
- ▶ September 2021 was the highest month of Class H-3 juveniles seen since RtA implementation.
- ▶ From January 2020 through September 2021, the ADP increased 40% in juvenile detention
- ▶ Length of stay in detention is increasing. On October 1, 2021, the average length of stay for Transfer to Superior Court youth in detention was 180 days.

State Juvenile Firearm Offenses Trend

6,894 juvenile firearm offenses were received in the past 3 years by Juvenile Justice of which 5% of those were school based incidents.

Juvenile firearm complaints filed FY 20/21

2,381 Class A-E (violent) felonies

1,171 class H felonies- class 3 misdemeanor



State Juvenile Firearm Offenses

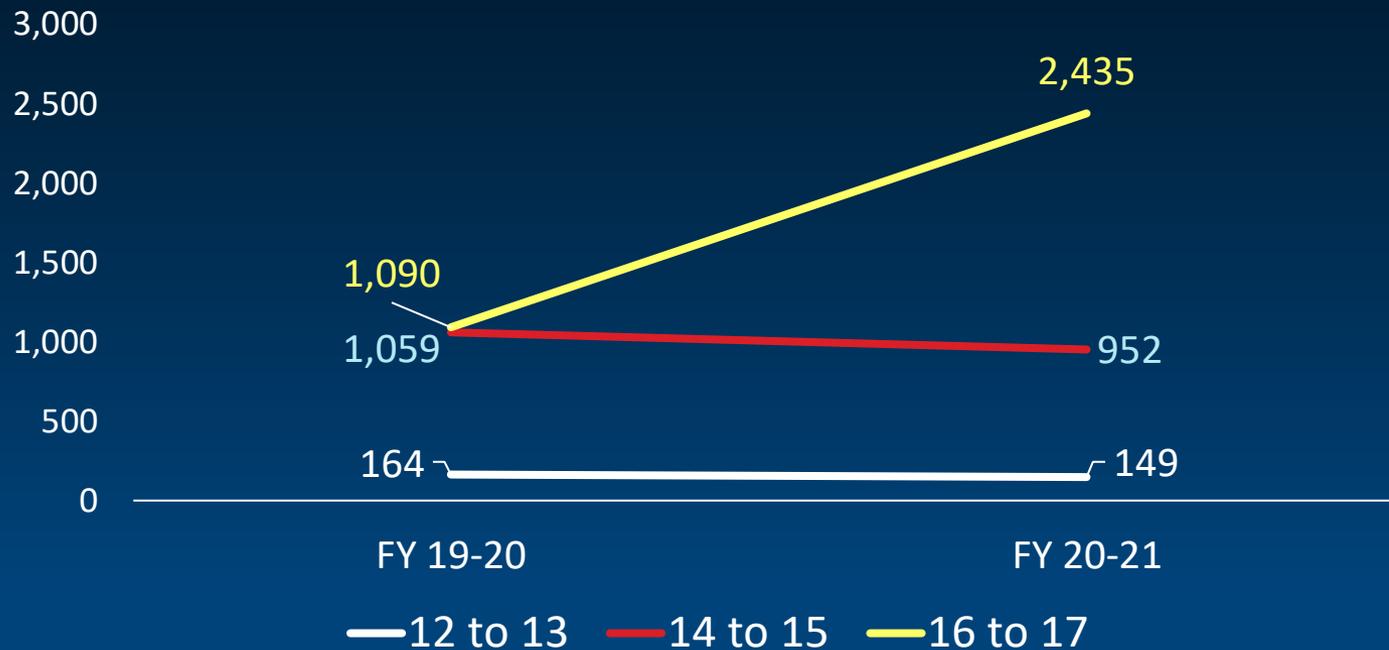
| Charged Type & Class | Charged Offense | FY 20-21 |
|-------------------------|---|------------|
| Felony Class D/E | Robbery with dangerous weapon | 524 |
| Misdemeanor Class 1 | Possess handgun by minor | 591 |
| Felony Class H/I | Larceny of a firearm | 379 |
| Felony Class H/I | Possess stolen firearm | 251 |
| Misdemeanor Class 2 | Carrying concealed gun | 208 |
| Felony Class A-C | Attempted, conspiracy or first-degree murder | 162 |



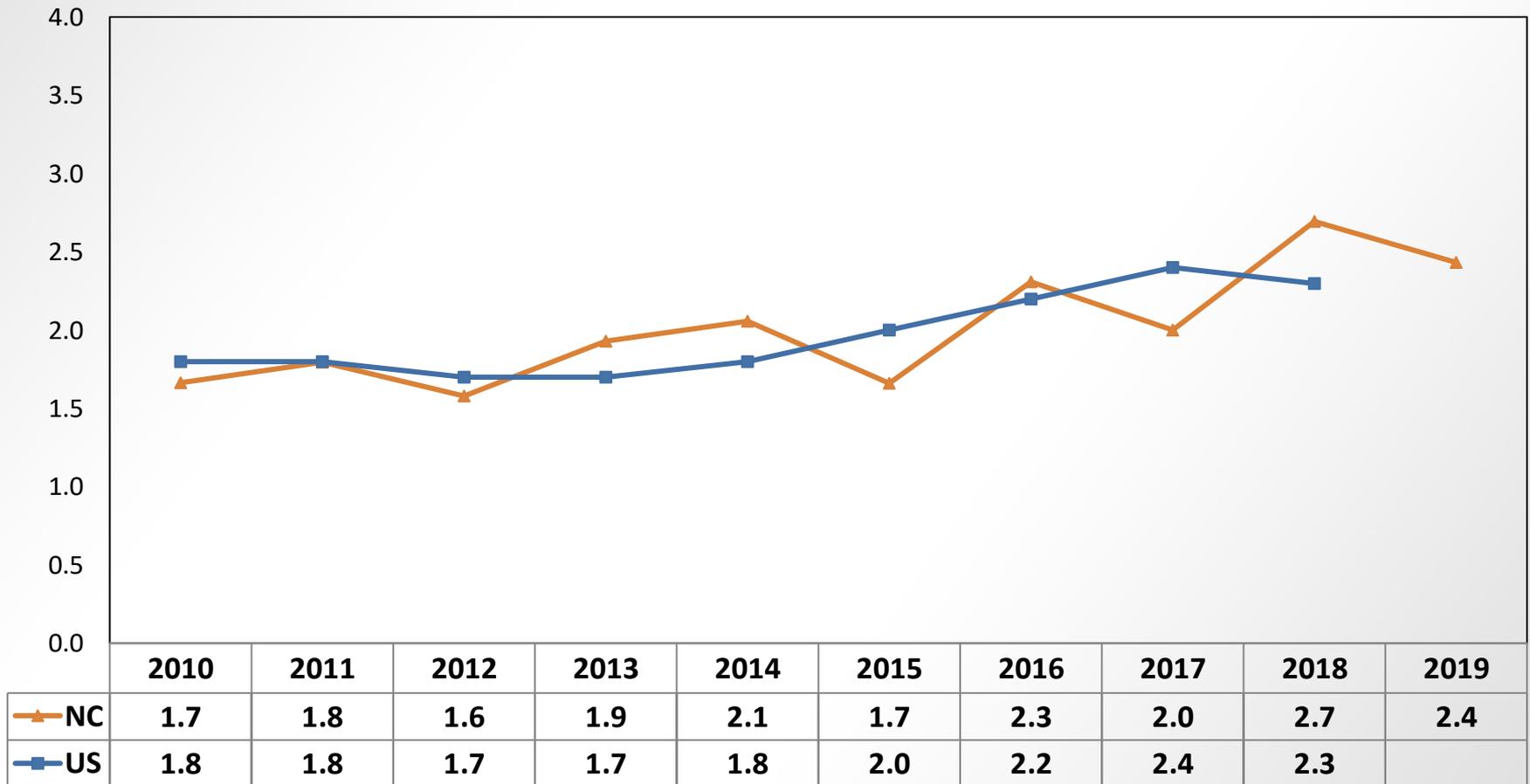
State Juvenile Firearm Offenses by Age

Juveniles ages 16 or 17 at offense were responsible for 60% of firearm offenses in FY 19-20 and FY 20-21.

*FY 18-19 excluded which was prior to RtA
FY 19-20 includes 7 months of RtA, and FY 20-21 includes a full year of RtA*



Firearm-related Mortality Rates*, Children Ages 0 to 17: NC & US, 2010-2019



* Firearm deaths included the following ICD-codes : Unintentional W32-W34; Suicide X72-X74 , Homicide X93-X95, U014, Undetermined Y22-Y24

Source: NC State Center for Health Statistics & National Center for Health Statistics

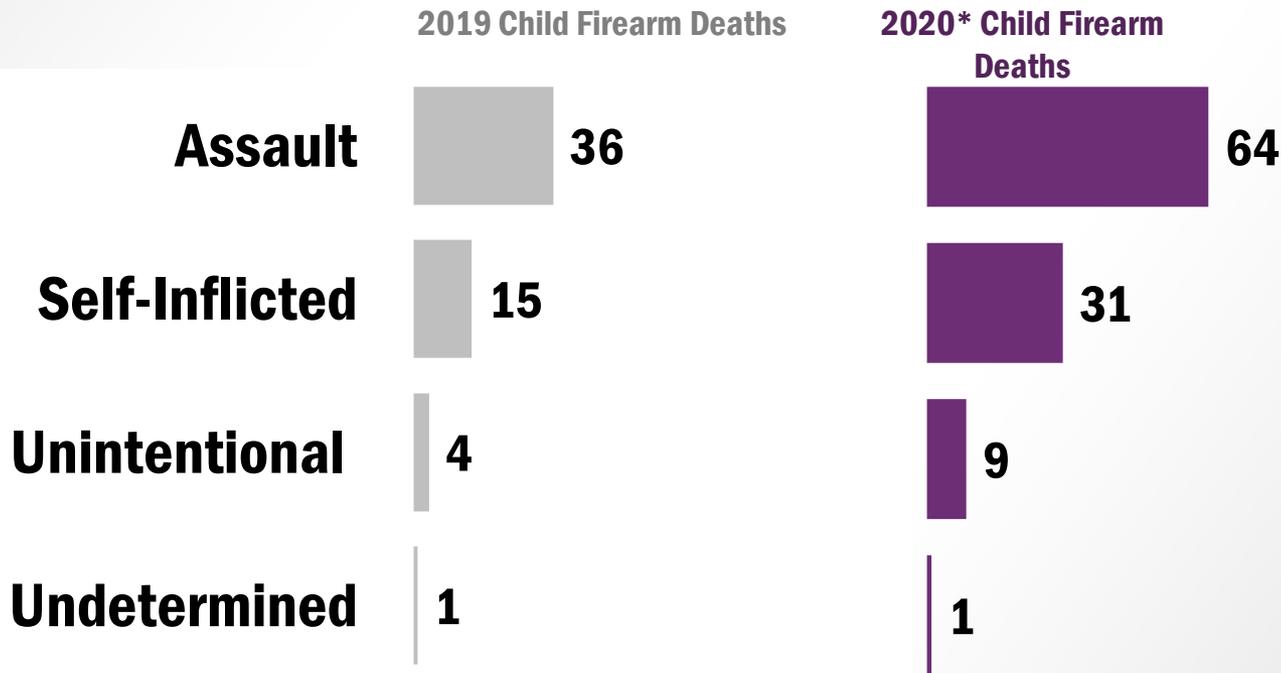
* Deaths per 100,000

Children Ages 0-17



[Presented to Task Force on 9/20/21]

Child firearm deaths **increased by 88%** in 2020 Most deaths were homicides followed by suicides.

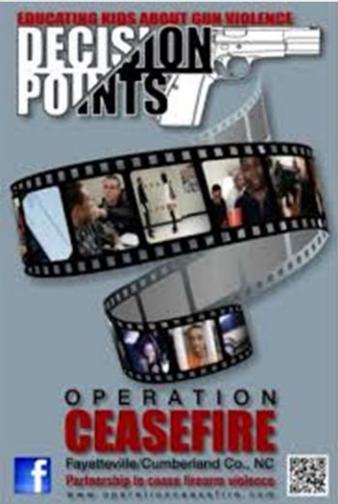


Total Child Firearm Deaths: 2019 n=56; 2020 n=105

*2020 Provisional Data as of 9/1/2021; Data limited to North Carolina residents ages 0-17

Source: NC State Center for Health Statistics Death Certificate Data, 2019-2020

EKG Program



- ▶ Educating Kids about Gun Violence
- ▶ In 2015, Educating Kids about Gun Violence received the Program of the Year Award from the North Carolina Gang Investigators Association.
- ▶ EKG was also selected as a semi-finalist for the International Association of Chiefs of Police Webber Seavey Award
- ▶ In 2018, the EKG Program was presented nationally at the Department of Justice-Project Safe Neighborhoods Conference in Kansas City, MO.



EKG Curriculum

- ▶ Educating Kids about Gun Violence
- ▶ The program is a two-hour interactive classroom curriculum.
- ▶ The program must be facilitated by a trained EKG Team member
- ▶ The kit includes (DVD and thumb drive) photographs, case scenarios, personal stories, and small group discussions to educate students about the medical, legal and emotional consequences of gun possession, gun related violence and the positive alternatives available.

HB 427 Firearm Safe Storage Awareness Initiative.

- ▶ Passed the House almost unanimously and was included in the House Budget
- ▶ Firearm Safe Storage Awareness Initiative. – The Department of Health and Human Services (Department) shall launch a two-year statewide firearm safe storage awareness initiative to educate the public about the importance of the safe storage of firearms and to facilitate the distribution of gun locks.

HB 427

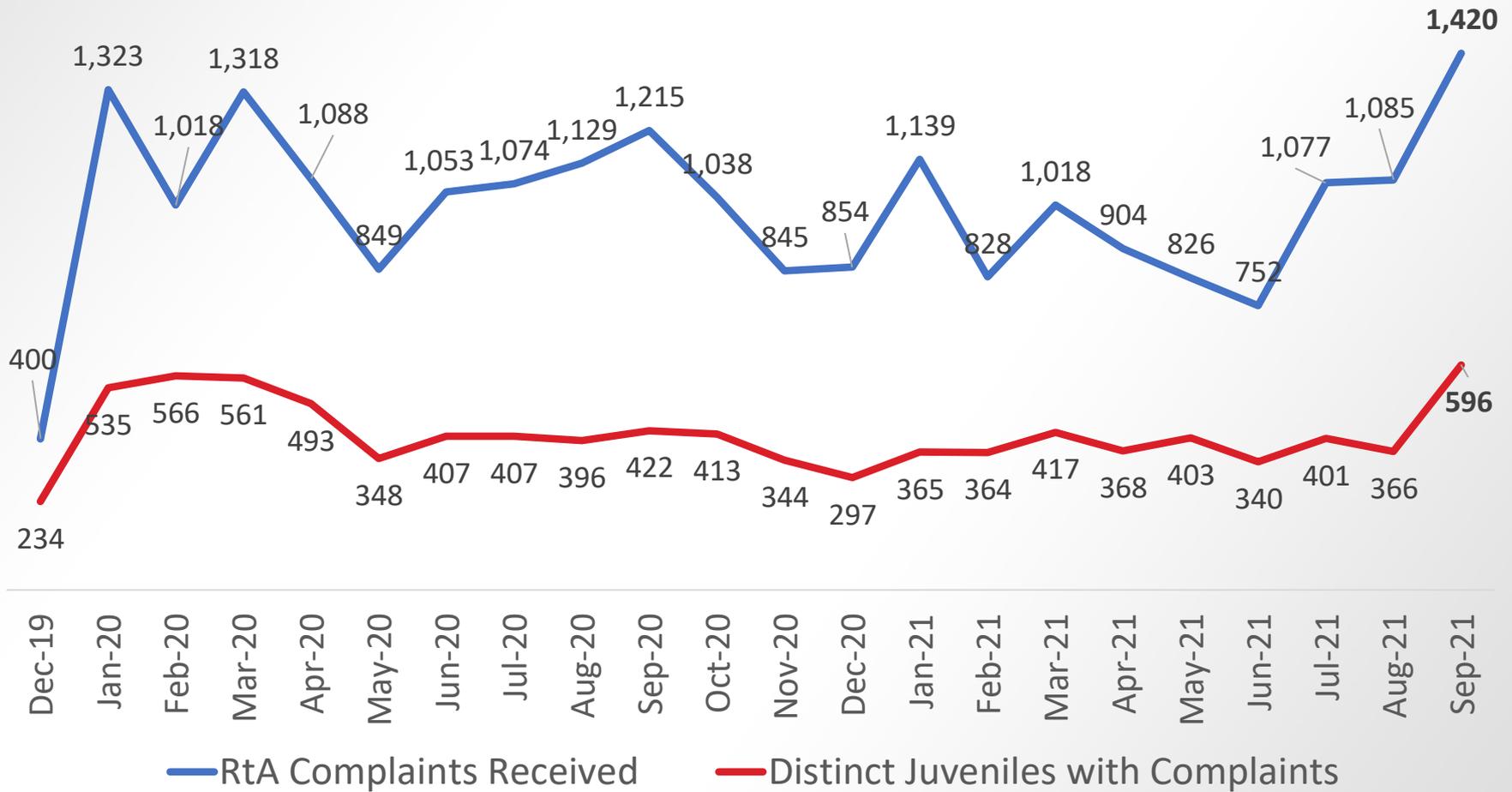
- ▶ SECTION 6. Appropriation. –
 - (\$86,500) in nonrecurring funds for the 2021-2022 fiscal year (\$69,200) in nonrecurring funds for the 2022-2023 fiscal year to be used to cover any costs associated with launching the firearm safe storage awareness initiative required under Section 1 of this act, including the purchase and distribution of gun locks.

Community Programs

- ▶ Admissions of youth aged 16 and 17 to Community Programs has increased 11% (FY 20 to FY21)

| <u>Funding Source</u> | <u>FY 19-20</u> | <u>FY 20-21</u> |
|--|-----------------|-----------------|
| Community Based Contractual Services | 101 | 98 |
| Intensive Intervention | 32 | 67 |
| JCPC Alternatives to Commitment Programs | 15 | 36 |
| JCPC Funds | 3,107 | 3,298 |
| JCPC Level II Dispositional Alternatives | 28 | 68 |
| Residential Contractual Services | 119 | 217 |
| WA Multi-Purpose JCAC | 7 | 9 |
| Total | 3,409 | 3,793 |

RtA Complaints Received and Distinct Juveniles by Month



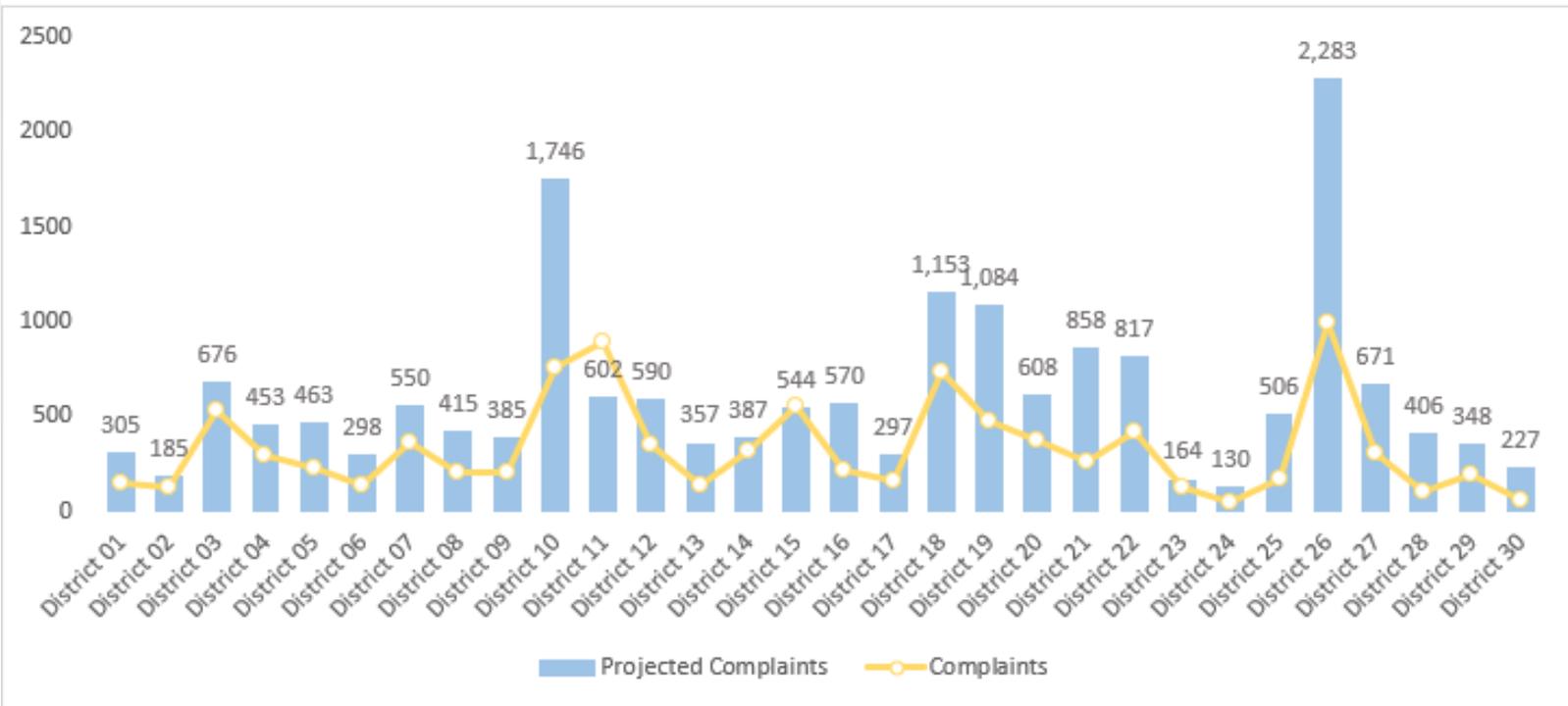
Partial Year 2: Dec 2020 - Sep 2021

RTA Complaints Year 2

RTA Complaints

| Total Complaints | A to G Complaints | H to 3 Complaints |
|----------------------------------|--|---|
| 9,903 | 1,107 | 8,796 |
| RTA Projected Complaints: 18,078 | RTA Projected A to G Complaints: 1,035 | RTA Projected H to 3 Complaints: 17,043 |

RTA Complaints by District



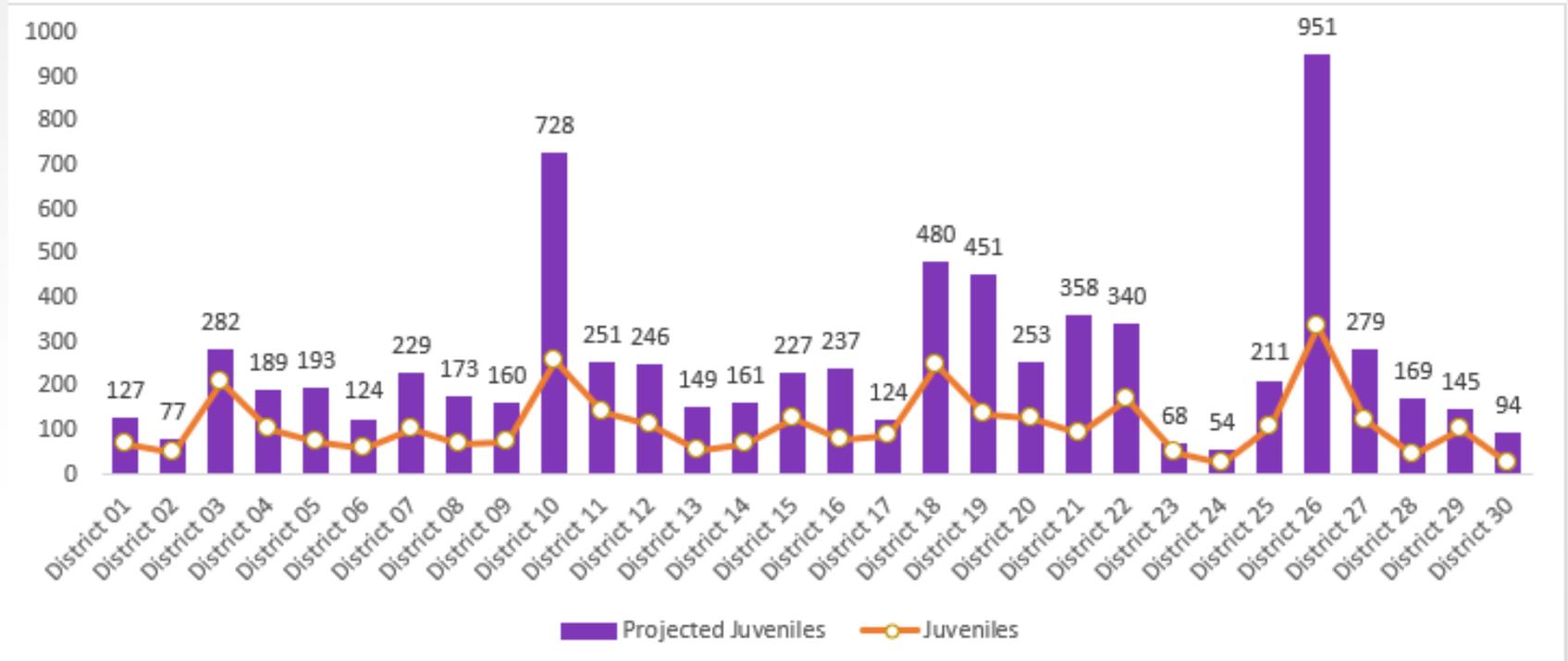
Partial Year 2: Dec 2020 - Sep 2021

RTA Juveniles Year 2

RTA Juveniles

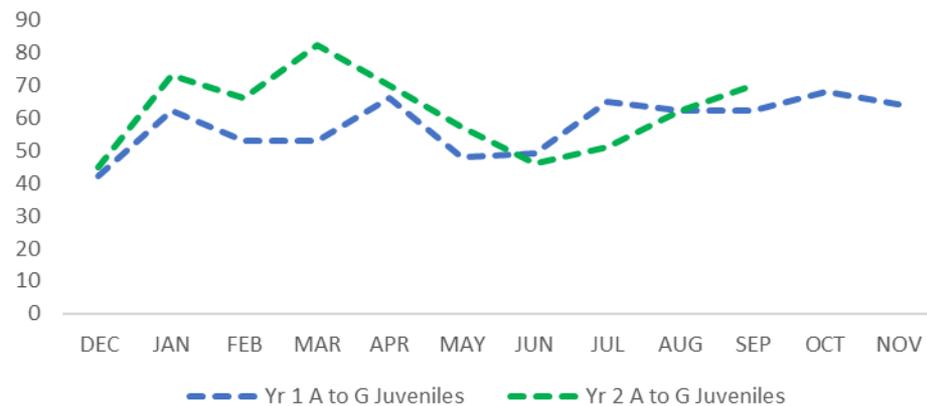
| Total Juveniles | A to G Juveniles | H to 3 Juveniles |
|--------------------------------|-------------------------------------|---------------------------------------|
| 3,206 | 549 | 2,990 |
| RTA Projected Juveniles: 7,533 | RTA Projected A to G Juveniles: 431 | RTA Projected H to 3 Juveniles: 7,102 |

RTA Juveniles by District

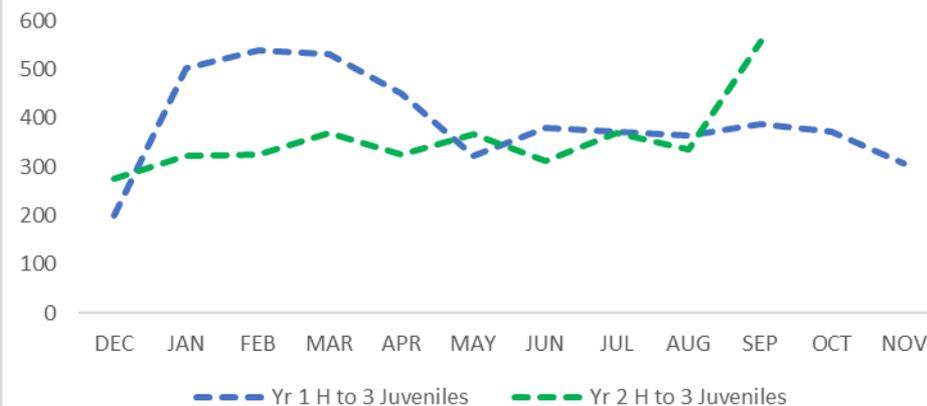


RtA Complaints Received and Distinct Juveniles by Month – Year 1 vs Year 2 to-date

RtA A to G Juveniles
Year 1 vs Year 2



RtA H to 3 Juveniles
Year 1 vs Year 2



Slightly higher number of A-G juveniles and H-3 juveniles compared to year 1. September 2021 was the highest month of H-3 juveniles seen since RtA implementation.

Class A-G Felony Complaints

In FY 20-21 there were 657 distinct juveniles age 16/17 at offense, charged with 1,330 A-G felony complaints (2.02 complaints per juvenile)

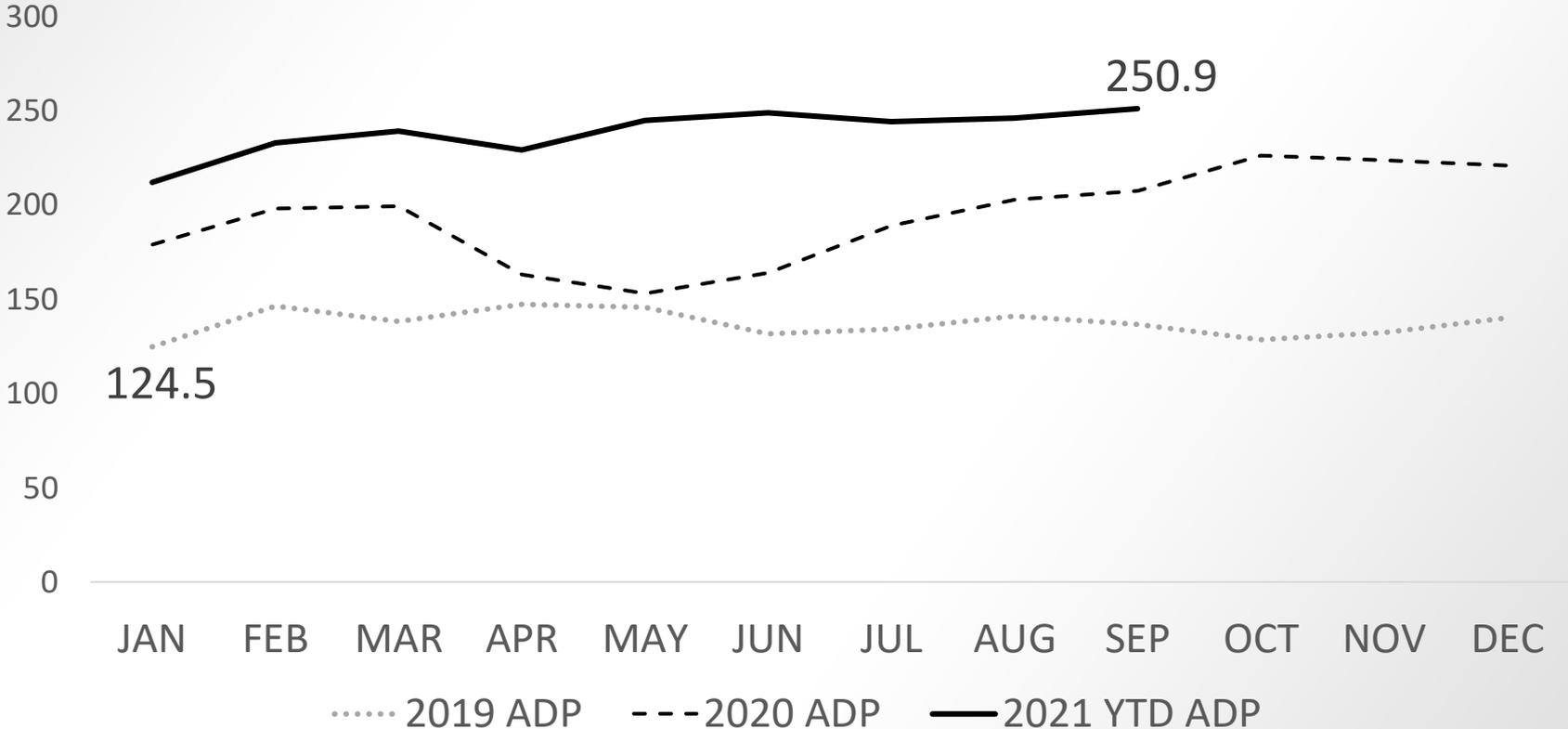
- ▶ Of the A-C complaints with a court outcome -
 - 35% 16 year-olds; 65% 17 year-olds
 - 76% have been Transferred to Superior Court as of 10/19/21
- ▶ Of the D-G complaints with a court outcome -
 - 44% 16 year-olds; 56% 17 year-olds
 - 52% have been Transferred to Superior Court as of 10/19/21 (at least 66% of these were non-divertible)
- ▶ Of D-G complaints/juveniles who did not have an accompanying Class A-C offense at intake –
 - 38% of the intakes were detained in juvenile detention within 8 days
 - Most common detaining offense – Robbery with a dangerous weapon (46% of admissions)

DETENTION

AVERAGE DAILY POPULATION (ADP) by Month

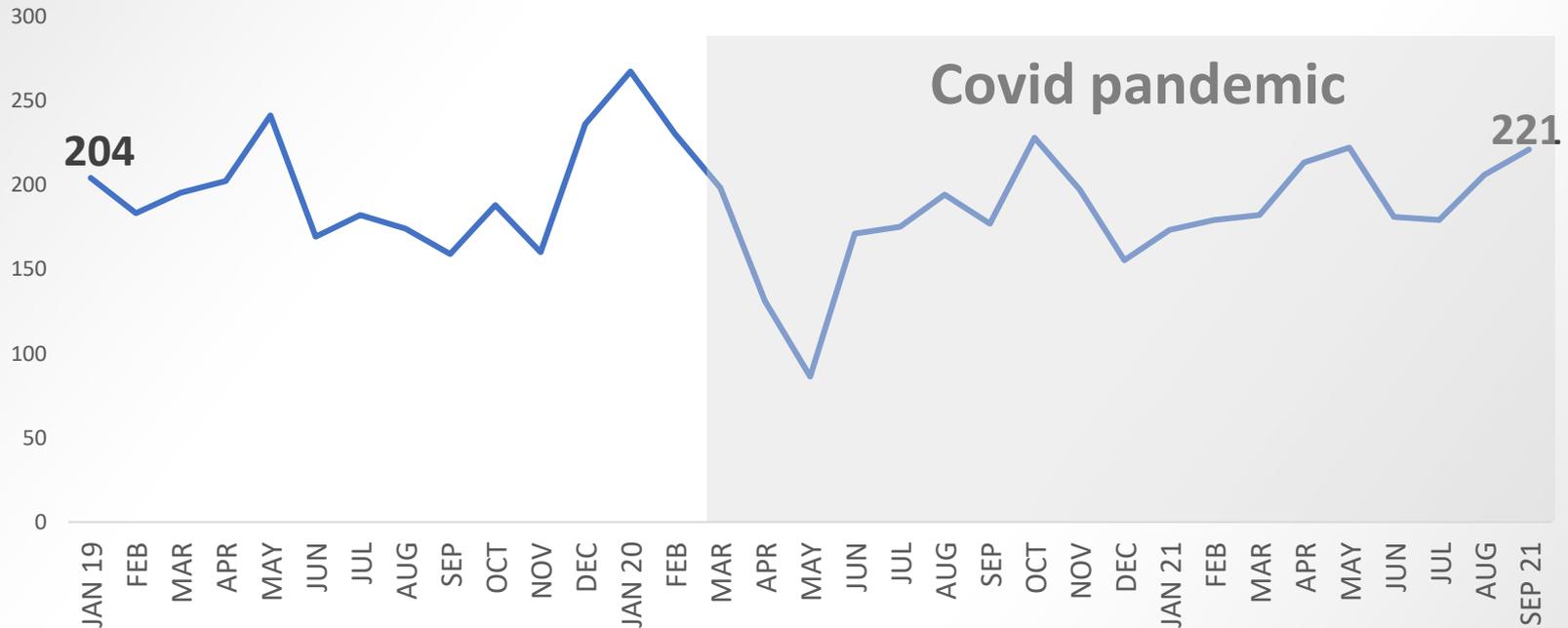
- From January 2020 through September 2021, the ADP increased 40%

Jan 2019 - Sep 2021



DETENTION ADMISSIONS by Month

Jan 2019 - Sep 2021

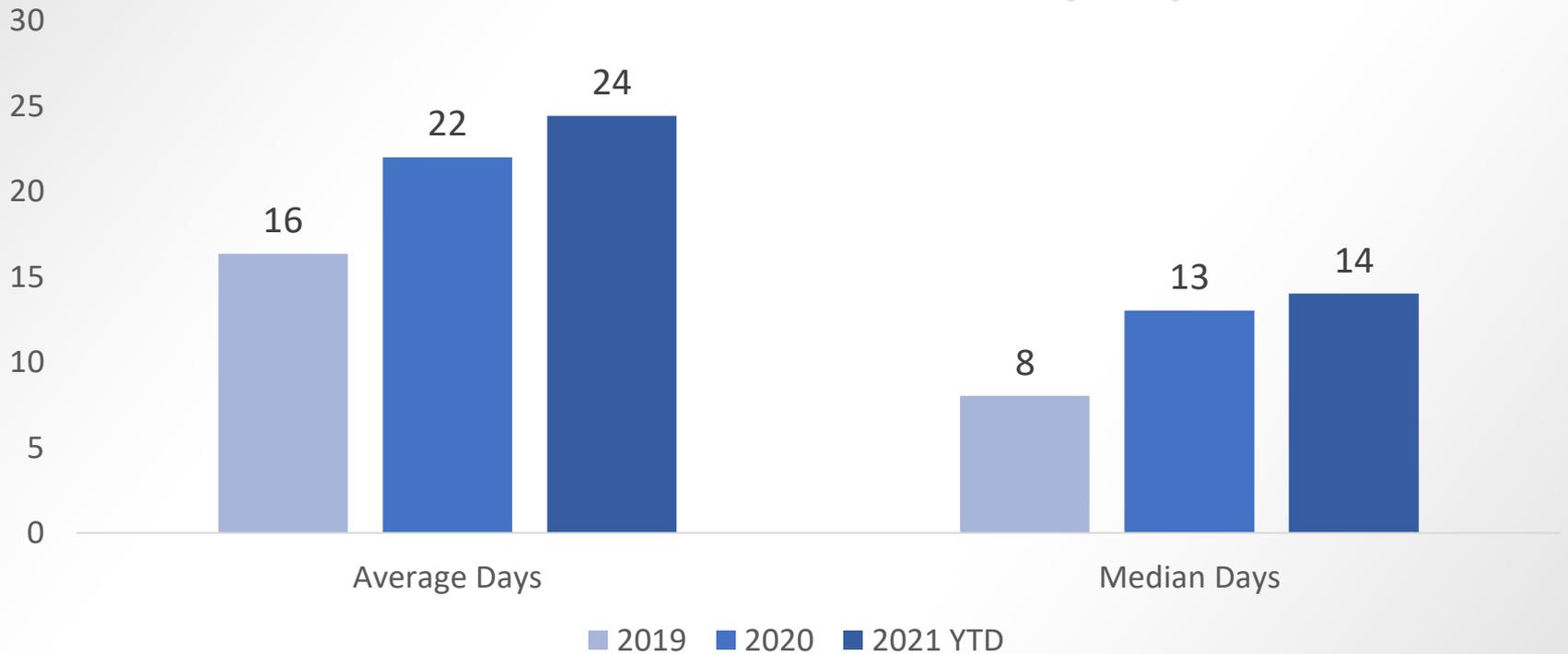


There is a slight increase (+8%) in detention admissions YTD 2020 vs 2021.

The average # of admissions per month is close to the same so far in 2021 as it was in 2019 (191 to 195).

DETENTION EXITS: Non-Transfers to Superior Court

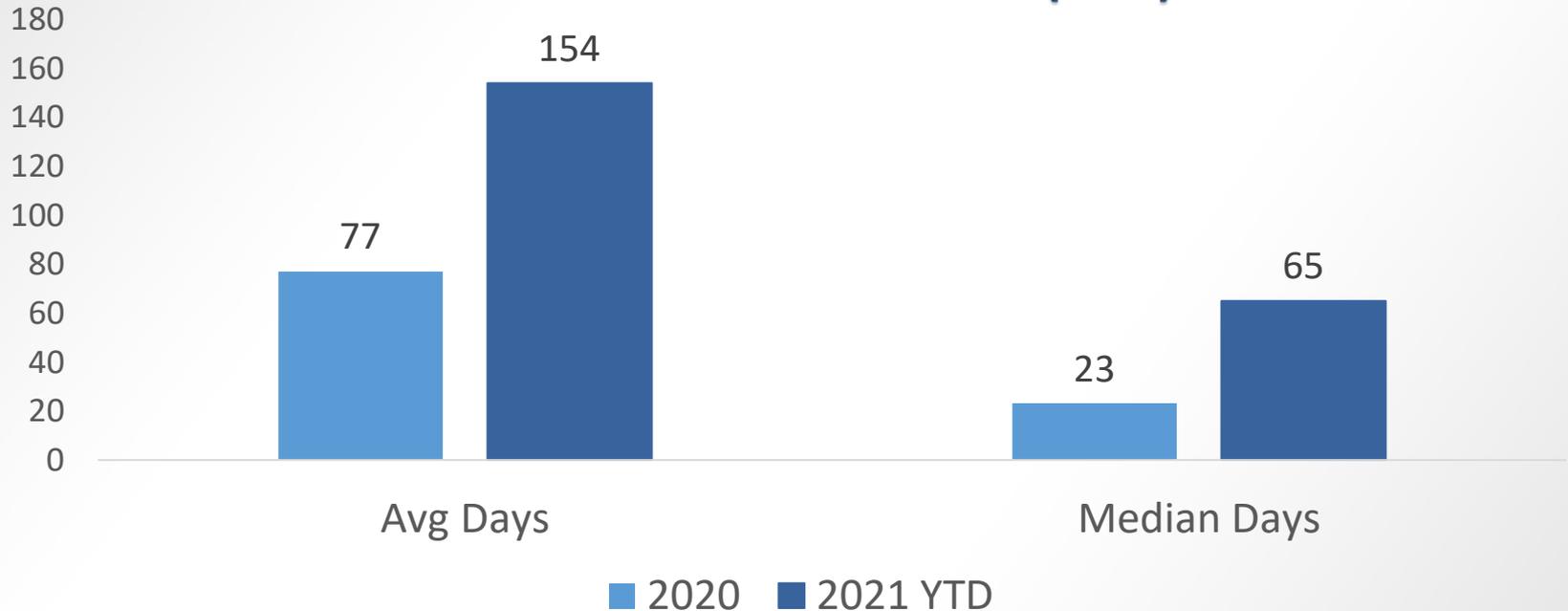
AVERAGE LENGTH OF STAY (LOS)



For all juveniles who were not Transfers to Superior Court, the average and median lengths of stay have increased.

DETENTION EXITS: Transfer to Superior Court

AVERAGE LENGTH OF STAY (LOS)

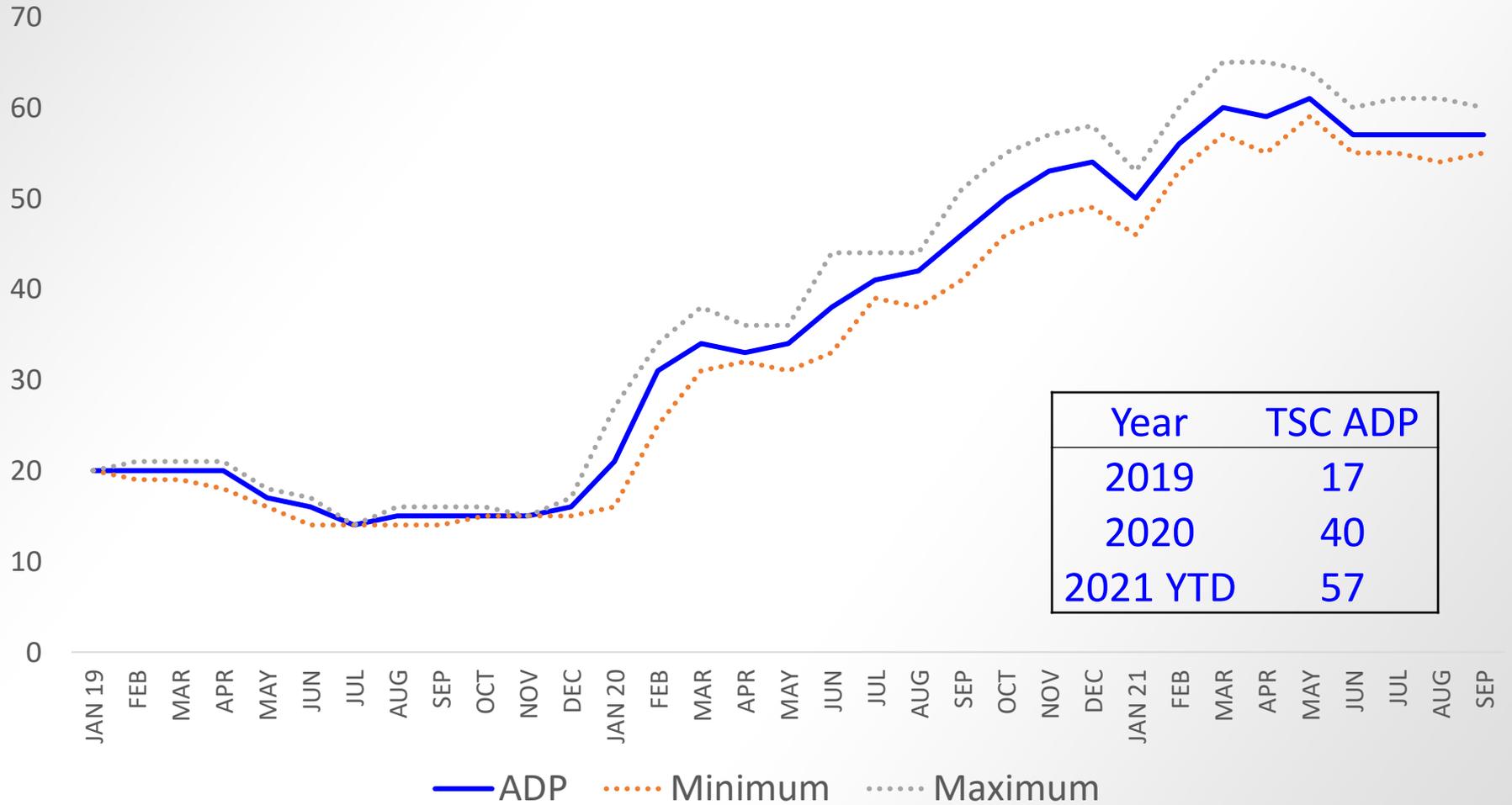


For juveniles who were Transfers to Superior Court, the average and median lengths of stay have increased.

On October 1, 2021, the average length of stay for TSC youth in detention was 180 days (n=58 youth).

DETENTION: Transfer to Superior Court

ADP, Minimum and Maximum Population



| Year | TSC ADP |
|----------|---------|
| 2019 | 17 |
| 2020 | 40 |
| 2021 YTD | 57 |



Transfers to Superior Court

- Since Dec. 1, 2019, 530 juveniles* have been transferred to Superior Court
- 51% of transferred juveniles have been admitted to detention
- In detention, transfers to superior court consist of approximately 25% of the population
- Since October 2020, the transfers to superior court average daily population has been 50 transferees or higher
- Since Dec. 1, 2019, an average of 24 juveniles a month are being transferred
 - Jan – Sep 2020 average per month: 23.0
 - Jan – Sep 2021 average per month: 26.7

*have a juvenile complaint that was moved into transferred status

Transfers to Superior Court

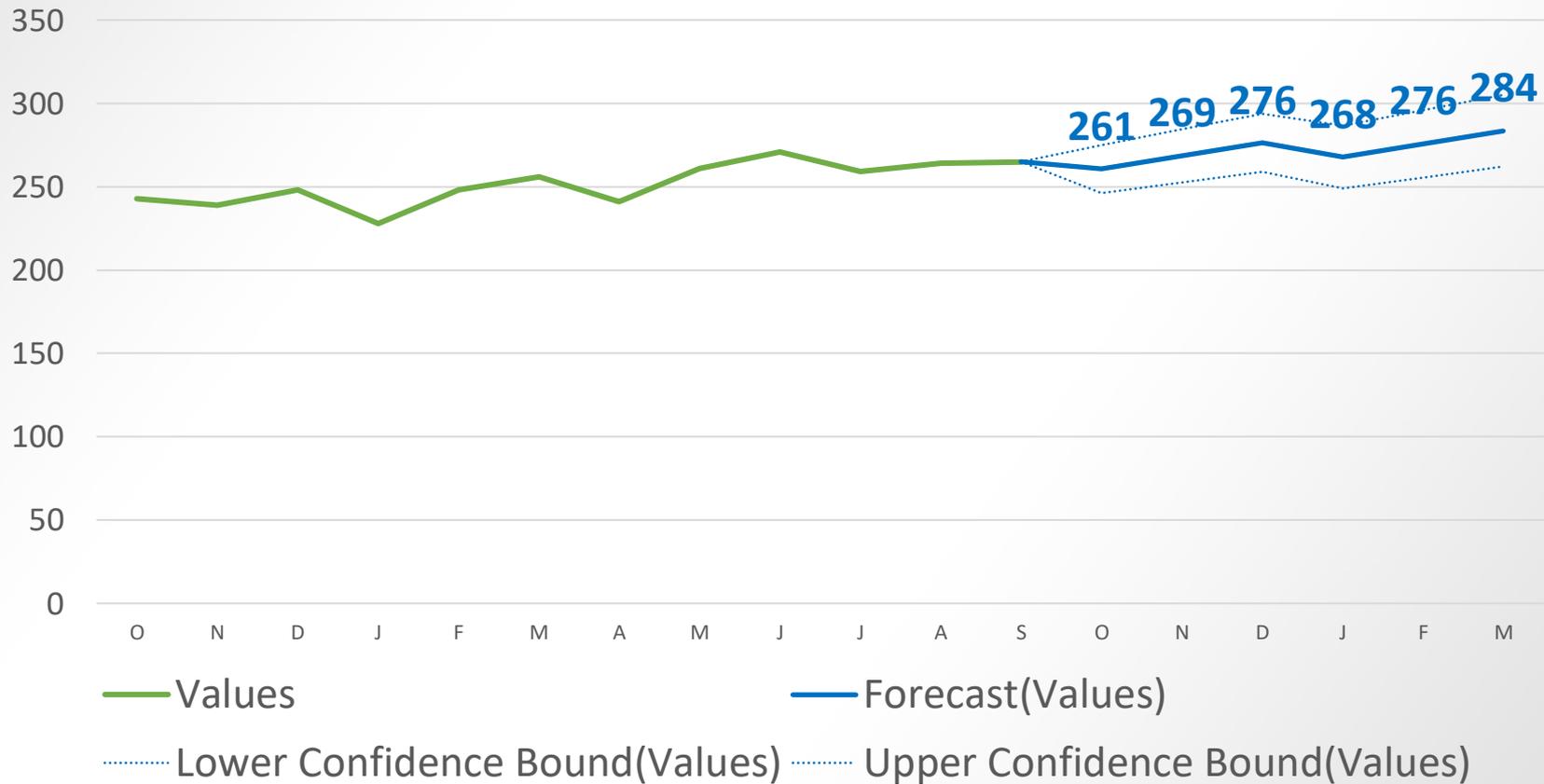
- ▶ 25% first degree murder; 27% robbery with a dangerous weapon
- ▶ 51% go to detention
 - 97% are male
 - 76% are Black or African-American
 - 40% bond out
 - 16% from Mecklenburg; 11% from Forsyth

6-Month Projection

6-Month Detention Maximum Population Projection

Baseline: Oct 2020-Sep 2021 (First 12)

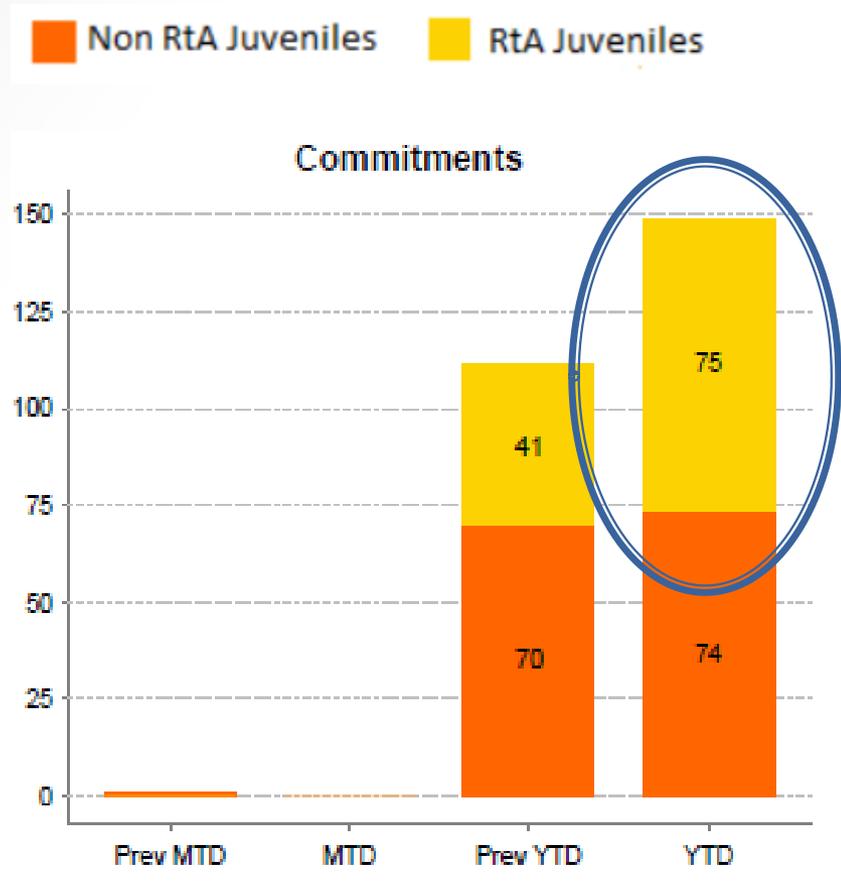
Projection: Oct 2021-Mar 2022 (Last 6)



Remands in FY 20-21

- ▶ 35 Total Juveniles with Reverse Waiver in FY 20-21
- ▶ Most frequent charged class is class D (13), followed by class C (9)
- ▶ 17 Black/AA Males; 9 White Males; 5 Hispanic/Latino Males; All other <5

YDC Commitments as of Oct 1, 2021

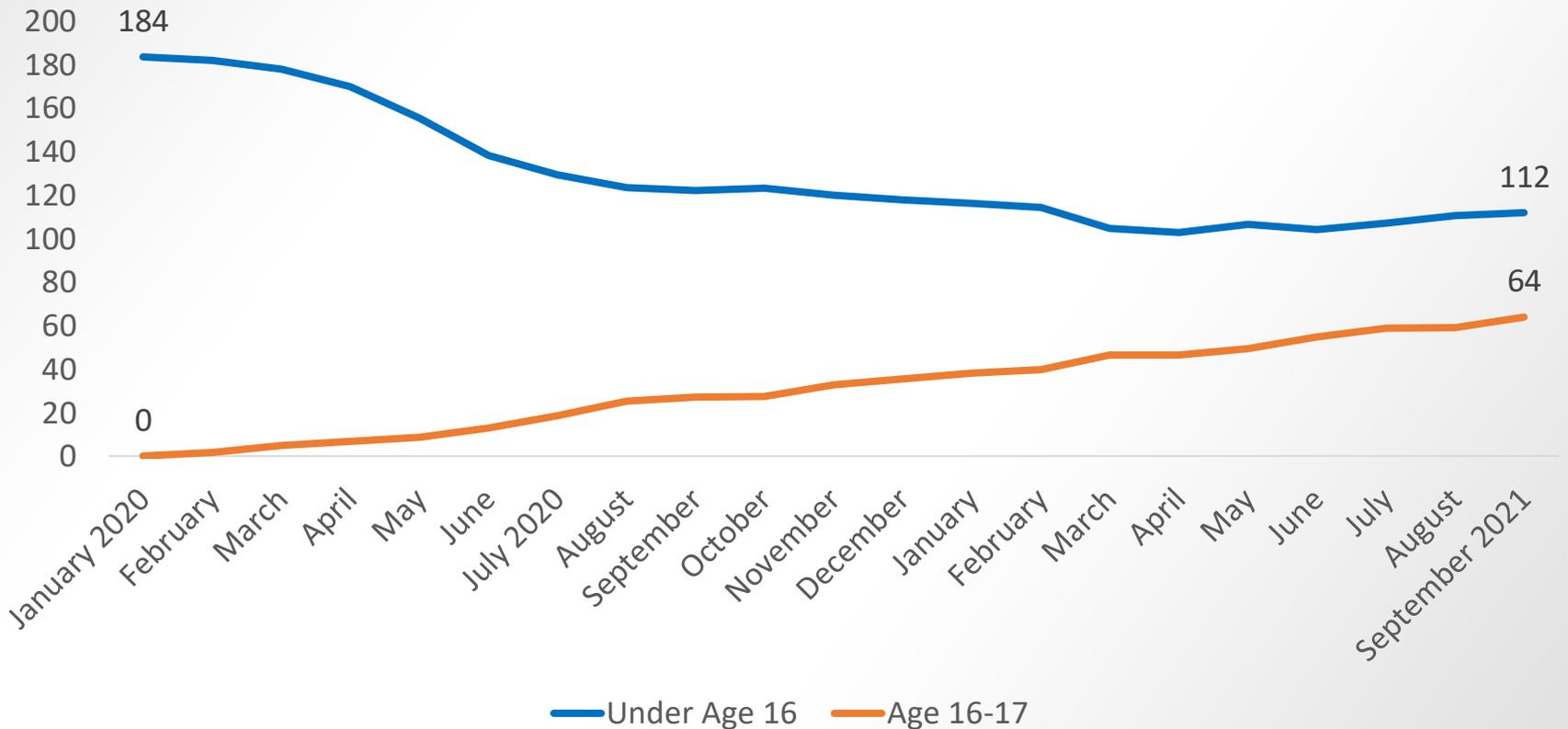


34 more RtA YDC Commitments YTD 2021 than YTD 2020

YDC ADP by Age and Month

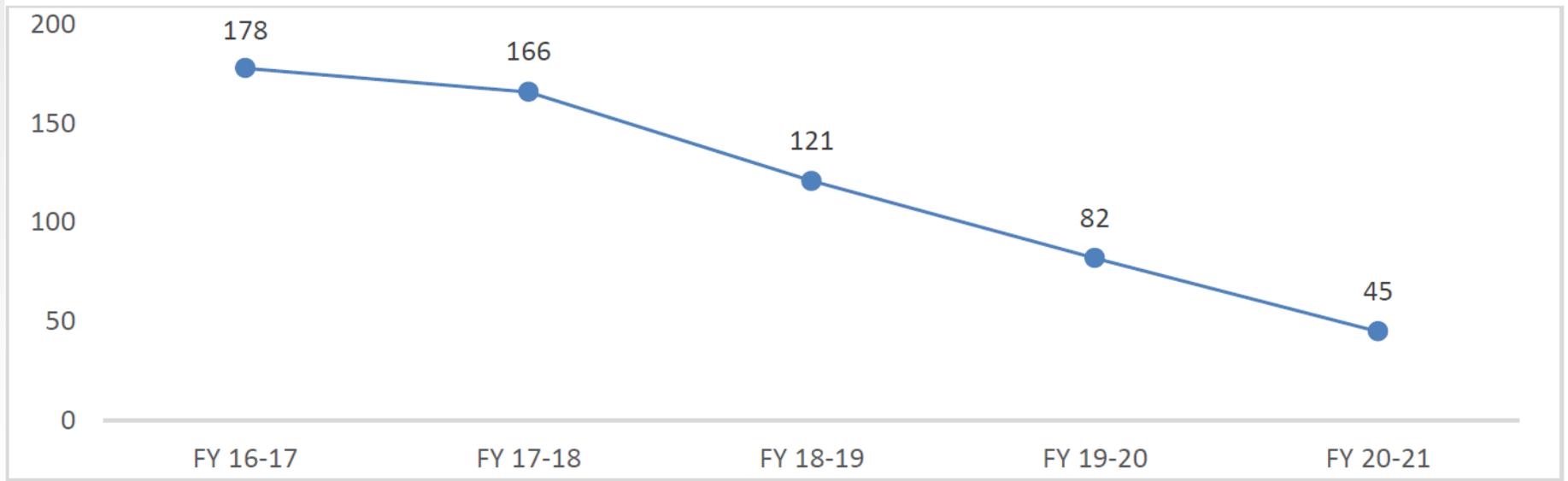
YDC ADP by Age Group at Offense & Month

Jan 2020 - Sep 2021



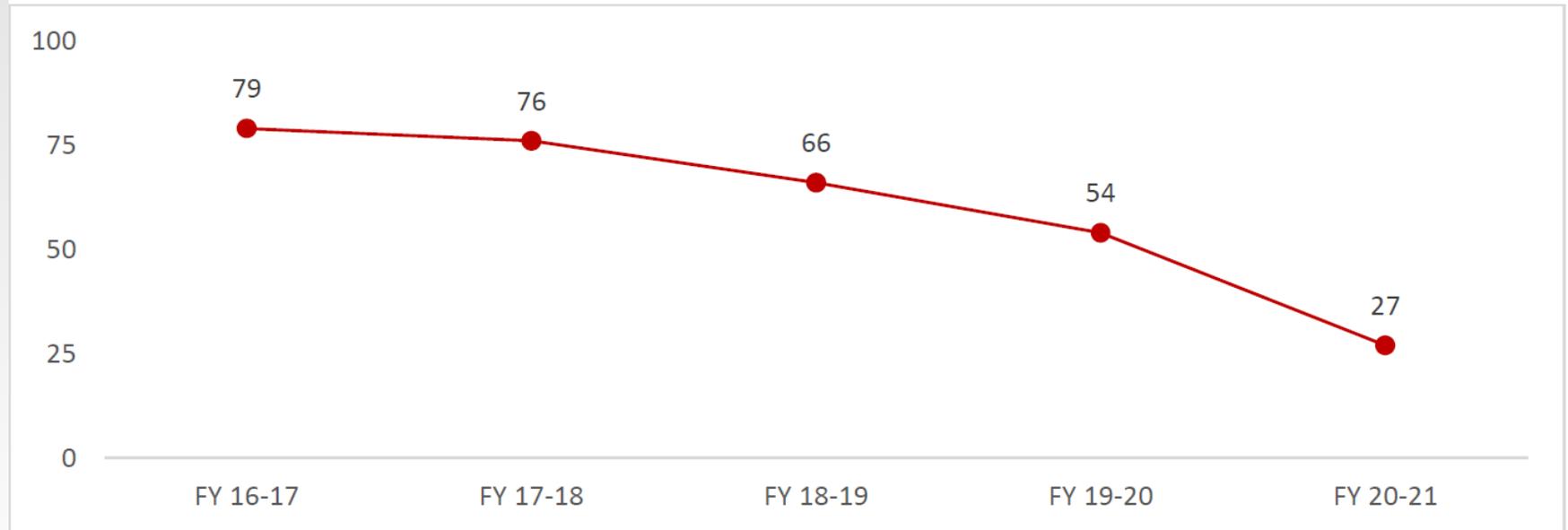
Adult Correction Prison Entries

Figure 1: Prison Entries under age 18 on Prison Entry date



Adult Correction Prison Average Daily Population

Figure 2: Average daily Prison Population under age 18



Funding Requests

- ▶ Minimum Age: Capacity evaluations & evaluators?
- ▶ Comprehensive Clinical Assessments (CCA's) for Level 3 youth
- ▶ Community programming for older youth (18-21) at re-entry
 - Vocational (e.g., C-TECH) and educational continuation
 - Independent Living Model in targeted counties
 - Scattered housing with supports
 - Potential FFT expansion
- ▶ Community programming for at-risk/vulnerable juveniles (up to age 12)
 - SNAP pilot with school system
 - ART pilot (Aggression Replacement Training Model)
- ▶ For 2020 -> Traffic offense programming- Teen Court expansion (pending outcome analysis)
- ▶ Perquimans and Richmond DC start-up costs

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 upon opening
 - 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.**
- ▶ **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.

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.

