

JUVENILE RECIDIVISM STUDY:

FY 2018
SAMPLE

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FY 2018

JUVENILE
EXIT SAMPLE

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ACRONYMS

CCH	Computerized Criminal History
DACJJ	Division of Adult Correction and Juvenile Justice
FY	Fiscal Year
G.S.	General Statute
JCPC	Juvenile Crime Prevention Councils
JJ	Juvenile Justice
JJRA	Juvenile Justice Reinvestment Act
NC-JOIN	North Carolina Juvenile Online Information Network
PRS	Post-Release Supervision
RtA	Raise the Age
RNA	Risk and Needs Assessment
SBI	State Bureau of Investigation
YASI	Youth Assessment and Screening Instrument
YDC	Youth Development Center

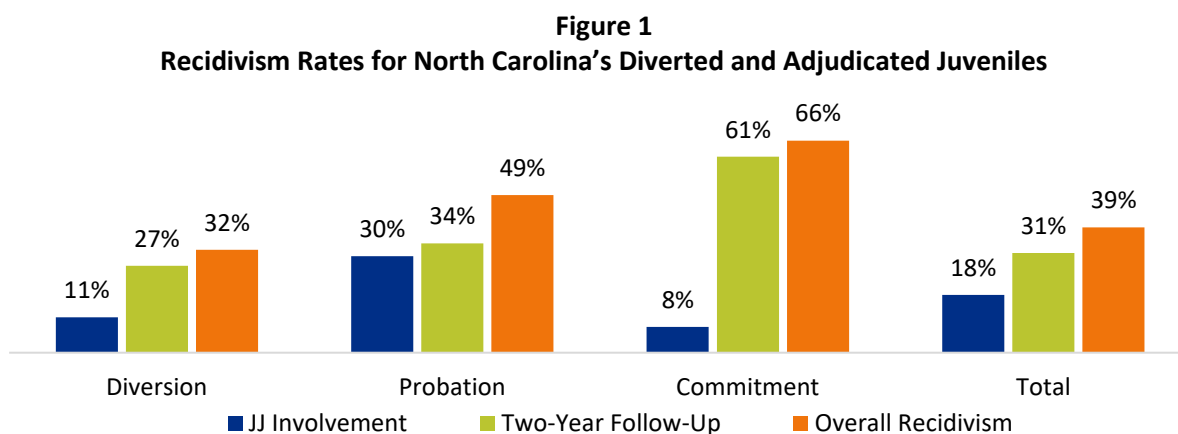
EXECUTIVE SUMMARY

During the 2005 Session, the North Carolina General Assembly amended Chapter 164 of the General Statutes to direct the North Carolina Sentencing and Policy Advisory Commission to conduct biennial juvenile recidivism studies on adjudicated youth in the state. The 2021 report, which marks the eighth biennial report, employed the same methodology as the 2019 report by using an exit sample and tracking juveniles for recidivism (i.e., delinquent complaints and/or adult arrests) during their juvenile justice involvement, in addition to the fixed two-year follow-up from their sample involvement exit.¹

Raise the Age (RtA) and the COVID-19 pandemic did not affect the current study; future reports will be able to examine the effects of both on the system. The recidivism rates presented in this report will serve as a baseline for subsequent reports, particularly in examining the impact of RtA and the pandemic on recidivism. The Executive Summary highlights the key findings and conclusions from the 2021 report.

FY 2018 JUVENILE RECIDIVISM EXIT SAMPLE

- The 6,668 juveniles in the sample were brought to the attention of the juvenile justice system with at least one delinquent complaint and exited the system in FY 2018 following diversion (n=3,876), probation (n=2,633), or commitment to a Youth Development Center (YDC) (n=159).
- The vast majority (82%) of juveniles had a misdemeanor as their most serious charged offense (93% of diverted juveniles, 70% of the probation group, and 15% of the commitment group).
- Diverted juveniles were assessed at lower risk and needs levels than adjudicated juveniles. Recidivism rates increased progressively as risk and needs levels increased.
- Overall, 18% had recidivism during their juvenile justice involvement, 31% during the two-year follow-up, and 39% during either time period (see Figure 1). Recidivism rates generally increased as the level of juvenile justice involvement increased.



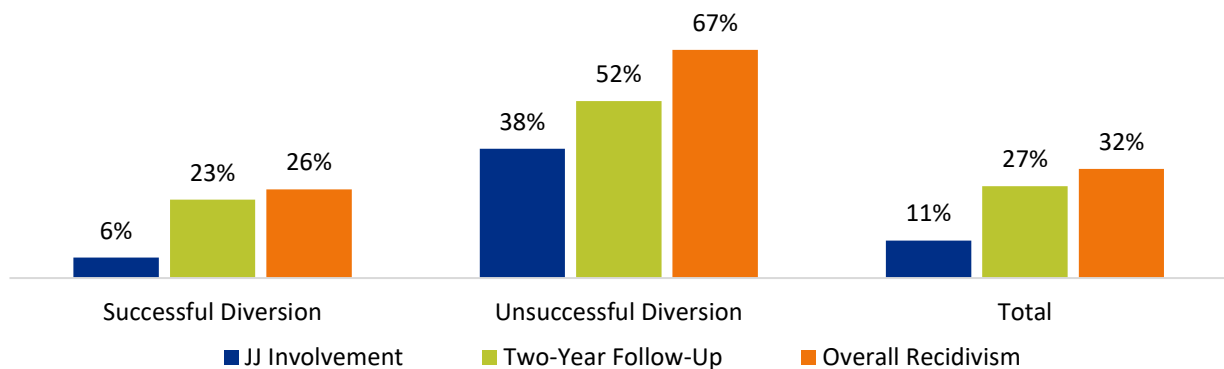
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

¹ Direct comparisons between the recidivism rates presented in this report and reports prior to 2019 cannot be made due to the differences in sample selection and time periods studied.

DIVERTED JUVENILES

- Of the 3,876 juveniles who exited diversion in FY 2018, most (87%) successfully completed their diversion plan or contract. Juveniles with an unsuccessful diversion (13%) had their complaint filed as a petition in juvenile court.
- Overall, 83% of diverted juveniles had no prior complaints; a slightly higher percentage of juveniles with an unsuccessful diversion had prior complaints. Juveniles with at least one prior complaint had higher recidivism rates than those with no prior complaints. Irrespective of their prior involvement with the juvenile justice system, juveniles with an unsuccessful diversion had higher recidivism rates than juveniles with a successful diversion.
- Juveniles with an unsuccessful diversion tended to have more risk factors (e.g., running away, school behavior problems) and needs identified (e.g., mental health, history of victimization) than juveniles with a successful diversion. Correspondingly, a greater proportion of juveniles with a successful diversion were assessed as low risk and as low needs.
- Juveniles with an unsuccessful diversion had much higher recidivism rates during the follow-up periods examined (see Figure 2). The higher recidivism rates for juveniles with an unsuccessful diversion are not unexpected given their higher levels of risk and needs.

Figure 2
Recidivism Rates for Diverted Juveniles



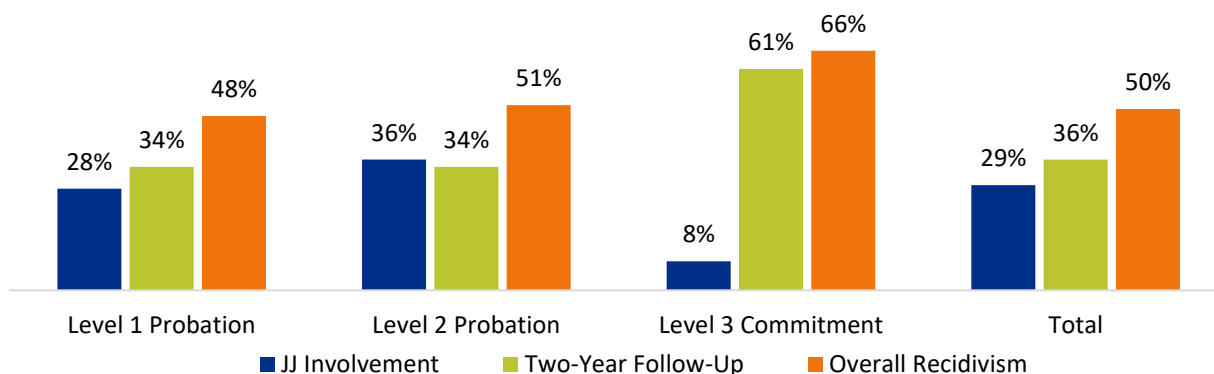
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

ADJUDICATED JUVENILES

- Of the 2,792 juveniles adjudicated delinquent, 2,633 exited supervised probation (2,044 with a Level 1 and 589 with a Level 2 disposition) and 159 exited a YDC facility (Level 3 disposition) in FY 2018.
- As the seriousness of the juvenile's disposition increased, the percentage of males, black juveniles, and older juveniles increased. Prior contacts with the juvenile justice system, along with risk and needs levels, also increased. These characteristics were also linked to higher recidivism rates.
- Recidivism rates were lowest for juveniles adjudicated of a Violent offense who had a low delinquency history level (23%) and highest for juveniles adjudicated of a Serious offense who had a high delinquency history (60%).
- Most juveniles with a Level 1 disposition had a misdemeanor as their most serious adjudicated offense (93%), while over half of the Level 2 disposition group and over three-fourths of the Level 3 commitment group had a felony as their most serious offense.

- The majority of juveniles on probation exited while on standard supervision (85%). Juveniles in the commitment group entered a YDC most frequently due to violation of probation (46%) followed closely by new crime (41%), while few juveniles entered a YDC due to revocation of post-release supervision (13%).
- As shown in Figure 3, juveniles with Level 2 probation had the highest recidivism rates during juvenile justice involvement; committed juveniles had the lowest rates during this time period due to their confinement. While committed juveniles had the highest recidivism rates during the two-year follow-up, there were no differences in recidivism rates for juveniles in the probation groups.

Figure 3
Recidivism Rates for Adjudicated Juveniles



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

CONCLUSIONS

- The lowest levels of recidivism corresponded to the least invasive systemic responses of the juvenile justice system, particularly by processing and intervening with youth short of adjudication. These findings suggest that the most efficient investment of sufficient resources is in the community, at the front-end of the juvenile justice system.
- A direct relationship was observed between the juveniles' assessed risk and needs and their recidivism, with recidivism generally increasing as risk and needs levels increased.
- The increase in the age of juvenile jurisdiction under the 2017 Juvenile Justice Reinvestment Act (JJRA) went into effect December 1, 2019. While the FY 2018 sample was under old law for age eligibility, 30% of juveniles had their juvenile jurisdiction extended during the two-year follow-up due to this period coinciding with the RtA effective date.
- There was a 15% decrease in sample size from FY 2016 to FY 2018. The probation group had the largest decrease in size (26%) followed by the commitment group (20%), while the diversion group had the smallest decrease (5%). The recidivism rates during the two-year follow-up are remarkably similar when comparing the two samples (32% in FY 2016 and 31% in FY 2018²).

The Sentencing Commission looks forward to working collaboratively with the Division of Adult Correction and Juvenile Justice to further understand the factors contributing to juvenile recidivism in North Carolina, and combining any lessons learned to make improvements to the juvenile justice system in North Carolina.

² The COVID-19 pandemic did not impact recidivism rates for the FY 2018 sample.

CHAPTER ONE

JUVENILE RECIDIVISM STUDY DIRECTIVE AND METHODOLOGY

INTRODUCTION

In the 2005 Session of the North Carolina General Assembly, the legislature amended Chapter 164 of the General Statutes to direct the North Carolina Sentencing and Policy Advisory Commission (hereinafter referred to as the Sentencing Commission) to conduct biennial juvenile recidivism studies on adjudicated youth in the state:

§ 164-48. Biennial report on juvenile recidivism.¹

The Judicial Department, through the North Carolina Sentencing and Policy Advisory Commission, shall conduct biennial recidivism studies of juveniles in North Carolina. Each study shall be based on a sample of juveniles adjudicated delinquent and document subsequent involvement in both the juvenile justice system and criminal justice system for at least two years following the sample adjudication. All State agencies shall provide data as requested by the Sentencing Commission.

The Sentencing and Policy Advisory Commission shall report the results of the first recidivism study to the Chairs of the Senate and House of Representatives Appropriation Committees and the Chairs of the Senate and House of Representatives Appropriation Subcommittees on Justice and Public Safety by May 1, 2007, and future reports shall be made by May 1 of each odd-numbered year.

This is the Sentencing Commission's eighth biennial report on juvenile recidivism, submitted to the General Assembly on May 1, 2021, and focuses on a cohort of juveniles exiting North Carolina's juvenile justice system from July 1, 2017 through June 30, 2018 by their level of involvement.

THE JUVENILE JUSTICE SYSTEM

For this report, juveniles are considered to be under the jurisdiction of the juvenile court if they are at least six years old and not older than 16 years old at the time that they are alleged to have committed a delinquent offense.² However, juveniles who are at least 13 years of age and are alleged to have committed a felony may be transferred into the criminal justice system and tried as adults. For a juvenile who is alleged to have committed a Class A felony at age 13 or older, the court must transfer the case to superior court if probable cause is found in juvenile court. Juveniles who are alleged to have committed a delinquent offense are processed by, supervised by, and committed to the Department of Public Safety's Division of Adult Correction and Juvenile Justice (DACJJ), Juvenile Justice Section (hereinafter referred to as DACJJ).

¹ N.C. Gen. Stat. (hereinafter G.S.) 164-48 (2020).

² As described later in this chapter, North Carolina's age of juvenile jurisdiction increased to age 18 for certain offenses beginning December 1, 2019.

In order to provide some context for this study, the following sections describe the processing of juveniles within the juvenile justice system. Juveniles who were adjudicated and received a disposition, as well as dispositional alternatives available to the court, are highlighted.

Intake Process

All juveniles enter the juvenile justice system by having a formal complaint lodged by a law enforcement officer or private citizen. There are two types of complaints – the delinquency complaint alleges that a juvenile committed a criminal offense, while the undisciplined complaint alleges noncriminal behavior (e.g., running away, unlawful absences from school, incorrigible behavior within the home). For purposes of this study, only juveniles who had a delinquency complaint are discussed.

Any juvenile who is subject to a delinquency complaint must go through the intake process for the complaint to be screened and evaluated by a juvenile justice court counselor. The court counselor has up to 30 days to determine if a complaint should be handled outside the court or if a complaint should be filed as a petition and set for a hearing before a juvenile court judge. The length and extent of the intake process is based primarily on whether a juvenile is alleged to have committed one of the most serious, statutorily defined group of offenses (i.e., nondivertible offenses³) and/or whether a juvenile is confined in a detention center. During the intake phase, a court counselor conducts interviews with the juvenile, the parent, guardian, or custodian legally responsible for the juvenile, and other individuals who might have relevant information about the juvenile. Beginning in 2006, the risk and needs assessment was incorporated into the intake process for use in the initial decision to approve or not approve a complaint for filing, as well as for use at disposition. These assessments contain information pertaining to the juvenile's social, medical, psychiatric, psychological, and educational history, as well as factors indicating the probability of the juvenile engaging in future delinquency.⁴ (See Appendix A.) Upon reviewing the information gathered during the evaluation, the court counselor determines if the complaint should be closed, diverted, or approved for filing as a petition and brought before the court.

If the court counselor decides that a case does not require further action, either by some form of follow-up by a court counselor or through a court hearing, the case is deemed closed. The juveniles in closed cases are typically less problematic and generally have little, if any, history of delinquent behavior. Closed cases constitute the lowest point of involvement in the juvenile justice system.

When a court counselor determines that a juvenile's case should not be brought to court, but that the juvenile is in need of follow-up and referral to a community-based resource (e.g., restitution, clinical treatment), the counselor can then divert the juvenile pursuant to a diversion plan that is developed in conjunction with the juvenile and the juvenile's parent, guardian, or custodian. If a more formal diversion plan is needed, the court counselor, juvenile, and juvenile's responsible party enter into a diversion contract. Both the plan and the contract are in effect for up to six months, during which time a court counselor conducts periodic reviews to ensure the compliance of the juvenile and his/her parent, guardian, or custodian. Compliance with the recommendations of the plan or contract results in the finalization of the juvenile's diversion. If the parties fail to comply, the counselor may reevaluate the

³ Nondivertible offenses are defined in G.S. 7B-1701 as murder, first- or second-degree rape, first- or second-degree sexual offense, arson, felony drug offense under Article 5 of Chapter 90 of the General Statutes, first-degree burglary, crime against nature, or a felony involving the willful infliction of serious bodily injury or which was committed by use of a deadly weapon.

⁴ The DACJJ implemented a new risk and needs assessment tool, the Youth Assessment and Screening Instrument (YASI), effective January 1, 2021.

decision to divert and subsequently file the complaint as a petition in juvenile court. If a court counselor concludes, at any point in the intake process, that the juvenile would be best served by referring the case to court, the counselor can authorize the filing of the complaint as a petition and schedule it for a hearing before a juvenile court judge.

Pre-Dispositional Hearings

Probable Cause Hearing⁵

Probable cause hearings are held for all felony petitions in which the juvenile was at least 13 years old at the time of the alleged offense. During these hearings, the district attorney's office must present sufficient evidence to the court that shows there is probable cause to believe that the alleged offense was committed by the juvenile in question. If probable cause is not found, the court may either dismiss the proceeding or find probable cause that the juvenile committed a lesser included offense (e.g., a misdemeanor) and proceed to the adjudicatory hearing, which can immediately follow the probable cause hearing or be set for another date. If probable cause is found and transfer to superior court is not statutorily required (i.e., non-Class A felonies), the court may proceed to a transfer hearing, which can occur on the same day.

Transfer Hearing

At the transfer hearing, the court considers a number of factors in reaching a decision on whether the juvenile's case will be transferred to superior court. If the case is transferred, the juvenile is tried as an adult and is subject to the adult sentencing options. If the judge retains juvenile court jurisdiction and does not transfer the juvenile to superior court, the case then proceeds to the adjudicatory hearing, which can immediately follow the transfer hearing or be set for a later date.

Adjudicatory Hearing

The adjudicatory hearing allows for the court to hear evidence from the district attorney, the juvenile's attorney, and their witnesses in order to make a determination of whether or not the juvenile committed the act(s) alleged in the petition(s). If the court finds that the allegations in the petition have not been proven "beyond a reasonable doubt," the petition is dismissed and the matter is closed. If the court finds that the allegations have been proven, the juvenile is adjudicated delinquent and the court proceeds to the dispositional hearing.

Dispositional Hearing

Overview of the Process

At the dispositional hearing, which may or may not occur on the same date as the adjudicatory hearing, the court decides the sanctions, services, and conditions that will be ordered for the juvenile as a result of the adjudicated offense(s). G.S. 7B-2500 states that the purposes of a disposition are "to design an

⁵ Prior to a probable cause hearing, a juvenile with a felony petition is scheduled for a first appearance hearing during which a judge determines whether the juvenile has an attorney and provides the juvenile and parent or responsible party with information pertaining to the allegation and future hearings.

appropriate plan to meet the needs of the juvenile and to achieve the objectives of the State in exercising jurisdiction, including the protection of the public.”

In most cases, juvenile court judges use the predisposition report, which is prepared by the court counselor’s office, in developing a disposition. Risk and needs assessments (RNA) are attached to this report.

The court’s selection of dispositional alternatives is governed by statute through a graduated sanctions chart that classifies juvenile offenders according to the seriousness of their adjudicated offense (vertical axis) and the degree and extent of their delinquent history (horizontal axis). (See Appendix B for more detailed information.)

Dispositional Alternatives⁶

After reviewing the information provided by the court counselor’s office, juvenile court judges have three dispositional levels available to them in which to dispose the juvenile’s case – a Level 1 or community disposition, a Level 2 or intermediate disposition, and a Level 3 or commitment disposition. It is noteworthy that many of the community-based programs for adjudicated youth who can receive a Level 1 or 2 disposition are funded through Juvenile Crime Prevention Council (JCPC) allocations.⁷

A Level 1 or community disposition offers the court less restrictive dispositional alternatives such as probation, community-based programs, nonresidential and residential treatment programs, community service (up to 100 hours), restitution (up to \$500), and sanctions that place specific limitations on a juvenile (e.g., curfew, no association with specified persons, not be in specified places). A Level 1 disposition may also include intermittent confinement in a detention center for up to five 24-hour periods.⁸

A Level 2 or intermediate disposition is generally more restrictive than a Level 1 disposition. Level 2 dispositional alternatives include options such as intensive probation, group home placements (e.g., multipurpose group homes), regimented training programs, and house arrest. For a Level 2 disposition, a juvenile can be ordered to make restitution that is in excess of \$500 or perform up to 200 hours of community service. The court can also utilize any Level 1 dispositional option for a juvenile adjudicated at Level 2. Several Level 2 options that offer a more restrictive environment for adjudicated juveniles are available for Level 1 dispositions as well. Wilderness programs serve juveniles with behavioral problems in a year-round, residential therapeutic environment.⁹ Supervised day programs, which allow a juvenile to remain in the community through a highly structured program of services, also represent an alternative that is available at both Level 1 and Level 2 dispositional levels. In addition, the court can impose confinement in a detention center on an intermittent basis for up to fourteen 24-hour periods.

⁶ Appendix C contains a complete list of dispositional alternatives for all three levels.

⁷ The Sentencing Commission also has a mandate to evaluate the effectiveness of JCPC programs. See <https://www.nccourts.gov/documents/publications/effectiveness-of-juvenile-crime-prevention-council-jcpc-programs> for these reports.

⁸ Detention centers are facilities that are approved to provide secure, temporary confinement and care for juveniles who meet statutorily defined criteria. In addition to utilizing a detention placement as a dispositional alternative, juveniles can also be detained by the court pending their adjudicatory or dispositional hearing, or their adult hearing following the transfer of the case from juvenile court. Because of the short-term nature of detention, programs and services offered in these centers are limited.

⁹ The wilderness camps serve a diverse group of juveniles, including those displaying problematic behavior who are not court-involved.

A Level 3 or commitment disposition provides the most restrictive sanction available to a juvenile court judge – commitment to the DACJJ for placement in a Youth Development Center (YDC). A YDC, as defined in G.S. 7B-1501(29), is “a secure residential facility authorized to provide long-term treatment, education, and rehabilitative services for delinquent juveniles committed by the court to the Division [DACJJ].” Unless a youth is under the age of 10, a court exercising jurisdiction over a juvenile for whom a Level 3 disposition is authorized must commit the juvenile to the DACJJ for placement in a YDC.¹⁰ However, G.S. 7B-2513(e) states that the DACJJ, following assessment of a juvenile, may provide commitment services to the juvenile in a program not located in a YDC or detention facility (i.e., community placement). Another exception gives the court discretion to impose a Level 2 disposition rather than a Level 3 disposition if the court makes written findings that substantiate extraordinary needs on the part of the juvenile in question. The length of a juvenile’s commitment must be at least six months; however, there are statutory provisions for extended jurisdiction for committed youth.¹¹ Upon completion of their term of commitment, juveniles are subject to a minimum of 90 days of post-release supervision (PRS). The DACJJ currently houses approximately 150 committed juveniles in four YDCs.

Juvenile Justice Reinvestment Act (Raise the Age)

In 2017, the North Carolina General Assembly passed the Juvenile Justice Reinvestment Act (JJRA).¹² The JJRA increases the age of juvenile jurisdiction so that most 16- and 17-year-olds facing criminal charges may have their cases disposed through the juvenile justice system rather than the adult criminal justice system.¹³ In addition, the JJRA includes other provisions intended to affect who comes in contact with the juvenile justice system, such as school-justice partnerships designed to reduce school-based referrals to juvenile courts and juvenile justice training for law enforcement officers.¹⁴ Raising the age of juvenile jurisdiction (RtA) will increase the number of youth in the juvenile justice system by adding a new population of 16- and 17-year-olds and by extending the number of years available for youth to be under the jurisdiction of the system. While the FY 2018 sample was under old law for age of juvenile jurisdiction (6 to 15 years of age), 30% of the sample turned 16 on or after December 1, 2019, and were eligible to continue under juvenile jurisdiction due to the change in the law. This primarily occurred during the end of the follow up period.

COVID-19 Pandemic and the Juvenile Justice System

The onset of the COVID-19 pandemic beginning in March 2020 had immediate effects on the justice system. In response to the public health crisis, many juvenile justice processes were temporarily halted, dramatically slowed, or altered to accommodate emergency directives put in place by the Governor and Chief Justice. In addition, schools were initially closed and then shifted to virtual learning in response to

¹⁰ Pursuant to G.S. 7B-2508(d), a court may impose a Level 3 disposition (commitment to a YDC) in lieu of a Level 2 disposition if the juvenile has previously received a Level 3 disposition in a prior juvenile action. Additionally, G.S. 7B-2508(g) allows for juveniles who have been adjudicated of a minor offense to be committed to a YDC if the juvenile has been adjudicated of four or more prior offenses.

¹¹ G.S. 7B-2513(a).

¹² North Carolina Session Law (hereinafter S.L.) 2017-57, s. 16D.4. Additional information can be found at: https://www.nccourts.gov/assets/inline-files/JuvenileReinvestmentFactSheet_05012017.pdf.

¹³ The increase in the age of juvenile jurisdiction applies to 16- and 17-year-olds at the time of their alleged offense who have no prior adult convictions. Juveniles charged with Class A through Class G felonies are transferred to adult court while juveniles charged with Class H or Class I felonies or non-motor vehicle misdemeanors may remain in juvenile court (motor vehicle offenses are excluded). This change in jurisdiction applies to offenses committed on or after December 1, 2019.

¹⁴ S.L. 2017-57, s. 16D.4.(aa) and (bb).

emergency directives. For this report, however, the pandemic occurred during the final months of the two-year recidivism follow-up period for the FY 2018 sample and had no impact on the sample itself (due to timing) and no discernible impact on the recidivism rates reported. As the pandemic continues to affect the juvenile justice system, future reports will offer the opportunity to examine its effects on the samples and on recidivism rates.

JUVENILE RECIDIVISM RESEARCH DESIGN

The research design for the biennial juvenile recidivism study was first specified in the Sentencing Commission's *Report on the Proposed Methodology for Measuring Juvenile Recidivism in North Carolina* to the General Assembly. Based on that blueprint, the previous research approach included:

- using a selection of juveniles brought to court with a delinquent complaint that was closed, diverted, dismissed, or adjudicated during a fiscal year,
- tracking those juveniles for a fixed three-year follow-up period from their first court involvement in the sample period, and
- defining recidivism as all subsequent delinquent complaints and adult arrests within the three years following the event that placed the juvenile in the sample.

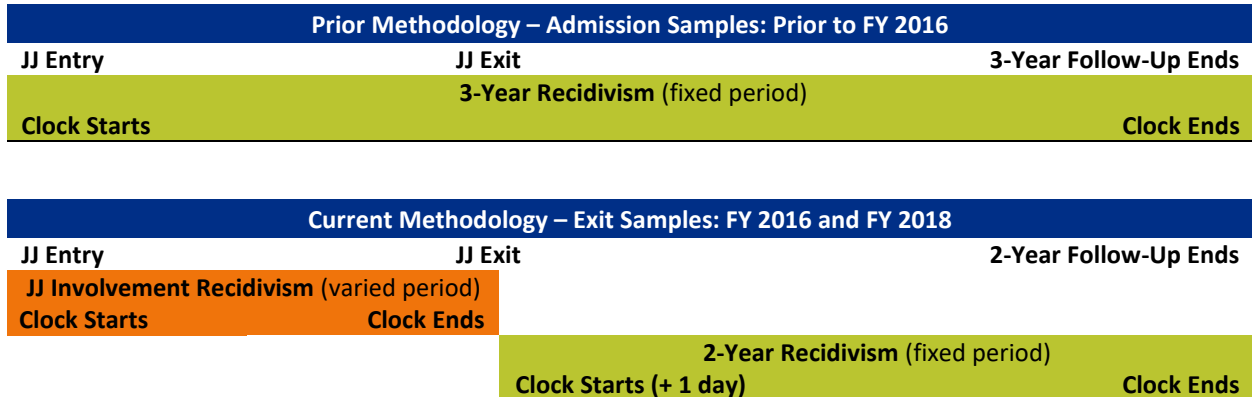
This is the second biennial report to employ a different methodology than previous reports. The current research approach included:

- using an exit sample of juveniles following their juvenile justice (JJ) involvement with a delinquent complaint that was either diverted from the court, adjudicated with a Level 1 or 2 disposition and placed on probation, or adjudicated with a Level 3 commitment in a fiscal year,
- tracking those juveniles during their sample involvement with the juvenile justice system and for a fixed two-year follow-up period from their sample involvement exit, and
- defining recidivism as all subsequent delinquent complaints and adult arrests during each independent time period examined.

The current methodology allows juveniles to be tracked both during and *following* their involvement with the juvenile justice system. This allows for greater examination of the timing of recidivism – did it occur while a juvenile was involved with the system or under supervision or did it occur following his or her exit from involvement with the juvenile justice system? Differences that exist between recidivism that occurs during involvement compared to after involvement can also be examined. Most importantly, the ability to control for the order and timing of recidivist events will allow for greater understanding of the effect of the totality of system involvement (i.e., all interventions and programs) on recidivism.

With the incorporation of this methodology, direct comparisons between the recidivism rates presented in this report and the 2019 report can be made. However, direct comparisons between recidivism rates cannot be made with reports prior to the 2019 report due to the differences in sample selection and time periods studied (see Figure 1.1 for a comparison of the different methodologies).

Figure 1.1
A Timeline Comparison of Prior and Current Recidivism Research Designs



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Sample

The sample includes 6,668 juveniles identified in DACJJ’s automated juvenile justice database who exited the juvenile justice system in FY 2018 following diversion for a delinquent complaint (n=3,876) or, for those adjudicated delinquent and with a disposition imposed, following probation in the community (n=2,633) or commitment in a YDC facility (n=159).¹⁵ If more than one exit occurred during the fiscal year, the juvenile was assigned to one of these groups based on the most serious event, as ranked from YDC commitment (most serious) to probation disposition to diversion (least serious). Juveniles whose case was closed at intake or whose case was dismissed either prior to or at the adjudicatory hearing were examined separately from the FY 2018 sample. (See Appendix D for summarized information about these two groups of juveniles.)

Measuring Recidivism during Juvenile Justice Involvement and Follow-Up Periods

With an exit sample, the juvenile’s delinquent and/or criminal behavior (i.e., recidivism) can be examined during his/her involvement with the juvenile justice system separately from the two-year follow-up period. The two-year follow-up is a fixed period calculated individually for each juvenile, while the juvenile’s involvement with the juvenile justice system varies individually and between study groups. Table 1.1 provides a summary of the three groups and the *start* of the recidivism period examined during juvenile justice involvement and during follow-up.

¹⁵ Juveniles whose most serious alleged complaint was for an infraction, local ordinance violation, or misdemeanor traffic offense were excluded from the sample.

Table 1.1
FY 2018 Exit Sample Descriptions and Recidivism Time Periods

Level of Involvement	Description	Start of Recidivism Period	
		JJ Involvement (JJ Entry)	Two-Year Follow-Up (JJ Exit)
• Diversion	• Juveniles whose diversion plan or contract ended in FY	• Start date of diversion plan/contract	• One day after diversion exit date
• Probation	• Juveniles exiting probation in FY	• Disposition date (i.e., probation start date)	• One day after probation exit date
• Commitment	• Juveniles released from a YDC facility in FY after commitment ordered due to a new offense, violation of probation, or revocation of PRS	• Disposition date (i.e., commitment date)	• One day after commitment release date

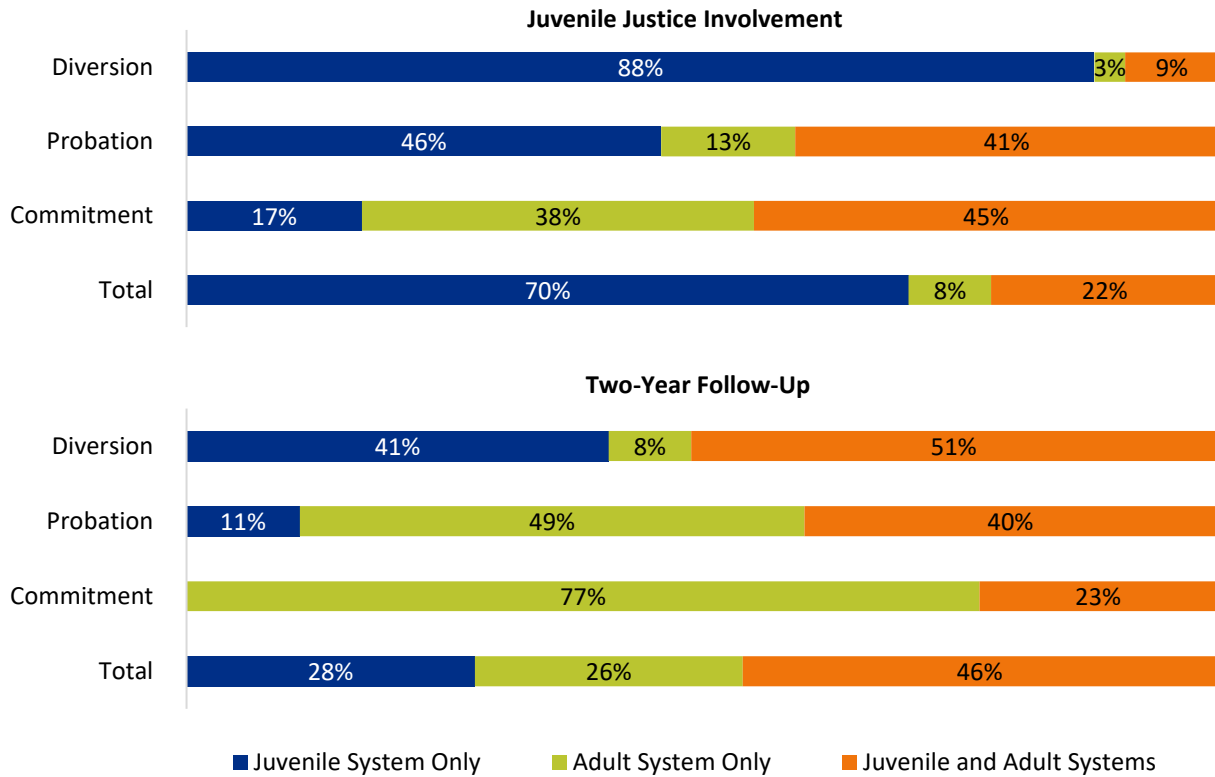
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

The time period available for recidivism during juvenile justice involvement varied widely between the three groups. As expected, juveniles who were diverted had a shorter time period of involvement with the juvenile justice system (an average of 4 months) than juveniles who were adjudicated and disposed (an average of 12 months for juveniles supervised on probation and an average of 13 months for juveniles committed to a YDC). The two-year follow-up period for recidivism started one day following exit from the sample juvenile justice involvement period for all three groups. A fixed follow-up period was used in an attempt to obtain the same “window of opportunity” for each juvenile to reoffend. However, for both time periods examined, the window of opportunity to reoffend may vary if confinement occurred during follow-up (e.g., admission to a detention center, commitment to a YDC, confinement in local jails or in prisons).

Recidivism and Jurisdiction

As described above, recidivism for each juvenile in the sample was examined during their sample involvement with the juvenile justice system and for a fixed two-year follow-up period from their sample involvement exit. As shown in Figure 1.2, depending on the juvenile’s age during the time periods examined, recidivism was tracked in the juvenile justice system, criminal justice system, or both. For juveniles in the sample who turned 16 on or after December 1, 2019 (30%), the time available to be under jurisdiction of the juvenile justice system was extended due to the change in the law, thereby increasing the portion of follow-up that occurred in the juvenile justice system for those juveniles.

Figure 1.2
Legal Jurisdiction during Recidivism Periods



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Jurisdiction during Juvenile Justice Involvement

During their juvenile justice involvement, 70% of juveniles were under 16 years for the entire period with recidivism tracked solely in the juvenile justice system, while 8% were 16 years of age or older and tracked solely in the criminal justice system.¹⁶ The remaining 22% who turned 16 years of age during their juvenile justice involvement were tracked in both the juvenile justice system and the criminal justice system. Committed juveniles were the oldest juveniles in the sample, and, as a result, had the largest percentage tracked solely in the criminal justice system (38%). Diverted juveniles were the youngest and had the largest percentage tracked solely in the juvenile justice system (88%).

Jurisdiction during Two-Year Follow-Up

Given that the juveniles were older during the two-year follow-up period, a much higher percentage were tracked in the criminal justice system for at least a portion of this time period (46% in both the juvenile justice system and criminal justice system, 26% in the criminal justice system solely). The majority of juveniles in each of the three groups were tracked in the criminal justice system for at least some portion of the two-year follow-up.

¹⁶ The increase in the age of juvenile jurisdiction did not affect any juveniles during their juvenile justice involvement.

Defining Recidivism

The primary outcome measure of recidivism was defined as having either a delinquent juvenile complaint and/or an adult arrest. Although the juvenile complaint and/or adult arrest had to occur within the follow-up periods examined (i.e., juvenile justice involvement or two-year follow-up period), the date that the alleged offense occurred could have been prior to the start of follow-up.¹⁷ Additional measures of recidivism included the offense seriousness of recidivist events, as well as adjudications and convictions. Data on infractions, local ordinances, process offenses, and misdemeanor traffic offenses were excluded from all recidivism measures. Table 1.2 summarizes the recidivism measures.

Table 1.2
Recidivism Defined

Recidivism	Definition	Data Source
• Juvenile Complaint	• Subsequent offense referred to JJ	• JJ's NC-JOIN
• Adult Arrest	• Fingerprinted arrest in NC that occurred after juvenile reached the age of criminal majority	• SBI's CCH
• Juvenile Adjudication	• Subsequent adjudication in JJ system	• JJ's NC-JOIN
• Adult Conviction	• Conviction resulting from fingerprinted arrest	• SBI's CCH

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Data Sources

The following automated data sources were used to provide comprehensive information for the juvenile recidivism exit sample:

- North Carolina Juvenile Online Information Network (NC-JOIN), DACJJ's management information system for juvenile justice, contains data on all juveniles brought to court with delinquent and undisciplined complaints received in a juvenile court counselor office. This database was used to provide information on their demographic and social history; risk and needs of the juvenile; delinquent offense and disposition; and prior, current, and subsequent involvement in the juvenile justice system.
- The North Carolina State Bureau of Investigation's (SBI) Computerized Criminal History (CCH) system was used to provide information on fingerprinted adult arrests and convictions. All felony arrests and certain misdemeanor arrests are fingerprinted (G.S. 15A-502).

A case profile was constructed for each juvenile based on the data obtained from NC-JOIN and CCH. The final data set for this study consists of nearly 300 items of information (or variables) for the sample of 6,668 juveniles exiting the juvenile justice system between July 1, 2017 and June 30, 2018 and followed during their juvenile justice involvement and for two years after this involvement.

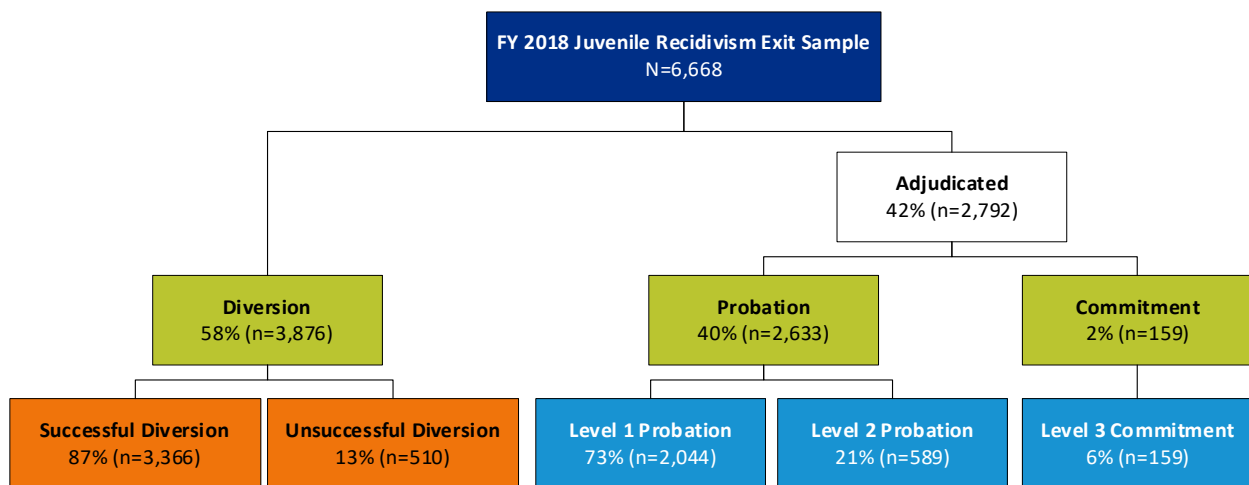
¹⁷ The term "recidivism" in this report refers to having a subsequent delinquent juvenile complaint, an adult arrest, or both. Whether a juvenile had one or more subsequent complaints and/or adult arrests, the juvenile will be counted as a recidivist. In calculating total number of recidivist events, only one subsequent complaint and only one adult arrest were counted per day if multiple complaints or arrests occurred on the same day. This also applies to recidivism rates for subsequent adjudications and/or convictions.

ANALYSIS AND REPORT OUTLINE

This report marks the eighth biennial report on statewide rates of juvenile recidivism and continues the methodology implemented in the 2019 report. The study follows a sample of 6,668 juveniles who *exited the juvenile justice system in FY 2018* to determine whether subsequent involvement in either the juvenile justice system and criminal justice system (i.e., recidivism) occurred.

Figure 1.3 provides an overview of the FY 2018 juvenile recidivism exit sample. The 6,668 sample juveniles were divided into three groups based on their level of involvement for their most serious exit event: juveniles with cases diverted (n=3,876), juveniles adjudicated with a probation sanction (n=2,633), or juveniles exiting from a YDC facility with a commitment due to a new crime, a violation of probation, or a revocation of PRS (n=159).¹⁸

Figure 1.3
FY 2018 Juvenile Recidivism Exit Sample



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Chapter Two provides a statistical profile of the three groups comprising the FY 2018 sample (including personal characteristics, delinquency history, most serious charged offense, and RNA) and includes a summary of their subsequent involvement in the juvenile justice and criminal justice systems. The analyses in this chapter provide information on the sample as a whole and also offer a comparative look at the characteristics and recidivism of juveniles in each of the three groups.

Chapter Three offers a more detailed examination of juveniles with a diversion plan or contract. The chapter focuses on a comparison of juveniles with a successful diversion to those with an unsuccessful diversion as defined by post-diversion approval for court. An overall profile of the two groups and their subsequent recidivism is provided.

¹⁸ If the court finds that a juvenile has violated the conditions of probation, it may order a new disposition at the next higher level on the disposition chart, including Level 3 – commitment (G.S. 7B-2510). If the court determines that a juvenile has violated the terms of PRS, the court may revoke the PRS and impose an indefinite term of at least 90 days (G.S. 7B-2516).

Chapter Four provides a further examination of juveniles adjudicated delinquent and placed in one of the three dispositional alternatives, focusing on juveniles exiting from probation with either a Level 1 or 2 disposition and juveniles exiting a YDC commitment (e.g., Level 3 disposition). The chapter offers a descriptive comparison of the groups in terms of their personal characteristics and delinquency history, as well as their recidivism.

Finally, Chapter Five summarizes the findings of the report and offers some policy implications and conclusions.

CHAPTER TWO

FY 2018 JUVENILE RECIDIVISM EXIT SAMPLE

Chapter Two profiles a cohort of juveniles exiting North Carolina’s juvenile justice system from July 1, 2017 through June 30, 2018 by their level of involvement. As specified in the legislative mandate, this cohort includes juveniles adjudicated delinquent; however, a significant portion of juveniles are diverted from juvenile court. These diverted juveniles are also included as part of the cohort studied to provide a more complete analysis of how the juvenile justice system handles juveniles brought to its attention due to delinquent behavior. This chapter describes the sample selection process and provides a statistical profile of the juvenile sample that includes personal characteristics, prior contacts with the juvenile system, most serious charged offense, and RNA. Juvenile justice and criminal justice outcomes for the sample during their juvenile justice involvement and after exiting the juvenile system from their sample involvement are also examined, with a focus on subsequent complaints and/or adult arrests by level of involvement, personal characteristics, most serious offense alleged in the complaint, and additional outcomes (e.g., confinement, juvenile transfers to superior court).

STATISTICAL PROFILE

All of the 6,668 juveniles studied in the sample were brought to the attention of the juvenile justice system with at least one delinquent complaint. They exited the system in FY 2018 from one of three levels of involvement examined – diversion (n=3,876), probation (n=2,633), and commitment to a YDC facility (n=159). For the diversion group, the court counselor determined that the juvenile’s case be diverted from court, while the court counselor determined it was in the best interest of the juvenile in the probation and commitment groups to file a petition for court. Those juveniles had their delinquent complaint adjudicated and disposed in juvenile court, and were either supervised in the community with a Level 1 or Level 2 disposition (i.e., probation) or placed in confinement with a Level 3 disposition (i.e., commitment). If the juvenile exited more than once within the fiscal year, the juvenile was assigned to a group based on the most serious event, as determined by the level of involvement in the system from diversion (least serious) to probation to commitment (most serious). Chapter Two focuses on the placement of juveniles into these three groups and the overall sample. While these groups will be compared throughout this chapter, it should be noted that some results should be interpreted with caution due to the small number of juveniles in the commitment group (2% of the sample).

Personal Characteristics

Table 2.1 describes the personal characteristics by level of involvement. Overall, 72% of juveniles were male. Committed juveniles had the highest percentage of males at 95%. Almost half (48%) of the juveniles in the sample were black, 39% were white, 9% were Hispanic, and 4% were identified as other or unknown.¹⁹ Committed juveniles also had the highest percentage of black juveniles (79%) compared to the diversion and probation groups (46% and 49% respectively). At the time of their alleged delinquent act, the juveniles’ average age was 14 years. The diversion group was slightly younger at 13

¹⁹ Due to low percentages, American Indian, Asian, and multiracial juveniles were combined with other/unknown into one category.

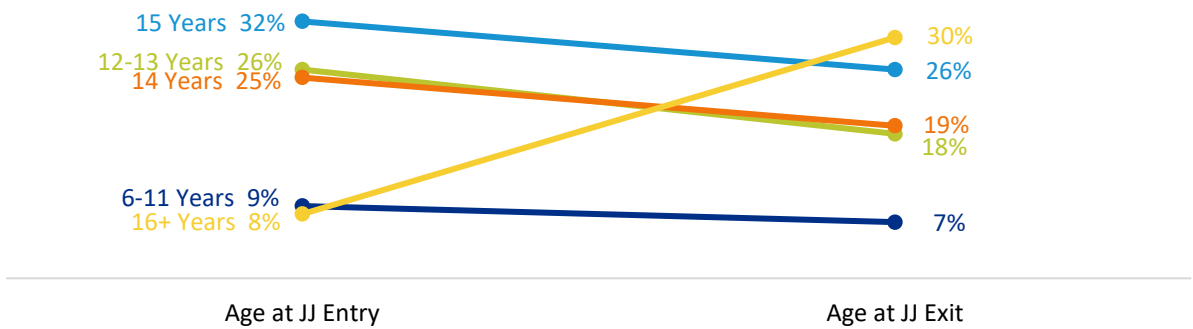
years than the overall average age. Most juveniles (60%) were 14 or 15 years old when the alleged offense occurred. The diverted group had a higher proportion of juveniles 11 years or younger and a lower proportion of juveniles 14 years and older compared to the other two groups. Figure 2.1 illustrates how juveniles aged during their juvenile justice involvement. A higher percentage of juveniles were 16 years or older at exit (30%) compared to their age at entry (8%).²⁰

**Table 2.1
Personal Characteristics**

Personal Characteristics	Diversion n=3,876 %	Probation n=2,633 %	Commitment n=159 %	Total N=6,668 %
Gender	%	%	%	%
Male	69	74	95	72
Female	31	26	5	28
Race	%	%	%	%
White	41	37	13	39
Black	46	49	79	48
Hispanic	9	10	5	9
Other/Unknown	4	4	3	4
Age at Offense	%	%	%	%
6-11 Years	14	5	1	10
12-13 Years	33	26	14	30
14 Years	26	29	32	27
15 Years	27	40	53	33
Age at:	Avg.	Avg.	Avg.	Avg.
Offense	13	14	14	14
JJ Entry	13	14	15	14
JJ Exit	14	15	16	14

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

**Figure 2.1
Juvenile Age during Juvenile Justice Involvement**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

²⁰ See Table E.1 in Appendix E for the distribution of juvenile age at entry and exit for the individual groups.

Prior Juvenile Justice Contacts

It is important to look at whether juveniles in the sample had contact with the juvenile justice system prior to their entry into the sample to gain an understanding of the juveniles' frequency of interaction with the system. Figure 2.2 provides the percentage of juveniles with prior juvenile justice contacts by level of involvement. Overall, 34% of the sample had at least one delinquent complaint prior to sample entry. As expected, juveniles diverted from court had a lower percentage with a prior complaint (17%) than juveniles who were adjudicated and disposed (56% for probation and 97% for commitment). Nine percent (9%) of juveniles had at least one prior adjudication and 10% had a prior confinement.²¹ For all measures of prior juvenile justice contacts examined, the deeper the juvenile's involvement with the system the more prior contacts the juvenile had.

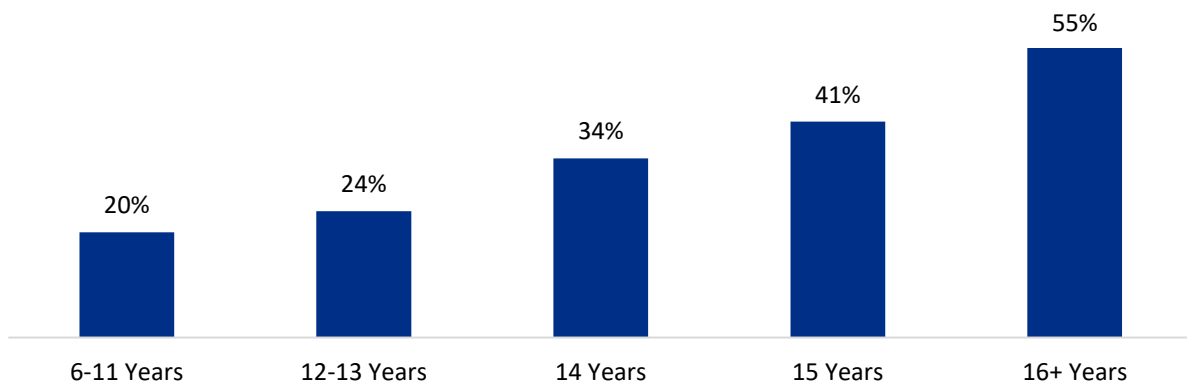
Figure 2.2
Prior Juvenile Justice Contacts

Diversion	Probation	Commitment	Total
<ul style="list-style-type: none"> •17% prior complaint •2% prior adjudication •1% prior confinement 	<ul style="list-style-type: none"> •56% prior complaint •16% prior adjudication •19% prior confinement 	<ul style="list-style-type: none"> •97% prior complaint •83% prior adjudication •98% prior confinement 	<ul style="list-style-type: none"> •34% prior complaint •9% prior adjudication •10% prior confinement

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

To examine the relationship between age and prior juvenile justice contacts, Figure 2.3 shows the percentage of juveniles with at least one prior contact by age at juvenile justice entry (i.e., start of diversion plan/contract or date of the dispositional hearing). Generally, the percentage of juveniles with at least one prior complaint increased as age increased.

Figure 2.3
Prior Complaints by Age at Juvenile Justice Entry



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

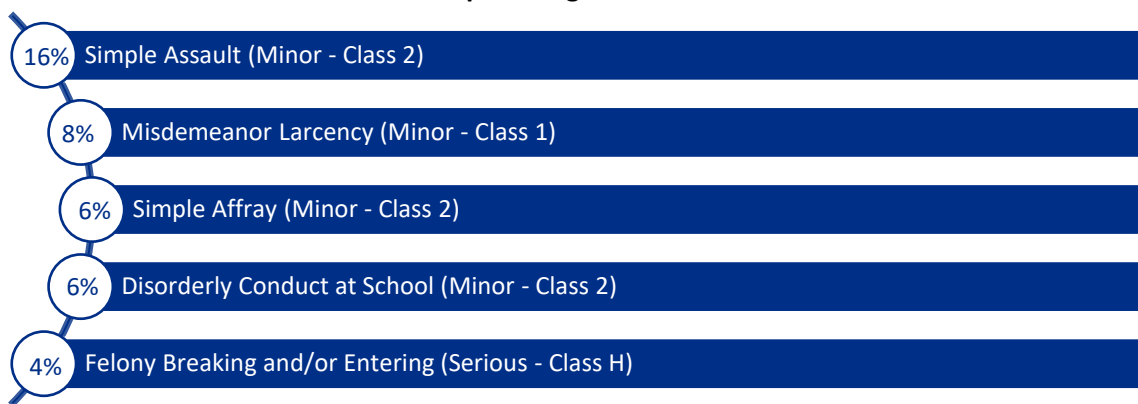
²¹ A prior confinement could be a detention center admission or a YDC commitment or both. Generally, juveniles who had a YDC commitment also had a detention center admission.

Of the 2,285 juveniles with at least one prior complaint, most were in the probation group (64%). Examination of the juvenile’s most serious prior offense indicated 76% had a misdemeanor offense as the most serious prior complaint. Diverted juveniles had a higher percentage of misdemeanor offenses (90%) as their most serious prior complaint compared to the probation and commitment groups (75% and 23% respectively). Committed juveniles had the highest percentage with a felony as their most serious prior complaint (77%).

Charged Offense

The most serious charged offense is defined as the most serious offense alleged in the complaint (hereinafter referred to as charged offense).²² Figure 2.4 provides the most common offenses for juveniles in the sample (e.g., simple assault, misdemeanor larceny, simple affray). The top 5 offenses accounted for 40% of charged offenses for the sample. The top 4 offenses are misdemeanors.

**Figure 2.4
Top 5 Charged Offenses**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Table 2.2 provides a comparison between the groups with respect to their offense profile. Overall, the majority of the 6,668 juveniles (82%) had a misdemeanor as their most serious charged offense. Nearly all of the diversion group and nearly three-fourths of the probation group had a misdemeanor offense compared to only 15% of the commitment group. Twenty-nine percent (29%) of juveniles in the commitment group were alleged to have committed a Violent offense (Class A through E felonies).²³ While one-third (36%) of the probation group and two-thirds (67%) of the commitment group had a Serious offense, only 13% of the diversion group were alleged to have committed a Serious offense.²⁴

²² See Chapter Four for the adjudicated offense classification for juveniles in the probation and commitment groups.

²³ See Chapter One and Appendix B for a discussion of offense classifications in the Juvenile Disposition Chart.

²⁴ Of the 515 Serious offenses alleged to have been committed by the diversion group, 251 (or 49%) were for Class A1 misdemeanors. For the probation and commitment groups, 29% and 17%, respectively, of the Serious offenses were for Class A1 misdemeanors.

**Table 2.2
Charged Offense**

Charged Offense	Diversion n=3,876 %	Probation n=2,633 %	Commitment n=159 %	Total N=6,668 %
Offense Type				
Felony	7	30	85	18
Misdemeanor	93	70	15	82
Offense Classification				
Violent				
Class A-E Felonies	--	4	29	2
Serious				
Class F-I Felonies	13	36	67	24
Class A1 Misdemeanor				
Minor				
Class 1-3 Misdemeanors	87	60	4	74
Crime Category				
Person	42	40	47	41
Property	26	37	48	31
Drug	9	8	1	8
Other	23	15	4	20
School-Based Offense				
No	30	54	90	41
Yes	70	46	10	59

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Juveniles' charged offenses were also grouped into four crime categories: person, property, drug, and other.²⁵ Overall, the most common type of offense, regardless of whether it was a felony or misdemeanor, was person (41%), followed by property (31%), other (20%), and drug (8%). (See Table 2.2.) Of the person offenses, most (88%) were for a misdemeanor offense. The top 2 person offenses were simple assault and simple affray. Most of the property offenses (65%) were misdemeanors. The top 2 property offenses were misdemeanor larceny and felony breaking and/or entering. With 89% of the drug offenses being a misdemeanor, the most common offenses were simple possession of Schedule VI controlled substance and possess marijuana up to ½ ounce (a Schedule VI substance). Almost all (96%) of the offenses categorized as other were misdemeanors. The most common offenses in the other category were disorderly conduct at school and weapons on educational property.

Overall, 59% of juveniles had a school-based offense.²⁶ Nearly three-fourths of diverted juveniles (70%) had a school-based offense, while less than half of the juveniles with probation (46%) had a school-based offense. Committed juveniles had the fewest school-based offenses (10%).

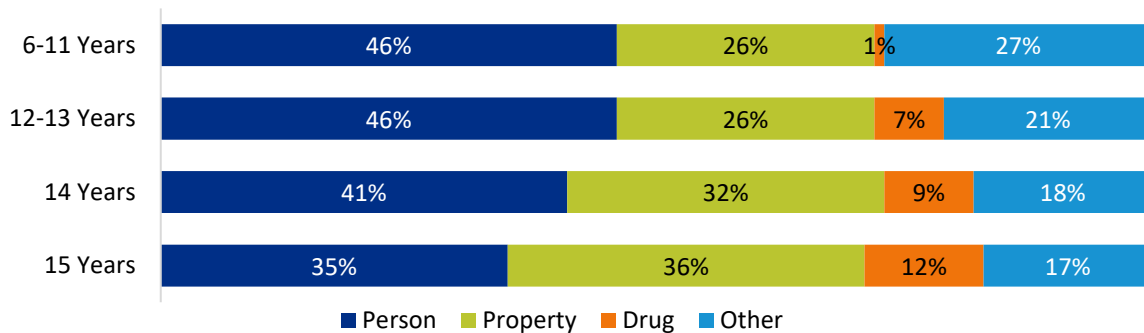
²⁵ A person offense is defined as an offense involving force or threat of force. A property offense is defined as a violation of criminal laws pertaining to property. A drug offense is defined as a violation of laws pertaining to controlled substances. Offenses categorized as other include those that do not fall into one of the other three categories.

²⁶ A school-based offense is defined as an offense that occurs on school grounds, school property (e.g., buses), at a school bus stop, or at an off-campus school-sanctioned event (e.g., field trips, athletic competitions) or whose victim is a school (such as a false bomb report). School includes any public or private institution providing elementary (grades K-8), secondary (grades 9-12),

Crime Category and Age at Offense

Figure 2.5 contains information on the juvenile’s age at the time the alleged charged offense occurred in relation to the type of crime. As the juvenile’s age increased, the types of offenses they committed shifted. Person offenses decreased as juveniles aged – 46% for juveniles aged 6-11 years compared to 35% for juveniles aged 15 years. Property and drug offenses increased as juveniles aged (26% to 36% for property offenses and 1% to 12% for drug offenses). Offenses in the other category decreased as juveniles aged.

Figure 2.5
Crime Category of Charged Offense by Age at Offense



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Risk and Needs Assessments

During intake, DACJJ staff administers an RNA to all juveniles to assess the risk of future delinquency and to determine the individual needs of the juvenile.²⁷ Only 9 juveniles in the diversion group did not have both a risk and needs assessment completed and are excluded from the RNA data provided. Table 2.3 lists select results of the assessments for the three groups and for the sample as a whole. Most notable among the risk factors, 88% of juveniles had school behavior problems, 35% had at least one prior intake referral, 16% had their first referral before age 12, and 15% had parents/guardians who were unwilling or unable to provide parental supervision. The commitment group had more risk factors than the other two groups, while the probation group had more risk factors than the diverted group. This is summarized in the average risk scores by groups – the commitment group’s risk score (19) was almost 5 times greater than the diversion group’s risk score (4) and over 2 times greater than the probation group’s risk score (8). These findings are not surprising given the deeper involvement with the juvenile system of the commitment and probation groups.

or post-secondary (e.g., community college, trade school, college) education, but excludes home schools, preschools, and daycares.

²⁷ See Appendix A for a copy of the North Carolina Assessment of Juvenile Risk of Future Offending and the North Carolina Assessment of Juvenile Needs instruments and for information on the number and percentage of juveniles with a risk and needs assessment for the sample. Overall, risk assessments were completed within 9 days on average, while the needs assessment was completed within 8 days on average. The risk and needs findings in this report only include the juveniles who had both RNAs completed. See Table A.1 for more details of the completion and average time to RNA.

Table 2.3
Select Risk and Needs Indicators

Risk and Needs Indicators	Diversion n=3,867	Probation n=2,633	Commitment n=159	Total N=6,659
Risk Assessment	%	%	%	%
First Referral Before Age 12	18	13	22	16
Prior Intake Referrals	17	58	97	35
Prior Adjudications	2	33	94	16
Prior Assaults	8	27	67	17
Had Run Away	5	18	57	12
Had School Behavior Problems	86	91	97	88
Parents/Guardians Unwilling/Unable to Provide Parental Supervision	5	27	65	15
Risk Score (0-30 points) Avg.	4	8	19	6
Needs Assessment	%	%	%	%
Functioning Below Academic Grade Level	7	15	20	11
Juvenile Parent Status (i.e., is a parent)	<1	1	4	1
History of Victimization	15	27	30	20
Risky Sexual Behavior	2	11	14	6
Need for Mental Health Care Indicated	63	86	97	73
Basic Needs Are Not Being Met	<1	1	1	<1
Impaired Functioning (i.e., medical, dental, health/hygiene)	1	1	2	1
Conflict in the Home	12	32	58	21
Parent, Guardian, or Custodian has Disabilities	3	6	7	4
One or More Members of Household have Substance Use Problems	7	13	21	10
Indication of Family Member's Involvement in Criminal Activity	38	56	74	46
Needs Score (0-51 points) Avg.	9	14	21	11
Combined Risk and Needs Indicators	%	%	%	%
Substance Use	19	42	86	30
Gang Affiliation	2	9	47	6
Negative Peer Relationships	54	81	100	66

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

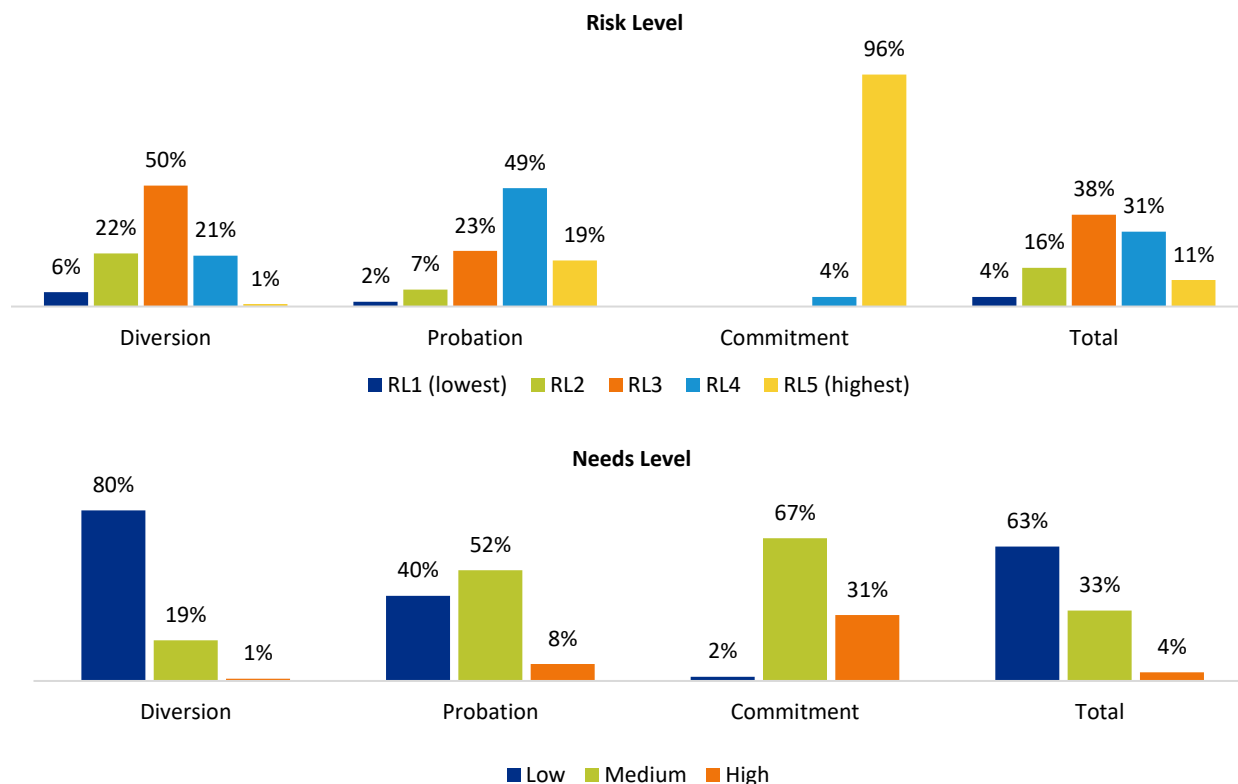
The needs assessment revealed that very few juveniles had basic needs that were not being met (less than 1%). For three-fourths of the juveniles who were assessed, mental health care was indicated as a need (73%). Problems related to homelife were evident, with 46% of juveniles having criminality in their family, 21% experiencing conflict in the home, and 20% having some history of victimization. As seen with the risk indicators, the commitment group had more needs than the other two groups. Also similar to the risk indicators, the probation group had more needs than the diverted group. Again, this is summarized in the average needs scores. The commitment group's average needs score (21) was 2 times higher than the diversion group's needs score (9) and 1.5 times higher than the probation group's needs score (14).

Combining select risk and needs indicators, 30% of juveniles had substance use problems and 66% had negative peer relationships. Overall, a very small percentage of the sample (6%) reported some type of gang affiliation; however, almost half (47%) of the commitment group reported some type of gang affiliation. As with the individual risk and needs indicators, similar patterns between the groups (with the commitment group having the highest proportion) were found for these combined measures.

Using the assessment instruments, separate risk and needs scores were computed for each juvenile, placing the juvenile in one of five levels of risk from RL1 (lowest risk) to RL5 (highest risk) and into low, medium, or high level for needs. Figure 2.6 shows the risk levels for each group and for the entire sample. Overall, there were few juveniles that were RL1 or RL5 (4% and 11% respectively). As expected, risk level increased as the seriousness of juvenile justice involvement increased. Fewer diverted juveniles were assessed at the higher risk levels (22% for RL4 and RL5) compared to juveniles in the probation group (68% for RL4 and RL5) and the commitment group (100% for RL4 and RL5). Conversely, more juveniles with diversion were assessed at the lower risk levels (28% for RL1 and RL2) compared to the other groups (9% for RL1 and RL2 for the probation group and none for the commitment group).

Figure 2.6 also shows the needs levels for each group and for the entire sample. Overall, there were few juveniles that were high needs (4%) and most were low needs (63%). The majority of juveniles with a diversion (80%) were assessed as low needs, while less than half (40%) of the probation group and only 2% of the commitment group were assessed as low needs. Juveniles in the commitment group had the highest percentage of juveniles assessed as high needs (31%).

Figure 2.6
Risk and Needs Assessments

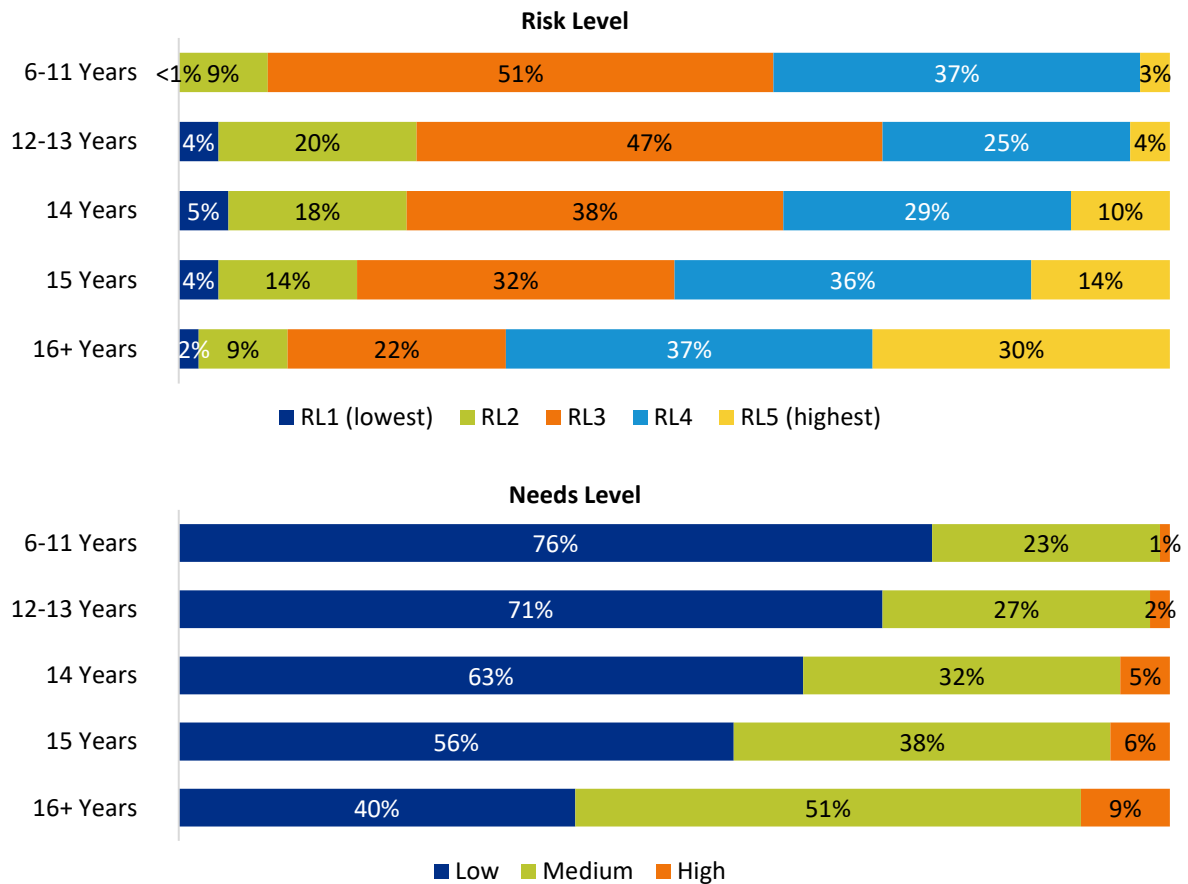


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Risk/Needs Levels and Age at Juvenile Justice Entry

Examination of RNA levels by the juvenile’s age at juvenile justice entry revealed differences in juveniles’ age and levels of RNA (see Figure 2.7). The youngest juveniles were assessed primarily at RL3 and RL4 (88% of juveniles aged 6-11). As age increased, more juveniles were assessed at the highest risk level (RL5). This is not surprising as the risk assessment includes items that take into account prior contact with the juvenile system as part of the assessment. Based on needs level, most of the younger juveniles (76%) were assessed as low needs, but the percentage of juveniles assessed as low needs decreased as juveniles aged (to 40% at 16 years and older).

Figure 2.7
Risk and Needs Levels by Age at Juvenile Justice Entry



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Length of Juvenile Justice Involvement

Table 2.4 provides information on the length of involvement, which reflects juvenile justice practices and policies and is associated with the seriousness of the charged offense. Consequently, the length of involvement increased across the three groups – the diversion group spent the least amount of time, on average, in the system compared to the probation and commitment groups (4, 12, and 13 months respectively).

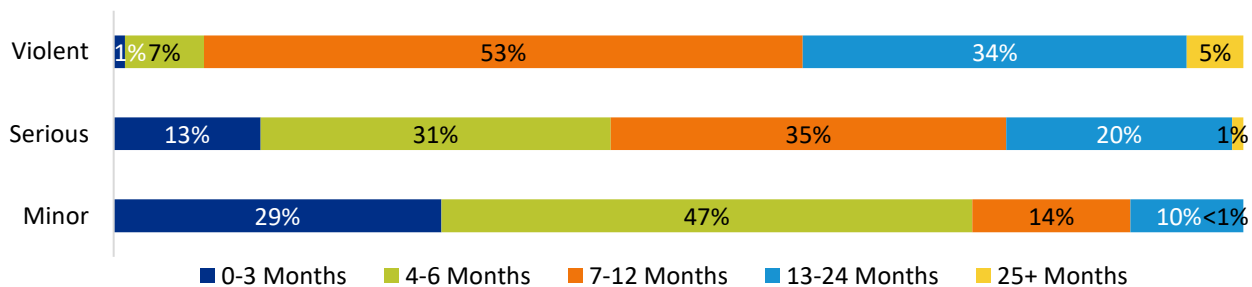
Table 2.4
Length of Juvenile Justice Involvement

	Diversion n=3,876	Probation n=2,633	Commitment n=159	Total N=6,668
Length of JJ Involvement	%	%	%	%
0-3 Months	42	1	3	25
4-6 Months	58	21	17	43
7-12 Months	--	48	37	20
13-24 Months	--	29	38	12
25+ Months	--	1	5	<1
Overall Average in Months	4	12	13	7

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Figure 2.8 examines the length of the juvenile’s involvement by offense classification for the sample as a whole. Juveniles who were alleged to have committed a Violent offense spent the longest amount of time in the juvenile justice system (92% at 7 months or more) compared to the juveniles who were alleged to have committed a Serious offense (56% at 7 months or more). Juveniles with a Minor offense spent the least amount of time in the juvenile justice system (76% at 6 months or less). The diversion group, whose charged offenses were mainly Minor offenses, comprised the majority of juveniles with shorter lengths of involvement (i.e., 6 months or less). The probation and commitment groups, due to their more serious offenses, comprised the greatest proportion of juveniles with longer lengths of involvement.

Figure 2.8
Length of Juvenile Justice Involvement by Charged Offense



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

JUVENILE AND ADULT RECIDIVISM

Subsequent complaints were used as the primary measure for juvenile recidivism, supplemented with information on subsequent adjudications. Arrests were used as the primary measure for adult recidivism, supplemented with information on convictions. A combined measure of subsequent juvenile complaints and/or adult arrests was compiled to indicate any recidivist involvement in either system.²⁸ Recidivism rates are only reported for juveniles when there are more than 25 juveniles in a specific category.

²⁸ The primary recidivism measure was supplemented by a similar measure for subsequent juvenile adjudications and/or adult convictions. See Chapter One for details on this recidivism measure and Appendix E for data.

Recidivism during Juvenile Justice Involvement

As discussed in Chapter One, recidivism rates are examined at two points in time – during juvenile justice involvement and during the two-year follow-up. Table 2.5 contains information on the recidivism rates during juvenile justice involvement. Overall, 18% of juveniles had a delinquent complaint and/or an adult arrest during their sample involvement. Juveniles on probation had the highest recidivism rates at 30% followed by juveniles in the diversion group at 11%. Not surprisingly, juveniles in the commitment group had the lowest recidivism rates at 8% since they were confined in a YDC facility and had the least opportunity to recidivate during this time period.

For juveniles with recidivism, the first event occurred an average of 3 months after their sample entry. The diversion group tended to recidivate somewhat earlier than the other groups at 2 months; however, this is likely related to their shorter length of involvement (an average of 4 months) compared to the other groups (12 months for probation and 13 months for commitment). The probation and commitment groups committed their first recidivist event at 4 months and 3 months respectively, on average, into their juvenile justice involvement. Overall, 67% had a misdemeanor as their most serious recidivist offense. The diversion group was more likely to have a misdemeanor as their most serious recidivist offense (82%) compared to the probation group (60%). While a small portion of the commitment group had a recidivist event while committed in a YDC facility (8%), they were less likely to have a misdemeanor (23%) as their most serious recidivist event compared to the other two groups.

Table 2.5
Recidivism Rates: Juvenile Justice Involvement

Level of Involvement	N	Any Recidivism		Months to Recidivism Avg.	Most Serious Recidivist Offense:	
		#	%		Felony %	Misdemeanor %
Diversio	3,876	408	11	2	18	82
Probation	2,633	789	30	4	40	60
Commitment	159	13	8	3	77	23
Total	6,668	1,210	18	3	33	67

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Recidivism during Two-Year Follow-Up

Table 2.6 examines recidivism rates by level of involvement for the one-year and two-year follow-up. Overall, 22% of the sample had at least one subsequent delinquent complaint and/or arrest during the one-year follow-up and 31% during the two-year follow-up. Juveniles in the commitment group had higher recidivism rates during the follow-up period compared to juveniles in the diversion and probation groups. It should be noted that 94% of the juveniles exiting from a YDC facility (i.e., commitment group) were supervised on post-release supervision for the first 90-days of their release.

Table 2.6
Recidivism Rates: Two-Year Follow-Up

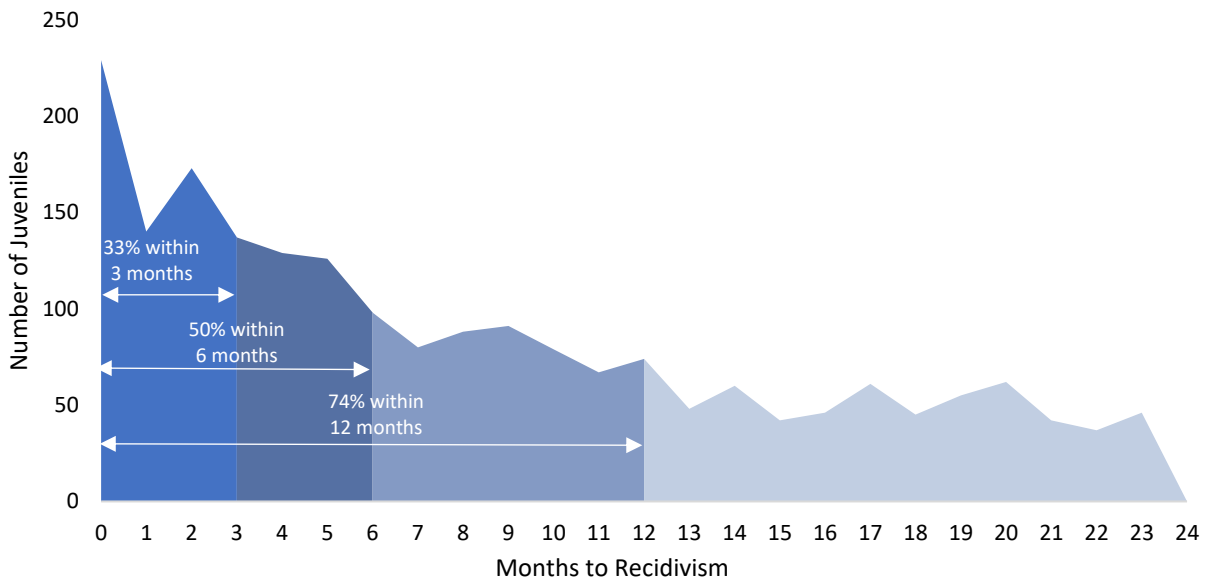
Level of Involvement	N	Months to Recidivism Avg.	# of Juveniles with Any Recidivism	Total # Recidivist Events	One-Year Follow-up %	Two-Year Follow-up %
Diversion	3,876	8	1,056	2,199	19	27
Probation	2,633	8	902	1,945	24	34
Commitment	159	6	97	319	49	61
Total	6,668	8	2,055	4,463	22	31

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Table 2.6 also provides information on the total number of recidivist events for those juveniles who had a subsequent juvenile complaint, an adult arrest, or both during the follow-up period. The 2,055 juveniles with any recidivism accounted for a total of 4,463 recidivist events. The diversion group accounted for the highest volume of subsequent complaints and/or adult arrests at 2,199. For those juveniles who reoffended, the average number of recidivist events was 2. The juveniles in the commitment group had a higher average number of recidivist events at 3, while the other two groups averaged 2.

For those juveniles with at least one subsequent delinquent complaint and/or arrest, the first recidivist event occurred an average of 8 months after the beginning of their follow-up (see Table 2.6). The commitment group tended to recidivate somewhat earlier (an average of 6 months) than the probation or diversion groups (an average of 8 months each). Of the 2,055 juveniles with a recidivist event, 33% recidivated within 3 months, 50% within 6 months, and 74% within 12 months (see Figure 2.9).

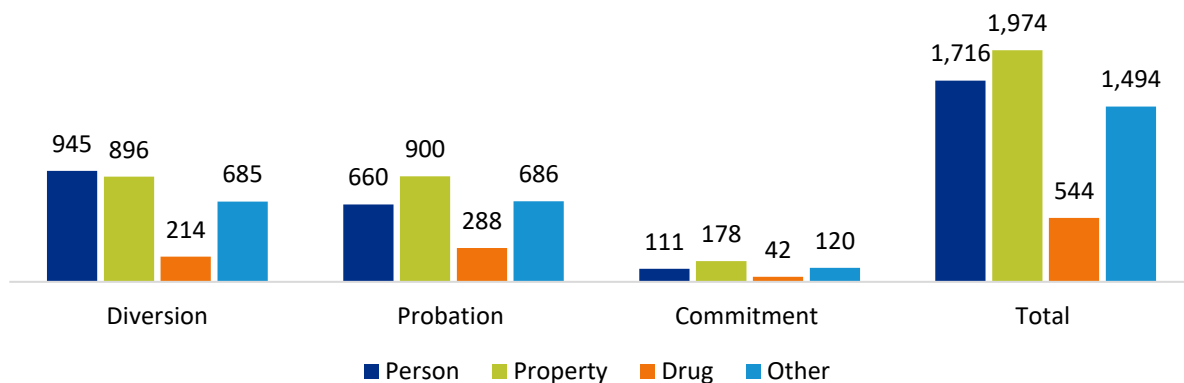
Figure 2.9
Months to First Recidivist Event for Juveniles with Recidivism



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

The recidivist events were categorized based on crime category, as shown in Figure 2.10. Property and person offenses comprised the largest volume of recidivist events for the entire sample and for the diversion group, while drug offenses comprised the lowest volume of recidivist events. Overall, 48% had a felony as their most serious recidivist offense. Juveniles in diversion group were less likely to have a felony as their most serious recidivist offense (37%) compared to juveniles in the probation and commitment groups (57% and 91% respectively).

Figure 2.10
Number of Recidivist Events by Crime Category for Juveniles with Recidivism: Two-Year Follow-Up



Note: Multiple crime categories may be linked to a recidivist event. As a result, the number of recidivist events by crime category cannot be added together to equal the total number of recidivist events.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Personal Characteristics and Recidivism

Table 2.7 provides recidivism rates during the two-year follow-up by the juvenile’s personal characteristics: gender, race, and age. Overall, males had higher recidivism rates than females (34% and 24% respectively). Black juveniles had the highest recidivism rates at 38%, followed by juveniles identifying as other or unknown (33%), Hispanic juveniles (25%), and white juveniles (23%). Overall, juveniles aged 12-13 had the highest recidivism rates for all time points examined by age (see Table 2.7 and Figure 2.11).

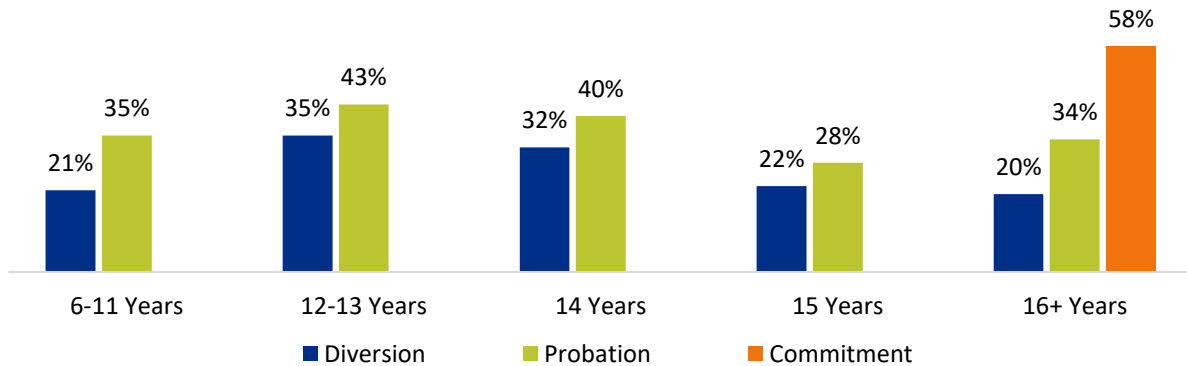
Figure 2.11 examines recidivism rates by age at juvenile justice exit during the two-year follow-up. The diversion and probation groups had the highest recidivism rates for those juveniles exiting the juvenile justice system at 12 to 13 years. Eighty-two percent (82%) of the commitment group had turned 16 years at the time they exited a YDC (see Table E.1 in Appendix E). The commitment group had the highest recidivism rates of all juveniles who were 16 years or older at their juvenile justice exit during the two-year follow-up (58% compared to 20% for diversion and 34% for probation groups).

Table 2.7
Recidivism Rates by Personal Characteristics: Two-Year Follow-Up

Personal Characteristics	N	Diversion n=3,876 %	Probation n=2,633 %	Commitment n=159 %	Total N=6,668 %
Gender					
Male	4,804	29	37	62	34
Female	1,864	22	27	--	24
Race					
White	2,577	20	26	--	23
Black	3,190	34	41	63	38
Hispanic	627	22	29	--	25
Other/Unknown	274	31	35	--	33
Age at Offense					
6-11 Years	670	24	39	--	27
12-13 Years	1,972	35	37	--	36
14 Years	1,832	26	33	53	30
15 Years	2,194	20	33	64	28
Age at JJ Entry					
6-11 Years	578	23	45	--	26
12-13 Years	1,720	35	40	--	37
14 Years	1,679	27	34	63	30
15 Years	2,172	21	31	53	27
16+ Years	519	19	34	68	35
Total	6,668	27	34	61	31

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

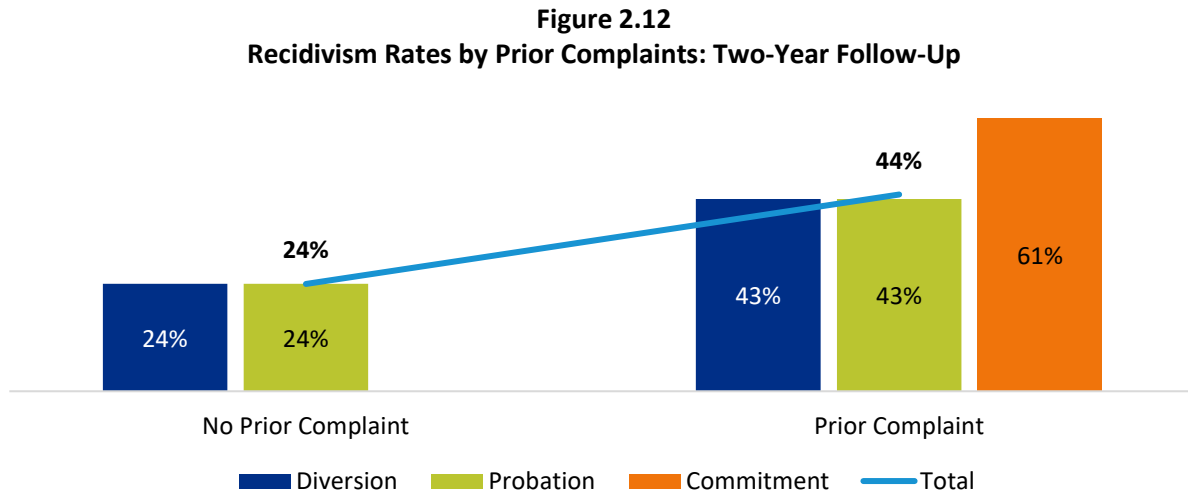
Figure 2.11
Recidivism Rates by Age at Juvenile Justice Exit: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Prior Complaints and Recidivism

Overall, 34% (n=2,285) of juveniles had at least one prior delinquent complaint before entry into the sample (see Figure 2.2). Figure 2.12 examines recidivism rates for juveniles with at least one prior complaint in comparison to juveniles with no prior complaint before sample entry. Forty-four percent (44%) of juveniles with at least one prior complaint had a subsequent complaint and/or adult arrest compared to 24% of juveniles with no prior complaint, with similar findings for the diversion and probation groups. Juveniles in the commitment group who had prior complaints had substantially higher recidivism rates than the other two groups.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Charged Offense and Recidivism

In Table 2.8, recidivism rates are examined by the most serious charged offense and by level of involvement. There were slight differences in recidivism rates based on offense type for the sample overall or for juveniles in the diversion group. However, juveniles in the probation group had higher recidivism rates if their charged offense was a misdemeanor. In examining recidivism rates by offense classification, there were no differences for the diverted group. Juveniles in the probation group with a Minor offense (Class 1 through Class 3 misdemeanors) had higher recidivism rates compared to all other offenses. For the commitment group, juveniles with a Serious offense (Class F-I felonies or Class A1 misdemeanors) had higher recidivism rates than juveniles with a Violent offense (Class A through E felonies).

Overall, juveniles with person offenses had the lowest recidivism rates compared to the other three crime categories and represented the lowest recidivism rates for the probation and commitment groups. With the exception of the commitment group, there was little difference in recidivism rates for juveniles with a school-based offense compared to those whose offense were not school-based.

Table 2.8
Recidivism Rates by Charged Offense: Two-Year Follow-Up

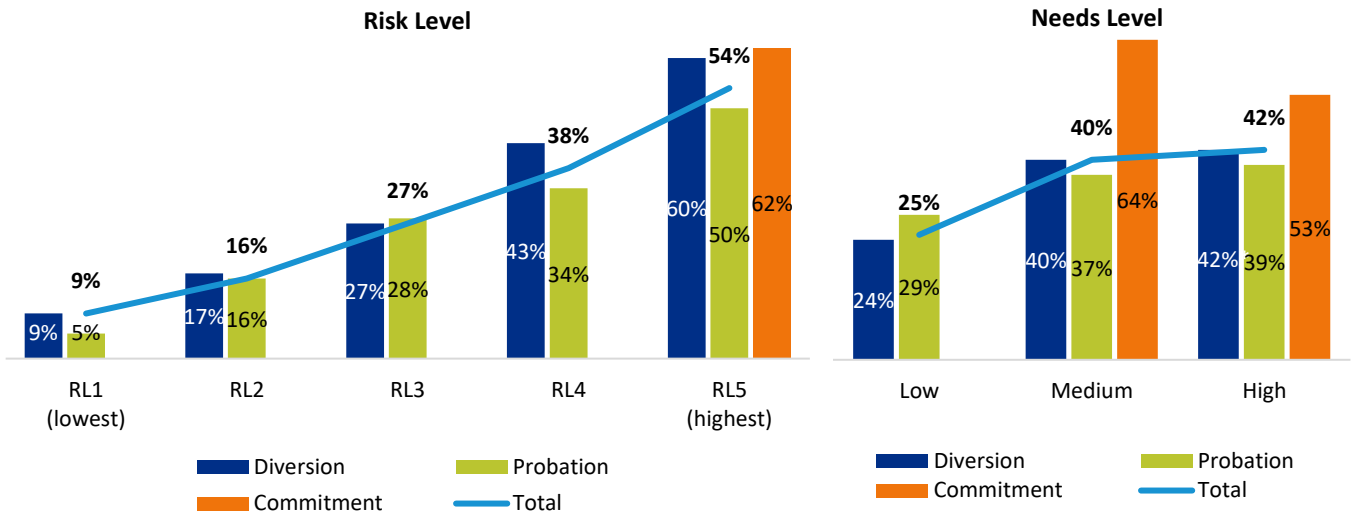
Charged Offense	N	Diversion n=3,876	Probation n=2,633	Commitment n=159	Total N=6,668
Offense Type					
Felony	1,180	30	29	57	32
Misdemeanor	5,488	27	37	--	31
Offense Classification					
Violent					
Class A-E Felonies	154	--	29	49	35
Serious					
Class F-I Felonies	1,564	29	31	67	33
Class A1 Misdemeanor					
Minor					
Class 1-3 Misdemeanors	4,950	27	37	--	30
Crime Category					
Person	2,736	27	31	61	29
Property	2,083	29	34	62	33
Drug	554	29	39	--	32
Other	1,295	26	40	--	31
School-Based Offense					
No	2,738	28	34	59	33
Yes	3,930	27	34	--	29
Total	6,668	27	34	61	31

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Risk/Needs Levels and Recidivism

As shown previously (see Figure 2.6), the majority of juveniles were assessed in the middle three risk levels (85%) and most juveniles were assessed as low needs (63%). Figure 2.13 explores the relationship between risk and needs levels and recidivism rates. As expected, RL1 (lowest risk) juveniles had the lowest recidivism rates (9%) compared to RL5 (highest risk) juveniles (54%), with an incremental, stair-step progression of recidivism rates between the middle three risk levels (RL2 to RL4). Similar findings in recidivism rates were seen when examining the relationship between needs level and subsequent complaints and/or adult arrests. However, the increase between the recidivism rates of the medium and high needs juveniles was smaller than the increase between the recidivism rates of low and medium needs juveniles. Juveniles in the probation group had nearly equivalent recidivism rates for both medium and high needs juveniles.

Figure 2.13
Recidivism Rates by Risk and Needs Levels: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Information on recidivism rates and combined indicators from the RNA tools – substance use, gang affiliation (whether as a gang member or as an associate of a gang member), and peer relationships – is provided in Table 2.9. Juveniles with substance use, gang affiliation, and negative peer influence had higher recidivism rates (40%, 50%, and 36% respectively) compared to their counterparts (no substance use, no gang affiliation, and positive peer influence). Similar results were found when examined by level of involvement.

Table 2.9
Recidivism Rates by Risk and Needs Indicators: Two-Year Follow-Up

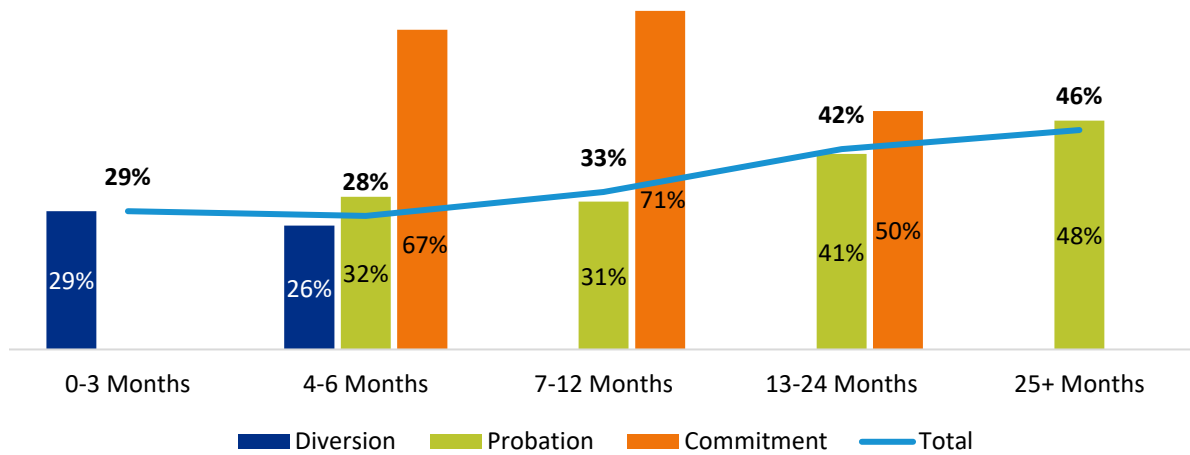
Risk and Needs Indicators	N	Diversion n=3,867 %	Probation n=2,633 %	Commitment n=159 %	Total N=6,659 %
Substance Use					
No	4,659	25	30	--	27
Yes	2,000	37	40	58	40
Gang Affiliation					
No	6,275	27	33	56	30
Yes	384	48	46	67	50
Peer Relationships					
Positive	2,286	20	27	--	21
Negative	4,373	34	36	61	36
Total	6,659	27	34	61	31

Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Length of Juvenile Justice Involvement and Recidivism

Overall, recidivism rates generally increased the longer juveniles were involved with the juvenile justice system (see Figure 2.14); however, this pattern did not hold once specific groups were examined. The diversion group, which had the shortest average length of involvement (4 months), had minimal differences in recidivism rates by length of involvement. For the probation group who averaged 12 months of juvenile justice involvement, there was little difference in the recidivism rates for those whose involvement was 12 months or less; however, recidivism rates increased for juveniles on probation longer than 12 months. For the commitment group, recidivism rates were similar for those juveniles who were committed to a YDC for 12 months or less, while recidivism rates were lower for juveniles committed to a YDC for 13 months or more.

Figure 2.14
Recidivism Rates by Length of Juvenile Justice Involvement: Two-Year Follow-Up



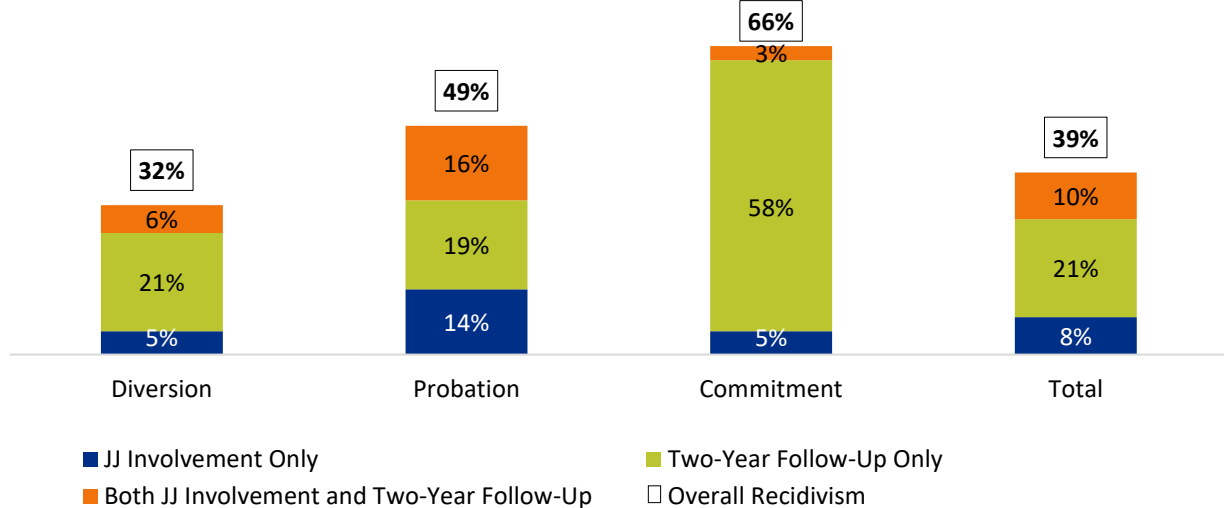
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Overall Recidivism during Juvenile Justice Involvement and Two-Year Follow-Up

Figure 2.15 combines the recidivism rates during the time periods discussed in Tables 2.5 and 2.6 to examine when recidivist activity occurred – during juvenile justice involvement only, the two-year follow-up only, or whether the juvenile recidivated in both time periods. The overall recidivism rates were computed by adding together the rates for juveniles with recidivism during juvenile justice involvement only, during two-year follow-up only, and during both time periods.

Overall, about half of the juveniles with any recidivism recidivated during the two-year follow-up (21% of the 39% overall recidivism rate), with nearly equal numbers of juveniles recidivating either during their juvenile justice involvement only or during both time periods (8% and 10% respectively). Juveniles in the diversion and commitment groups committed most of their juvenile complaints and/or adult arrests during the two-year follow-up (21% of the 32% overall recidivism rate for the diverted juveniles and 58% of the 66% overall recidivism rate for the committed juveniles). Juveniles in the probation group were as likely to recidivate during their time on probation, during the two-year follow-up after exiting probation, or to have recidivated during both time periods (16%, 19%, and 14% respectively).

Figure 2.15
Overall Recidivism Rates during Juvenile Justice Involvement, Two-Year Follow-Up, or Both



Note: The overall recidivism rates were computed by adding together the rates for juveniles with recidivism during juvenile justice involvement only, during two-year follow-up only, and during both time periods.
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

ADDITIONAL OUTCOMES

Confinement to a Detention Center and/or a YDC

Admission to a detention center can occur while a juvenile awaits adjudication and disposition, or it may be imposed as a condition of probation.²⁹ Of the entire sample, 429 juveniles (6%) had at least one admission to a detention center during the two-year follow-up – 285 juveniles in the diversion group, 112 in the probation group, and 32 in the commitment group.

Commitment to a YDC is the most serious sanction available in the juvenile justice system for juveniles who are adjudicated delinquent. Of the juveniles in the sample, 66 juveniles had one or more commitments to a YDC during the two-year follow-up. A YDC commitment during follow-up is not linked to the sample event and could have resulted either from a delinquent complaint during the sample juvenile justice involvement or from a delinquent complaint that occurred during the follow-up period. The groups were similar in the number of juveniles committed to a YDC during the two-year follow-up. The probation group had the most juveniles with a YDC commitment (23 juveniles) compared to the diversion group (22 juveniles) and the commitment group (21 juveniles).

Examining a sample of juveniles as they exit the juvenile system reduces the likelihood of occurrence for detention admissions and YDC commitments during the follow-up period. The juveniles had simply aged out of the juvenile system. A more complete analysis of their confinement during two-year follow-up would include adult confinement (e.g., local jails³⁰ and state prisons).

²⁹ Detention admissions during juvenile justice involvement are examined further in Chapter Four.

³⁰ North Carolina does not have a statewide, automated system for jail data.

Juvenile Transfers to Superior Court

As mentioned in Chapter One, juveniles alleged to be delinquent with a felony offense may be transferred to superior court for trial as adults. There were 9 juveniles who were transferred to adult court during the follow-up period. No information is available about findings of guilt or innocence, or dispositions, in those proceedings.

SUMMARY

Chapter Two examined the FY 2018 juvenile exit sample by three levels of juvenile justice involvement (i.e., diversion, probation, YDC commitment) and as a whole. A statistical profile of the juveniles was provided and included a description of their prior, current, and recidivist contacts with the juvenile justice and criminal justice systems. Two points of time were examined for recidivism (i.e., juvenile complaint and/or adult arrest) – during juvenile justice involvement and during the two-year follow-up period, as well as an overall recidivism rate.

As the seriousness of the juveniles' level of involvement increased (i.e., from diversion to probation to commitment), the percentage of males, black juveniles, and older juveniles increased. These personal characteristics (i.e., gender, race) were also linked to higher recidivism rates during the two-year follow-up. There was a complex relationship between juvenile age and rates of recidivism. Recidivism rates gradually increased by age and peaked at age 12-13. Recidivism rates decreased slightly for juveniles 14 years and older.

Three measures were used to examine prior contacts with the juvenile justice system – prior complaints, adjudications, and confinement (i.e., detention admission and/or YDC commitment). As the seriousness of the juveniles' level of involvement increased, prior contact with the juvenile justice system increased for all three measures. Examination of the relationship between prior contacts and age showed an incremental increase for all three groups by age. Prior contacts with the juvenile justice system were also linked to higher recidivism rates during the two-year follow-up for all three groups.

Most juveniles (82%) had a misdemeanor as their most serious charged offense, with the commitment group having the highest percentage with a felony offense (85%). Only the probation and commitment groups had Violent offenses as their most serious charged offense based on statute and DACJJ policy. Person and property offenses were the most common type of offenses for all three groups. No clear recidivism pattern during the two-year follow-up emerged by charged offense for the three groups.

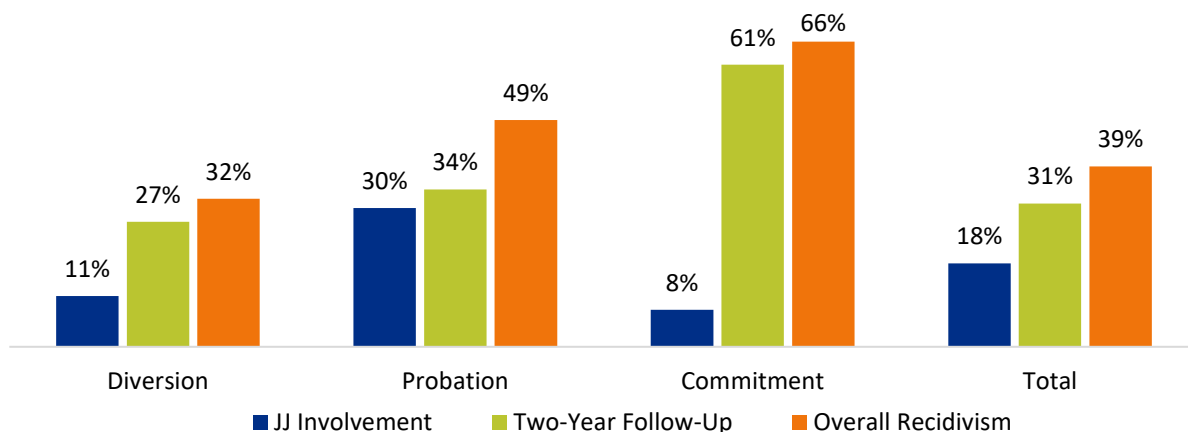
Most juveniles who exited from a YDC facility in FY 2018 were assessed in the higher risk levels and had higher needs compared to juveniles who exited from probation or diversion. An incremental increase in recidivism rates during the two-year follow-up by risk level and needs level (from lowest to highest) was found for all three groups.

The amount of time juveniles spent in the juvenile justice system increased as the seriousness of their level of involvement increased. Diverted juveniles spent the least amount of time in the juvenile system (an average of 4 months), while juveniles who were committed to a YDC spent the most time (13 months). Overall, recidivism rates during the two-year follow-up increased as the length of involvement increased. Differences in recidivism rates and length of involvement were found between the three

groups; however, additional data (e.g., exit reasons for the probation group) are needed to fully understand the complexities between juvenile justice duration and recidivism.

Figure 2.16 summarizes the sample’s recidivism rates for the follow-up periods examined. The committed juveniles had the lowest recidivism rates due to their confinement in a YDC facility during their juvenile justice involvement, closely followed by the diversion group. Juveniles on probation had the highest recidivism rates during their juvenile justice involvement (i.e., probation supervision). During the two-year follow-up period, the diversion group had the lowest recidivism rates. Recidivism rates increased as level of juvenile justice involvement increased – the committed juveniles had the highest recidivism rates of the three groups during the two-year follow-up. This stair-step pattern of higher recidivism rates as level of involvement increased was also found for the overall recidivism rates – juveniles with the least juvenile justice involvement had the lowest recidivism rates (32% for the diverted juveniles), while juveniles with more juvenile justice involvement had the highest overall recidivism rates (49% for the probation group and 66% for the commitment group).

Figure 2.16
Recidivism Rates for FY 2018 Juvenile Recidivism Exit Sample



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

A limitation in the examination of confinement during the two-year follow-up is the lack of available jail data. While prison data are available, it was not included in the analysis due to the lack of comparable statewide jail data. As the juveniles age into the adult system, tracking their confinement in an adult facility (i.e., jail, prison) becomes critical to understanding their subsequent criminal behavior. Including prison data and jail data, when available through a statewide, automated jail data system, would allow for a more complete examination of this behavior in North Carolina.

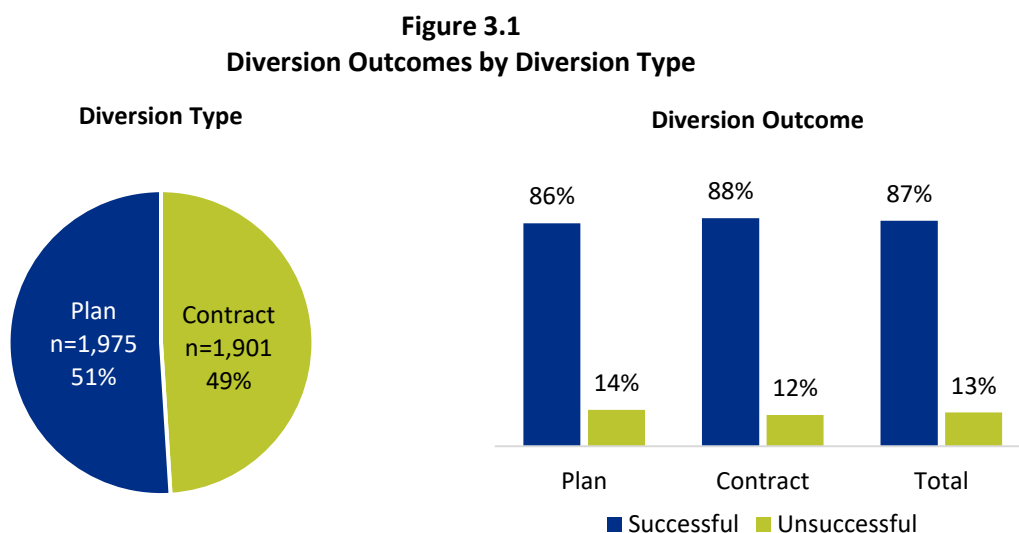
As described in this chapter, juveniles with the least juvenile justice contacts had the lowest recidivism rates, while juveniles with the most contact with the juvenile justice system had the highest recidivism rates. Differences within these groups are examined in more detail in Chapter Three for the diversion group by successful or unsuccessful completion and in Chapter Four for the probation and commitment groups by disposition (i.e., Levels 1 or 2 for the probation group and Level 3 for the commitment group).

CHAPTER THREE DIVERTED JUVENILES

This chapter focuses on the 3,876 juveniles who exited diversion in FY 2018. As described in Chapter One, diversion is used when a court counselor determines that a juvenile’s case should not be brought to court, but that the juvenile is in need of follow-up and referral to a community-based resource. Juveniles are either diverted pursuant to a diversion plan (less formal) or a diversion contract (more formal). Compliance with the plan or contract results in finalization of the juvenile’s diversion with no petition filed for their complaint, while noncompliance could later result in the filing of the complaint as a petition in juvenile court. For this analysis, these outcomes are defined as successful diversion and unsuccessful diversion, respectively, and are used as a comparison throughout the chapter when providing a description of FY 2018 diversion exits and their prior, current, and recidivist involvement in the juvenile justice and criminal justice systems.

STATISTICAL PROFILE

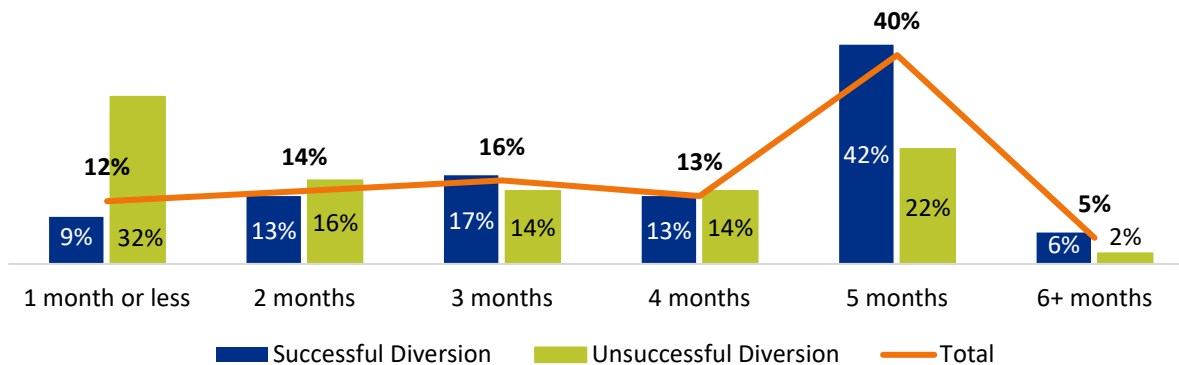
As shown in Figure 3.1, juveniles who exited diversion in FY 2018 were nearly evenly split between diversion with a plan (51%) and diversion with a contract (49%). Most juveniles successfully completed their plan (86%) or contract (88%). Juveniles have up to 6 months to complete the terms of their diversion plan or contract.³¹ Juveniles with a successful diversion (n=3,366) averaged 4 months to completion, while those with an unsuccessful diversion (n=510) averaged 3 months before exiting due to noncompliance. As shown in Figure 3.2, over half (55%) of juveniles with a successful diversion completed the terms of their diversion within 4 or 5 months. Conversely, 48% of juveniles with an unsuccessful diversion failed to comply with the diversion terms within the first 2 months.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

³¹ The length of juvenile justice involvement (i.e., time between the start and end of the diversion period) was greater than 6 months for 6 juveniles in the successful diversion group.

Figure 3.2
Length of Juvenile Justice Involvement

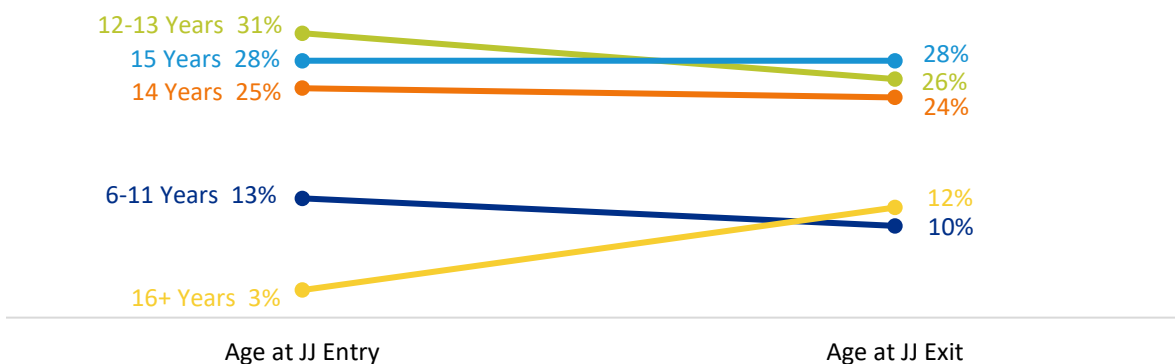


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Personal Characteristics

Juveniles with a successful diversion and those with an unsuccessful diversion were similar in terms of personal characteristics (see Table 3.1 and Figure 3.3). Two-thirds of each group were male and about half were black.³² There were no differences in age at juvenile justice entry based on diversion success – each group entered with an average age of 13 years. Figure 3.3 illustrates how juveniles aged during their time on a diversion plan or contract. A higher percentage of juveniles were 16 or older at exit (12%) compared to age at entry (3%), while a lower percentage were 12-13 years of age at exit (26% compared to 31% at entry).³³

Figure 3.3
Juvenile Age during Juvenile Justice Involvement



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

³² Due to low percentages, American Indian, Asian, and multiracial juveniles were combined with other/unknown into one category.

³³ See Table E.2 in Appendix E for the distribution of juvenile age at entry and exit for successful and unsuccessful diversion.

**Table 3.1
Personal Characteristics**

Personal Characteristics	Successful Diversion n=3,366	Unsuccessful Diversion n=510	Total N=3,876
Gender	%	%	%
Male	69	72	69
Female	31	28	31
Race	%	%	%
White	41	38	41
Black	45	47	46
Hispanic	10	9	9
Other/Unknown	4	6	4
Age at Offense	%	%	%
6-11 Years	15	10	14
12-13 Years	32	40	33
14 Years	26	25	26
15 Years	27	25	27
Age at:	Avg.	Avg.	Avg.
Offense	13	13	13
JJ Entry	13	13	13
JJ Exit	14	14	14

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Prior Juvenile Justice Contacts

In order to gain an understanding of frequency of interaction with the system, information on prior juvenile justice contacts is provided in Figure 3.4. A slightly higher percentage of juveniles with an unsuccessful diversion had prior complaints and adjudications when compared to juveniles with a successful diversion. There were no differences in prior confinement between the groups.³⁴ However, it is important to note that most diverted juveniles did not have prior contacts with the juvenile justice system. Overall, 83% of diverted juveniles had no prior complaints. Very few had prior adjudications (2%) or prior confinements (1%).

Figure 3.5 examines prior complaints by age at juvenile justice entry. Generally, the percentage of juveniles with prior complaints increased as their age at entry increased. However, for juveniles age 16 and older there was a pronounced decrease in the percentage with at least one prior complaint. Juveniles aged 15 had the highest percentage with at least one prior complaint (21%).

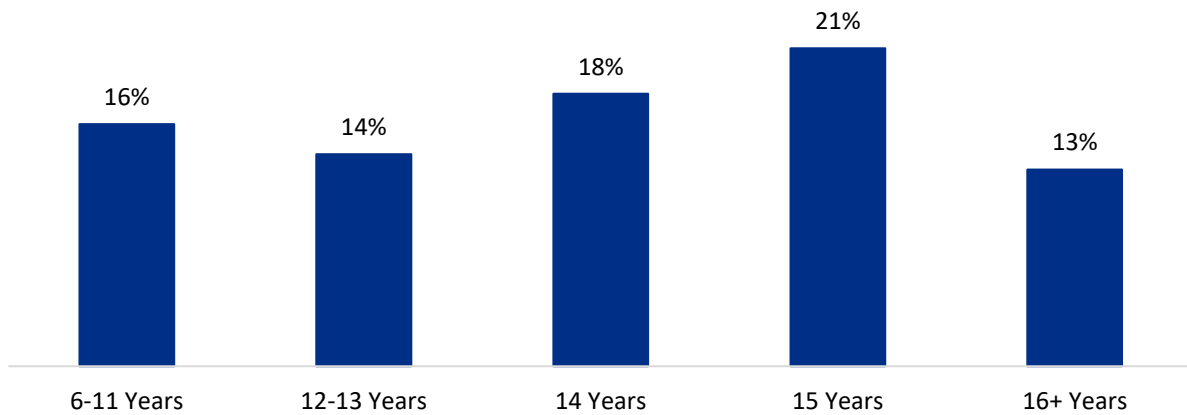
³⁴ A prior confinement could be a detention center admission or a YDC commitment or both. Generally, juveniles who had a YDC commitment also had a detention center admission.

Figure 3.4
Prior Juvenile Justice Contacts

Successful Diversion	Unsuccessful Diversion	Total
<ul style="list-style-type: none"> •17% prior complaint •1% prior adjudication •1% prior confinement 	<ul style="list-style-type: none"> •21% prior complaint •3% prior adjudication •1% prior confinement 	<ul style="list-style-type: none"> •17% prior complaint •2% prior adjudication •1% prior confinement

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Figure 3.5
Prior Complaints by Age at Juvenile Justice Entry



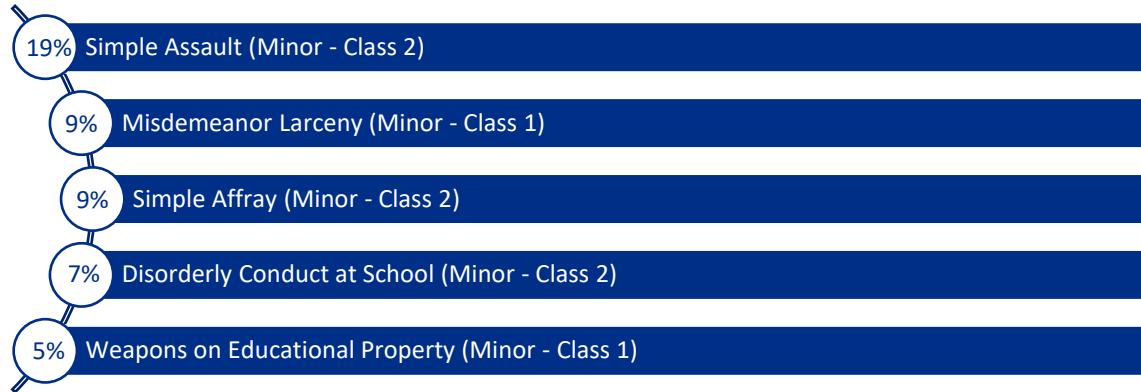
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Examination of the juvenile’s most serious prior offense indicated that 90% had a misdemeanor offense as the most serious prior complaint. Juveniles with an unsuccessful diversion had a slightly greater percentage of misdemeanor offenses (92%) as their most serious prior complaint compared to those with a successful diversion (90%).

Charged Offense

The most serious charged offense (hereinafter referred to as charged offense) is defined as the most serious offense alleged in the complaint for which the juvenile was diverted. Figure 3.6 provides the most common offenses for the diverted group, all of which are misdemeanors. The top 5 offenses accounted for 49% of delinquent complaints for the diverted group. Although the order differed slightly, the top 5 offenses were the same for juveniles with a successful diversion. Juveniles with an unsuccessful diversion had a charged offense of simple possession of a Schedule VI controlled substance instead of weapons on educational property as their 5th top offense.

**Figure 3.6
Top 5 Charged Offenses**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Table 3.2 provides a comparison of the groups with respect to their offense profile. Very few differences were found between juveniles with a successful diversion and juveniles with an unsuccessful diversion. Nearly all juveniles in the diverted group had a misdemeanor as their most serious charged offense (93%). No juveniles who were diverted were alleged to have committed a Violent offense (Class A through E felony) and only 13% were alleged to have committed a Serious offense (Class F through I

**Table 3.2
Charged Offense**

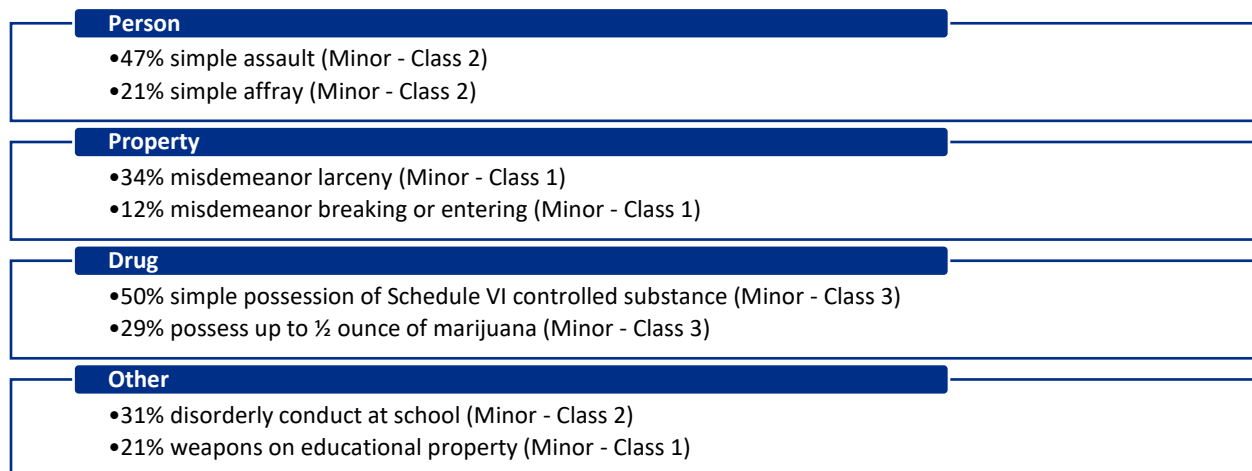
Charged Offense	Successful Diversion	Unsuccessful Diversion	Total
	n=3,366 %	n=510 %	N=3,876 %
Offense Type			
Felony	7	8	7
Misdemeanor	93	92	93
Offense Classification			
Violent			
Class A-E Felonies	--	--	--
Serious			
Class F-I Felonies	13	14	13
Class A1 Misdemeanors			
Minor			
Class 1-3 Misdemeanors	87	86	87
Crime Category			
Person	42	39	42
Property	26	30	26
Drug	9	11	9
Other	23	20	23
School-Based Offense			
No	29	38	30
Yes	71	62	70

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

felonies and Class A1 misdemeanors).³⁵ These findings reflect both legal restrictions and court counselor considerations for closing the case or seeking diversion for those juveniles with less serious offenses (especially misdemeanors). Nondivertible and other serious felonies typically result in the filing of a petition.

Juveniles' charged offenses were also grouped into four crime categories: person, property, drug, and other.³⁶ Figure 3.7 provides the top 2 offenses for each category.

Figure 3.7
Top 2 Charged Offenses by Crime Category



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Juveniles with a successful diversion had a slightly lower percentage of property and drug offenses and a slightly higher percentage of person offenses than juveniles with an unsuccessful diversion. Of the person offenses alleged to have been committed, only 59 of the 1,622 offenses were for a felony offense. Over two-thirds of diverted juveniles had a school-based offense.³⁷ Juveniles with an unsuccessful diversion were less likely to have a school-based offense than juveniles with a successful diversion (62% and 71% respectively).

Risk and Needs Assessments

Court counselors administer an RNA to all juveniles to assess the risk of future delinquency and to determine the individual needs of the juvenile during the intake process.³⁸ Only 9 juveniles did not have both a risk and needs assessment and are excluded from the RNA data provided. Table 3.3 lists select results of the assessments for diverted juveniles. Generally, juveniles with an unsuccessful diversion had more risk factors than juveniles with a successful diversion, with the largest differences between the

³⁵ See Chapter One and Appendix B for a discussion of offense classifications in the Juvenile Disposition Chart.

³⁶ See Chapter Two for crime category definitions.

³⁷ See Chapter Two for a definition of school-based offense.

³⁸ See Appendix A for a copy of the North Carolina Assessment of Juvenile Risk of Future Offending and the North Carolina Assessment of Juvenile Needs instruments and for information on the number and percentage of juveniles with a risk and needs assessment for the sample. Nearly all (99%) juveniles with an RNA had their assessment completed within 30 days. Overall, RNAs were completed within 3 days on average of the complaint received date. The risk and needs findings in this report only include the juveniles who had both RNA completed.

groups found for school behavior problems, running away, and having parents/guardians unwilling/unable to provide parental supervision. Although juveniles with an unsuccessful diversion had a higher percentage with prior intake referrals (22% compared to 16%), both groups were similar in the percentage who had their first juvenile justice referral before age 12 (17% for unsuccessful diversion compared to 18% for successful diversion).

Table 3.3
Select Risk and Needs Indicators

Risk and Needs Indicators	Successful Diversion n=3,357 %	Unsuccessful Diversion n=510 %	Total N=3,867 %
Risk Assessment			
First Referral Before Age 12	18	17	18
Prior Intake Referrals	16	22	17
Prior Adjudications	2	3	2
Prior Assaults	8	7	8
Had Run Away	4	12	5
Had School Behavior Problems	85	94	86
Parents/Guardians Unwilling/Unable to Provide Parental Supervision	4	11	5
Risk Score (0-31 points) Avg.	4	5	4
Needs Assessment			
Functioning Below Academic Grade Level	7	12	7
Juvenile Parent Status (i.e., is a parent)	<1	1	<1
History of Victimization	14	22	15
Risky Sexual Behavior	2	4	2
Need for Mental Health Care Indicated	60	77	63
Basic Needs Are Not Being Met	<1	--	<1
Impaired Functioning (i.e., medical, dental, health/hygiene)	1	1	1
Conflict in the Home	11	21	12
Parent, Guardian, or Custodian has Disabilities	2	4	3
One or More Members of Household have Substance Use Problems	7	12	7
Indication of Family Member's Involvement in Criminal Activity	38	43	38
Needs Score (0-51 points) Avg.	8	11	9
Combined Risk and Needs Indicators			
Substance Use	17	32	19
Gang Affiliation	1	5	2
Negative Peer Relationships	51	71	54

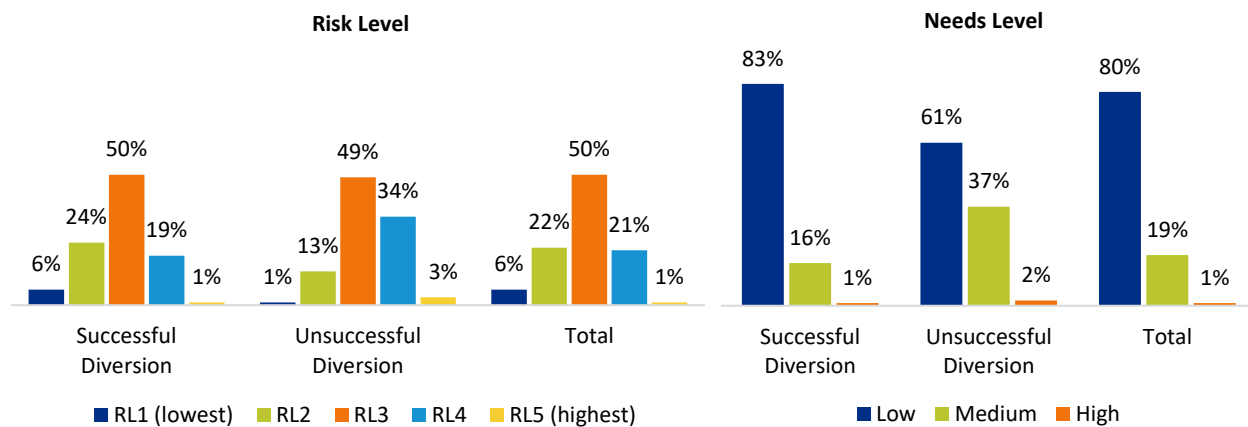
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Juveniles with an unsuccessful diversion also tended to have more needs than those with a successful diversion, particularly relating to a need for mental health indicated (77%), conflict in the home (21%), and history of victimization (22%). For combined risk and needs indicators, the unsuccessful diversion

group had a greater percentage of juveniles with substance use and negative peer relationships (32% and 71% respectively) compared to the successful diversion group (17% and 51% respectively).

Using the assessment instruments, separate risk and needs scores were computed for each juvenile, placing the juvenile in one of five levels of risk from RL1 (lowest risk) to RL5 (highest risk) and a low, medium, or high level for needs. The average risk score and needs score for each group is provided in Table 3.3. Figure 3.8 shows the risk levels for the successful and unsuccessful diversion groups and for diverted juveniles overall. Fewer juveniles with successful diversions were assessed at the higher risk levels (20% for RL4 and RL5) compared to juveniles with unsuccessful diversions (37% for RL4 and RL5). Conversely, more juveniles with successful diversions were assessed at the lower risk levels (30% for RL1 and RL2) compared to juveniles with unsuccessful diversions (14% for RL1 and RL2). The two groups were similar in terms of the percentage assessed in RL3. Figure 3.8 also includes the distribution of the groups by needs levels. Although the majority of juveniles were assessed as low needs for both groups, the percentage of low needs juveniles in the successful diversion group was much higher (83%) than that of the unsuccessful diversion group (61%). There were very few juveniles that were high needs overall (20 juveniles in the successful diversion group and 11 in the unsuccessful diversion group).

Figure 3.8
Risk and Needs Assessments



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

JUVENILE AND ADULT RECIDIVISM

As described in Chapter One, juveniles in the sample were tracked during their juvenile justice involvement and for a fixed two-year follow-up period from their sample involvement exit to determine whether subsequent involvement with the juvenile justice or adult criminal justice systems occurred. A combined measure of subsequent juvenile complaints and/or adult arrests was compiled to indicate any recidivist involvement in either system (i.e., “recidivism”). Recidivism rates are only reported for juveniles when there are more than 25 juveniles in a specific category.

Recidivism during Juvenile Justice Involvement

While Table 3.4 provides recidivism rates for diverted juveniles during their sample involvement with the juvenile justice system, it should be noted that diverted juveniles had a relatively short length of time in the system (an average of 4 months) in which to recidivate. Overall, 11% of diverted juveniles had a subsequent complaint or arrest during their juvenile justice involvement (i.e., between the time they entered and exited diversion). Very few juveniles in the successful diversion group (6%) had a subsequent complaint or arrest during this time period. Juveniles with an unsuccessful diversion had a substantially higher recidivism rate during juvenile justice involvement (38%). Although they are likely related, no data are available to determine whether their recidivism was the reason for their unsuccessful diversion.

For those juveniles with at least one delinquent complaint and/or arrest, the first recidivist event occurred an average of 2 months after the beginning of the diversion period. Overall, 82% had a misdemeanor as their most serious recidivist offense. Juveniles with an unsuccessful diversion were more likely to have a felony as their recidivist event compared to juveniles with a successful diversion during their juvenile justice involvement (25% and 13% respectively).

Table 3.4
Recidivism Rates: Juvenile Justice Involvement

Diversion Outcome	N	Any Recidivism		Months to Recidivism Avg.	Most Serious Recidivist Offense:	
		#	%		Felony %	Misdemeanor %
Successful	3,366	213	6	2	13	87
Unsuccessful	510	195	38	2	25	75
Total	3,876	408	11	2	18	82

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Recidivism during Two-Year Follow-Up Period

Table 3.5 examines recidivism rates for diverted juveniles for the one-year and two-year follow-up. Juveniles with an unsuccessful diversion had substantially higher recidivism rates (more than twice as high) for the one-year and two-year follow-up periods (42% and 52% respectively) compared to juveniles with a successful diversion (16% and 23% respectively). These findings are not unexpected given that juveniles with an unsuccessful diversion had higher risk and needs compared to juveniles with a successful diversion.

For those juveniles with at least one subsequent delinquent complaint and/or arrest, the first recidivist event occurred an average of 8 months after the beginning of their follow-up. The timing of the first recidivist event was longer for juveniles with a successful diversion (9 months) compared to those with an unsuccessful diversion (6 months). Of juveniles in the successful diversion group with a recidivist event, 29% had a subsequent delinquent complaint and/or arrest within 3 months, 45% within 6 months, and 71% within 12 months. Of juveniles in the unsuccessful diversion group with a recidivist event, 49% had a subsequent delinquent complaint and/or arrest within 3 months, 62% within 6 months, and 82% within 12 months.

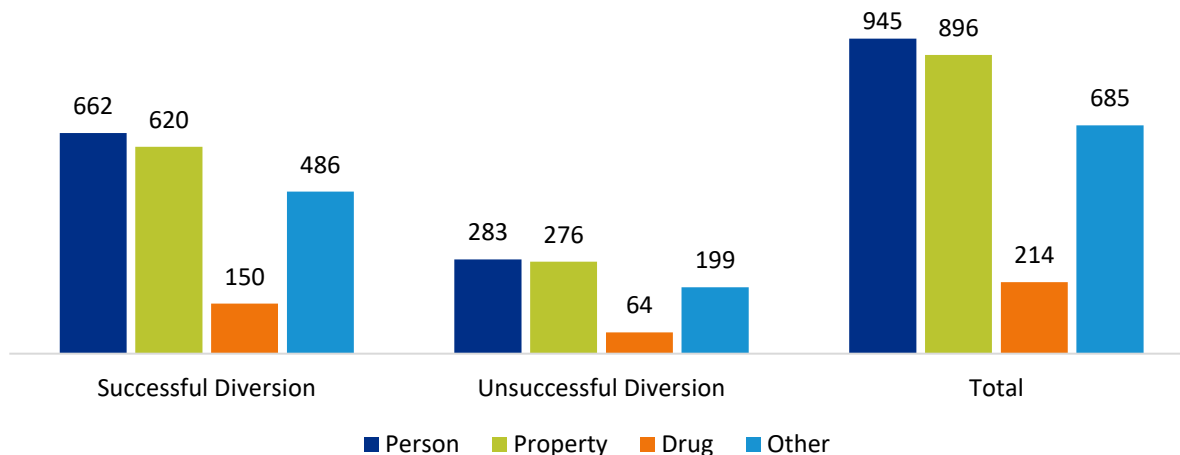
The 1,056 juveniles with any recidivism accounted for a total of 2,199 recidivist events. Consistent with their larger number, juveniles with a successful diversion accounted for the highest volume of subsequent complaints and/or adult arrests at 1,539. Juveniles with an unsuccessful diversion averaged slightly more recidivist events (3) compared to the successful diversion group (2). Information on the volume of recidivist events by crime category is provided in Figure 3.9. Both groups were most likely to have a recidivist event for a person offense, followed by a property offense. Overall, 63% had a misdemeanor as their most serious recidivist offense. Juveniles with an unsuccessful diversion were more likely to have a felony as their most serious recidivist offense (42%) than those with a successful diversion (35%).

Table 3.5
Recidivism Rates: Two-Year Follow-Up

Diversion Outcome	N	Months to Recidivism Avg.	# of Juveniles with Any Recidivism	Total # Recidivist Events	One-Year Follow-up %	Two-Year Follow-up %
Successful	3,366	9	790	1,539	16	23
Unsuccessful	510	6	266	660	42	52
Total	3,876	8	1,056	2,199	19	27

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Figure 3.9
Number of Recidivist Events by Crime Category for Juveniles with Recidivism: Two-Year Follow-Up



Note: Multiple crime categories may be linked to a recidivist event. As a result, the number of recidivist events by crime category cannot be added together to equal the total number of recidivist events.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Type of Diversion and Recidivism

Little difference was found in recidivism rates between juveniles with a diversion contract and juveniles with a diversion plan. Of juveniles with a diversion contract, 20% had a subsequent complaint and/or adult arrest during the one-year follow-up and 28% during the two-year follow-up compared to juveniles with a diversion plan at 18% and 26% for respective years of follow-up.

Personal Characteristics and Recidivism

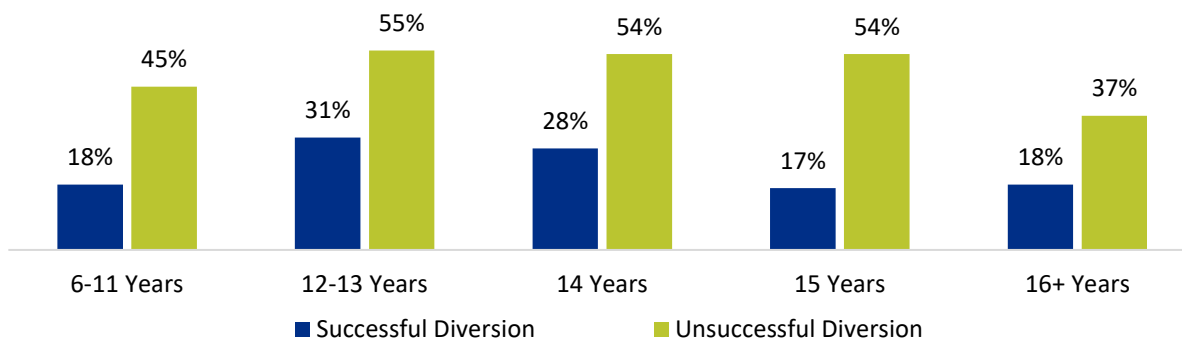
Recidivism rates during the two-year follow-up by the juvenile's personal characteristics are examined in Table 3.6 and Figure 3.10. Juveniles with an unsuccessful diversion had higher recidivism rates than those with a successful diversion for all categories of personal characteristics examined. Consistent patterns were found when examining recidivism rates by personal characteristics for the two groups. Males were more likely to recidivate than females. Black juveniles had the highest recidivism rates compared to the other racial groupings. Juveniles who were aged 12-13 had the highest recidivism rates, with recidivism rates generally declining for juveniles in the oldest age categories.

Table 3.6
Recidivism Rates by Personal Characteristics: Two-Year Follow-Up

Personal Characteristics	N	Successful Diversion n=3,336 %	Unsuccessful Diversion n=510 %	Total N=3,876 %
Gender				
Male	2,693	25	57	29
Female	1,183	20	40	22
Race				
White	1,573	17	42	20
Black	1,776	30	60	34
Hispanic	370	18	53	22
Other/Unknown	157	26	50	31
Age at Offense				
6-11 Years	539	21	49	24
12-13 Years	1,277	31	55	35
14 Years	1,015	23	50	26
15 Years	1,045	16	50	20
Age at JJ Entry				
6-11 Years	493	20	48	23
12-13 Years	1,216	32	54	35
14 Years	987	23	53	27
15 Years	1,079	17	51	21
16+ Years	101	18	--	19
Total	3,876	23	52	27

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Figure 3.10
Recidivism Rates by Age at Juvenile Justice Exit: Two-Year Follow-Up

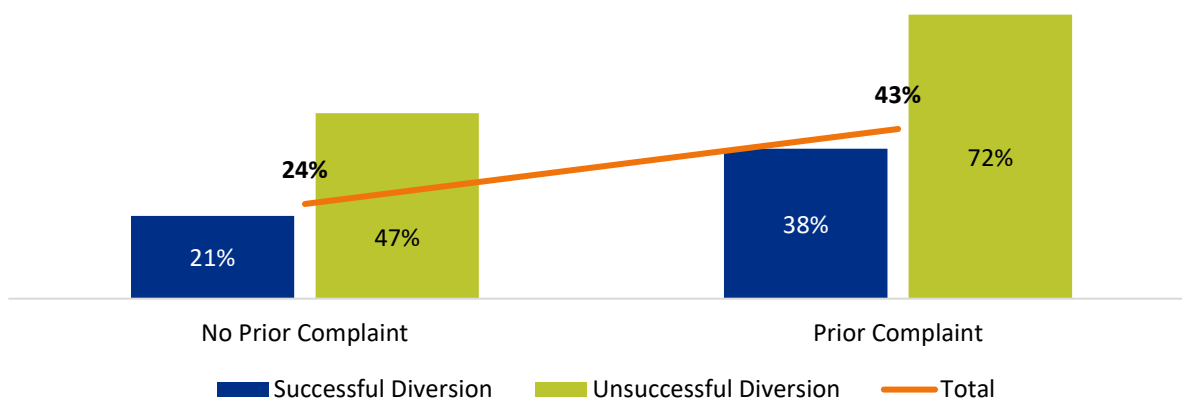


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Prior Complaints and Recidivism

As shown earlier (see Figure 3.4), 17% of diverted juveniles had at least one prior complaint – 17% of juveniles with a successful diversion and 21% of juveniles with an unsuccessful diversion. Figure 3.11 examines the linkage between prior involvement with the juvenile justice system and recidivism. Overall, juveniles with a prior complaint had higher recidivism rates than those with no prior complaint (43% and 24% respectively). Juveniles with a successful diversion and juveniles with an unsuccessful diversion had higher recidivism rates if they had a prior complaint compared to their counterparts without a prior complaint. Often differences in recidivism rates between groups are minimized when prior juvenile justice involvement is taken into account; however, irrespective of their prior involvement with the juvenile justice system, juveniles with an unsuccessful diversion had higher recidivism rates than juveniles with a successful diversion.

Figure 3.11
Recidivism Rates by Prior Complaints: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Charged Offense and Recidivism

In Table 3.7, recidivism rates are examined by characteristics of the charged offense (e.g., offense classification and category). Recidivism rates for the unsuccessful diversion group were consistently higher than those of the successful diversion group when examining recidivism by offense characteristics. For both groups, juveniles with a Serious offense had slightly higher recidivism rates than juveniles with a Minor offense. For juveniles with a successful diversion, little difference was found in their recidivism rates based on the type of crime committed, while juveniles with an unsuccessful diversion had the highest recidivism rates for property offenses. Similar recidivism rates were found for juveniles with a successful diversion who had and who did not have a school-based offense (22% for not school-based compared to 24% for school-based offense). However, recidivism rates were lower for juveniles with an unsuccessful diversion who had a school-based offense (49% compared to 57%).

Table 3.7
Recidivism Rates by Charged Offense: Two-Year Follow-Up

Charged Offense	N	Successful Diversion n=3,336 %	Unsuccessful Diversion n=510 %	Total N=3,876 %
Offense Type				
Felony	264	24	64	30
Misdemeanor	3,612	23	51	27
Offense Classification				
Violent	0	--	--	--
Class A-E Felonies				
Serious	515	25	54	29
Class F-I Felonies				
Class A1 Misdemeanors				
Minor	3,361	23	52	27
Class 1-3 Misdemeanors				
Crime Category				
Person	1,622	23	51	27
Property	1,019	24	58	29
Drug	351	24	52	29
Other	884	23	46	26
School-Based Offense				
No	1,182	22	57	28
Yes	2,694	24	49	27
Total	3,876	23	52	27

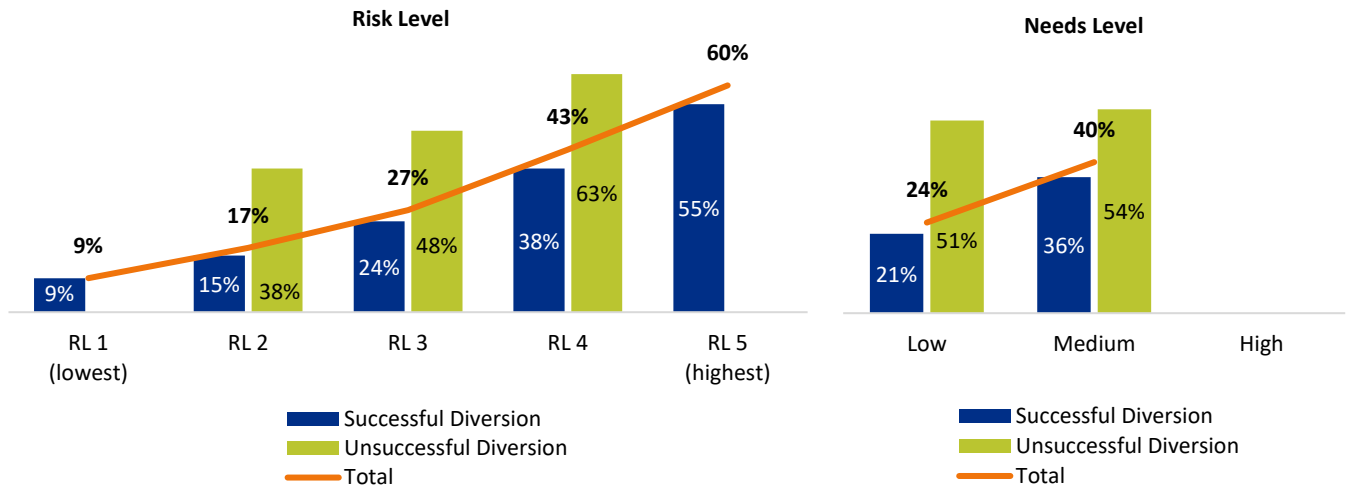
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Risk/Needs Levels and Recidivism

As shown earlier (see Figure 3.8), more juveniles with successful diversions were assessed at the lower risk levels (30% for RL1 and RL2) compared to juveniles with unsuccessful diversions (14% for RL1 and RL2). The majority of juveniles in both groups were assessed as low needs, although the percentage of low needs juveniles in the successful diversion group was much higher (83%) than that of the

unsuccessful diversion group (61%). Figure 3.12 explores the relationship between risk and needs levels and recidivism rates. As expected, juveniles assessed as lower risk had the lowest recidivism rates compared to juveniles in the higher risk levels. Recidivism rates generally increased in an incremental, stair-step progression from RL1 to RL5. Regardless of risk level, juveniles with an unsuccessful diversion had substantially higher recidivism rates than those with a successful diversion. Similar findings in recidivism rates were seen when examining the relationship between juveniles with low needs and juveniles with medium needs. Recidivism rates for juveniles with high needs were not reported due to the small number (n=31) of juveniles in this category.

Figure 3.12
Recidivism Rates by Risk and Needs Levels: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Information on the recidivism rates and the combined indicators from the risk and needs assessment tools – substance use, gang affiliation (whether as a gang member or as an associate of a gang member), and peer relationships – is provided in Table 3.8. Juveniles with substance use, gang affiliation, and negative peer influence had higher recidivism rates compared to their counterparts (no substance use, no gang affiliation, and positive peer influence). Recidivism rates for the unsuccessful diversion group were consistently higher than those of the successful diversion group when examining recidivism by risk and needs indicators.

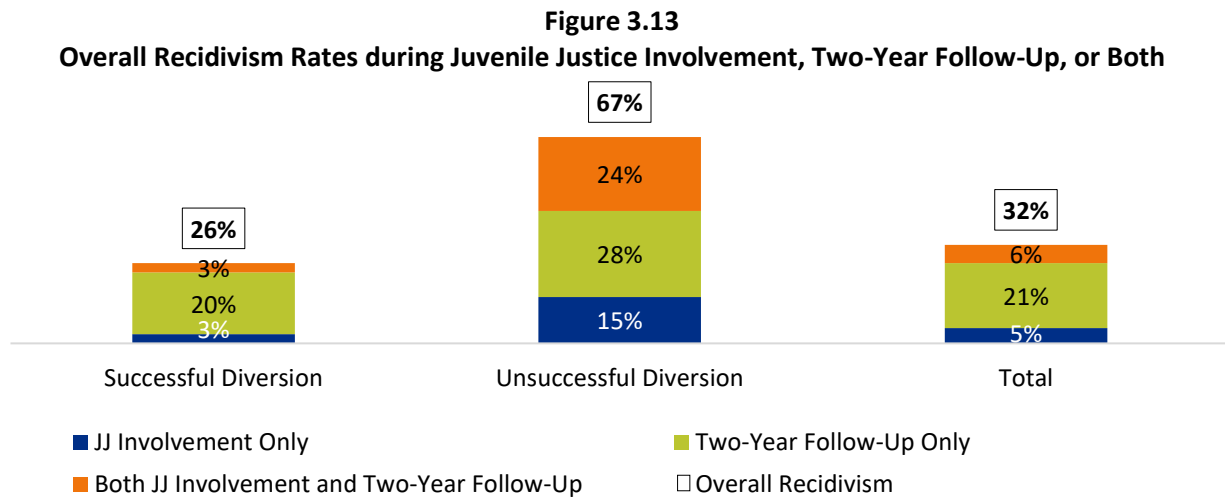
Table 3.8
Recidivism Rates by Combined Risk and Needs Indicators: Two-Year Follow-Up

Risk and Needs Indicators	N	Successful Diversion	Unsuccessful Diversion	Total
		n=3,357 %	n=510 %	N=3,867 %
Substance Use				
No	3,119	22	48	25
Yes	748	30	61	37
Gang Affiliation				
No	3,802	23	52	27
Yes	65	43	--	48
Peer Relationships				
Positive	1,783	18	43	20
Negative	2,084	29	56	34
Total	3,867	24	52	27

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Overall Recidivism during Juvenile Justice Involvement and Two-Year Follow-Up

Figure 3.13 combines the recidivism rates during the time periods discussed in Tables 3.4 and 3.5 to examine when recidivist activity occurred – during juvenile justice involvement only, during the two-year follow-up only, or during both time periods. The majority of juveniles with a successful diversion had recidivism only during the two-year follow-up period, accounting for 20% of their overall recidivism rate of 26%; the remaining 6% of their overall recidivism rate was accounted for by juveniles who had recidivism only during their juvenile justice involvement (3%) or who had recidivism during both time periods (3%). Juveniles with an unsuccessful diversion had a much higher overall recidivism rate (67%), with higher percentages of juveniles having recidivism only during their juvenile justice involvement (15%) or having recidivism during both time periods (24%).



Note: The overall recidivism rates were computed by adding together the rates for juveniles with recidivism during juvenile justice involvement only, during two-year follow-up only, and during both time periods.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

SUMMARY

Chapter Three provided a statistical profile of juveniles who exited diversion in FY 2018 and included an examination of their prior, current, and recidivist involvement in the juvenile justice and criminal justice systems. The chapter focused on a comparison of juveniles who successfully completed their diversion plan or contract (successful diversion) with juveniles who did not comply with their diversion terms and had their original complaint filed as a petition in juvenile court (unsuccessful diversion). For recidivism, juveniles were tracked during two periods – during their juvenile justice involvement and during a fixed two-year period following their sample involvement exit. Recidivism was defined as having a juvenile complaint and/or adult arrest during each independent time period examined.

The sample of diverted juveniles was nearly equally split between juveniles with a diversion plan (less formal) and juveniles with a diversion contract (more formal). The vast majority of juveniles successfully completed their diversion terms (87%). Recidivism rates were similar for juveniles with a diversion contract and juveniles with a diversion plan (28% and 26% respectively).

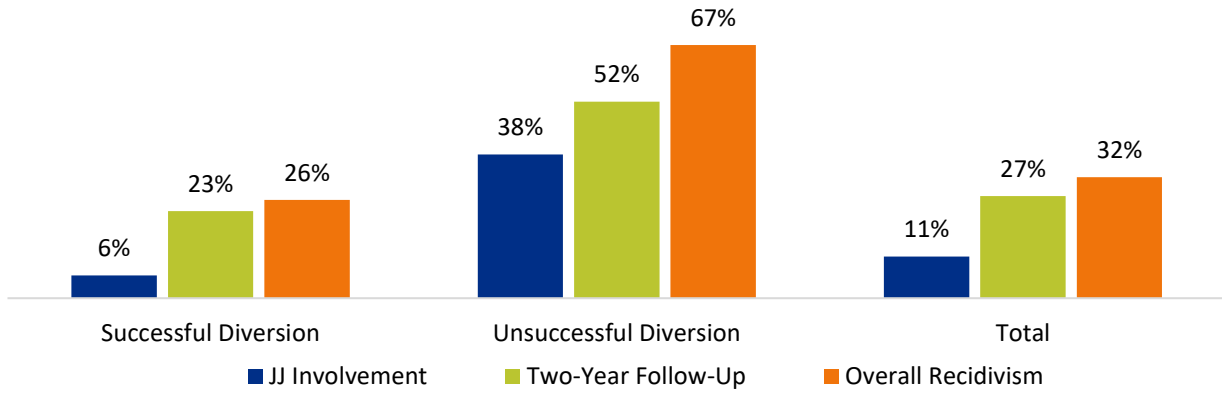
Very few differences were found between the successful diversion group and the unsuccessful diversion group with respect to personal characteristics. While a higher percentage of juveniles with an unsuccessful diversion had prior juvenile justice contacts, the two groups were similar in terms of offense profile. Nearly all juveniles in each group had a misdemeanor as their most serious charged offense. An examination of recidivism rates by these various characteristics revealed that juveniles with an unsuccessful diversion had higher recidivism rates regardless of the characteristics examined.

Juveniles with an unsuccessful diversion tended to have more risk factors (e.g., running away, school behavior problems) and needs identified (e.g., mental health, family member's criminal involvement) than juveniles with a successful diversion. These factors were reflected in the variations found with their risk and needs levels. A greater proportion of juveniles with a successful diversion were assessed in the lowest risk levels and, conversely, a greater proportion of juveniles with an unsuccessful diversion were assessed in the highest risk levels. Although the majority of juveniles in each group were assessed as low needs, a greater proportion of juveniles with a successful diversion were low needs compared to those with an unsuccessful diversion. Recidivism rates increased as risk and needs levels increased, with those at the highest risk and needs levels having the highest recidivism rates.

As shown in Figure 3.14, juveniles with an unsuccessful diversion had much higher recidivism rates during the follow-up periods examined – 38% with recidivism during their juvenile justice involvement and 52% with recidivism during the two-year follow-up period. These findings also continued when examining an overall measure of recidivism that included recidivism during both time periods.

The higher recidivism rates for juveniles with an unsuccessful diversion during both time periods examined are not unexpected due to their higher levels of risk and needs. In addition, it is possible that recidivism that occurs during their juvenile justice involvement is a contributing reason for their unsuccessful diversion; however, this currently cannot be determined because no exit reason for unsuccessful diversion is captured in NC-JOIN.

Figure 3.14
Recidivism Rates for FY 2018 Diverted Juveniles



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

CHAPTER FOUR ADJUDICATED JUVENILES

In accordance with the Sentencing Commission’s legislative mandate to study adjudicated juveniles, this chapter focuses on 2,792 juveniles adjudicated delinquent by their disposition levels (hereinafter referred to as adjudicated juveniles). The adjudicated juveniles were comprised of 2,633 juveniles who exited supervised probation and 159 juveniles who exited a YDC facility in FY 2018. Juveniles who exited probation had supervised probation imposed as part of their Level 1 (community) or Level 2 (intermediate) disposition. Juveniles who exited a YDC facility in FY 2018 had a Level 3 (YDC commitment) disposition imposed resulting from a new crime, a violation of their probation, or a revocation of their PRS. While these three groups will be compared throughout this chapter, it should be noted that some results should be interpreted with caution due to the small number of juveniles in the Level 3 group.

Adjudicated Juveniles N=2,792	94% Levels 1 and 2 Probation (n=2,633)	73% Level 1 Probation (n=2,044)
		21% Level 2 Probation (n=589)
	6% Level 3 Commitment (n=159)	

STATISTICAL PROFILE

As discussed in Chapter One, a Level 1 or community disposition offers the court less restrictive dispositional alternatives such as probation, community-based programs, nonresidential and residential treatment programs, community service (up to 100 hours), restitution (up to \$500), and sanctions that place specific limitations on a juvenile (e.g., curfew, no association with specified persons, not be in specified places). A Level 2 or intermediate disposition is generally more restrictive than a Level 1 disposition. Level 2 dispositional alternatives include options such as intensive probation, group home placements (e.g., multipurpose group homes), regimented training programs, and house arrest. The court can also utilize any Level 1 dispositional option for a juvenile adjudicated at Level 2. Several Level 2 options that offer a more restrictive environment for adjudicated juveniles are available for Level 1 dispositions as well (see Chapter One for further details).

While there are five types of supervision statutorily authorized for juveniles who come to the attention of the juvenile justice system,³⁹ this report focuses on one type: probation imposed as a dispositional option for adjudicated delinquent offenses (i.e., probation group). Juveniles are ordered by the court to be placed on probation for a period not to exceed one year from the date entered. The court may extend probation for an additional period of one year after notice and a hearing.⁴⁰ The juveniles placed on probation were supervised under the policies and procedures in effect during FY 2018.⁴¹ Once a

³⁹ The five types of supervision are (1) dispositional alternatives for undisciplined juveniles (G.S. 7B-2503), (2) conditions of protective supervision for undisciplined juveniles (G.S. 7B-2504), (3) dispositional alternatives for delinquent juveniles (G.S. 7B-2506), (4) commitment of delinquent juvenile to Department (G.S. 7B-2513(j)), and (5) post-release supervision (G.S. 7B-2514).

⁴⁰ G.S. 7B-2510(c).

⁴¹ Effective December 2018, the DACJ implemented a new case management supervision criteria that assigns a case management level (low, standard, enhanced, or high/intensive) to all juveniles receiving services (i.e., diversion) and court-ordered supervision based on the juvenile’s risk and needs level and other available information.

juvenile is placed on probation, the role of the court counselor is to ensure the juvenile's compliance with the court's recommendations and sanctions and, equally important, to address the juvenile's needs – while protecting the public's safety. A juvenile is placed on one of three levels of supervision: modified, standard, and intensive.⁴² The levels of supervision primarily indicate the frequency of contact a juvenile's individual circumstances warrant, with modified being the lowest level and intensive being the highest. While this report focused on court-ordered probation as a dispositional alternative, the juvenile court judge usually orders other alternatives in addition to probation.

A Level 3 or YDC commitment is the most restrictive disposition available to the judge. Juveniles placed in a YDC are primarily those who have been adjudicated delinquent for a Violent or Serious offense or those with higher delinquency history levels. Juveniles can also be committed to a YDC following a probation violation or PRS violation. Juveniles with a Level 3 disposition are committed for a minimum of 6 months and receive 3 months of PRS following their release. The length of stay beyond the initial 6 months is determined by the DACJJ based on the needs of the juvenile while committed. For this report, juveniles must be at least 10 years old in order to be placed in a YDC and can remain in a YDC until they are 18 years old, and in some cases until the age of 21.⁴³

All juveniles in a YDC receive core treatment and programming services in order to craft an individualized service plan for each youth to identify goals, the means to achieve them, and the ways to measure progress toward goal attainment. These include treatment programming and various services (i.e., education, nutrition, health, mental health, substance use, chaplaincy, and recreation). These services are based on a cognitive-behavioral treatment approach, using strength-based rewards and consequences – rather than punishment and sanctions – to address the juvenile's behavior. Information was unavailable about the juvenile's core treatment and programming services received while confined in a YDC facility for the sample studied.

Personal Characteristics

Table 4.1 and Figure 4.1 examine the personal characteristics for each of the three disposition levels. There were more males than females in each of the disposition levels; however, the percentage of males increased as the seriousness of the disposition increased. Overall, half of the juveniles were black (51%). Examination of race by disposition level found a pattern similar to gender – the percentage of black juveniles increased as the seriousness of the disposition increased.⁴⁴ While there was no difference between the groups in their average age at offense (14 years for all three groups), the percentage of juveniles who received a Level 1 disposition were younger (33% were 13 years and younger) compared to juveniles with a more serious disposition (21% were 13 years and younger for Level 2 probation and 15% were 13 years and younger for Level 3 commitment).

⁴² See Appendix F for minimum standards of contact with juveniles while on supervised probation.

⁴³ See Chapter One for description and timing of the JJRA that increased the age of juvenile jurisdiction.

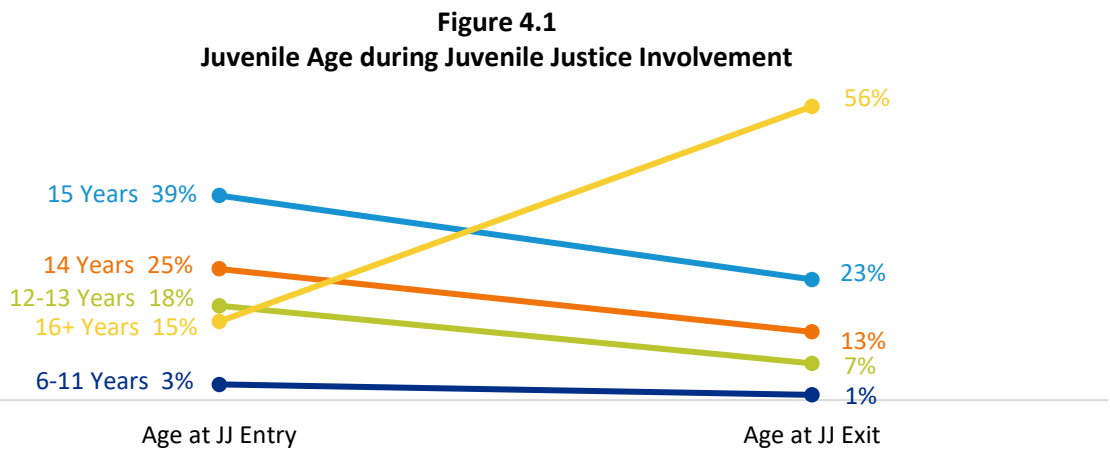
⁴⁴ Due to low percentages, American Indian, Asian, and multiracial juveniles were combined with other/unknown into one category.

Table 4.1
Personal Characteristics

Personal Characteristics	Level 1 Probation n=2,044	Level 2 Probation n=589	Level 3 Commitment n=159	Total N=2,792
Gender	%	%	%	%
Male	71	86	95	76
Female	29	14	5	24
Race	%	%	%	%
White	39	32	13	36
Black	48	53	79	51
Hispanic	9	11	5	9
Other/Unknown	4	4	3	4
Age at Offense	%	%	%	%
6-11 Years	5	3	1	5
12-13 Years	28	18	14	25
14 Years	30	27	32	29
15 Years	37	52	53	41
Age at:	Avg.	Avg.	Avg.	Avg.
Offense	14	14	14	14
JJ Entry	14	15	15	14
JJ Exit	15	16	16	15

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Figure 4.1 provides a comparison of the distribution of age at JJ entry and age at JJ exit for adjudicated juveniles.⁴⁵ The largest increase was found for juveniles aged 16 years or more, with an increase from 15% at entry to 56% at exit. Not surprisingly, the largest decreases from entry to exit were for juveniles aged 15 and 14 (decreased by 16 and 12 percentage points respectively) as they aged into the oldest group.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

⁴⁵ See Table E.3 in Appendix E for the distribution of juvenile age at entry and exit by disposition level.

Prior Juvenile Justice Contacts

As mentioned in previous chapters, it is important to examine whether or not juveniles had contact with the juvenile justice system prior to their probation entry or YDC commitment to gain an understanding of the juveniles' frequency of interaction with the system. As discussed in Chapter Two, juveniles in the probation and YDC groups had more contacts with the juvenile justice system than juveniles with a diversion plan or contract. When examined by disposition level, juveniles with a Level 1 disposition had the fewest prior contacts compared to those juveniles with a Level 2 probation disposition or Level 3 commitment (see Figure 4.2).⁴⁶

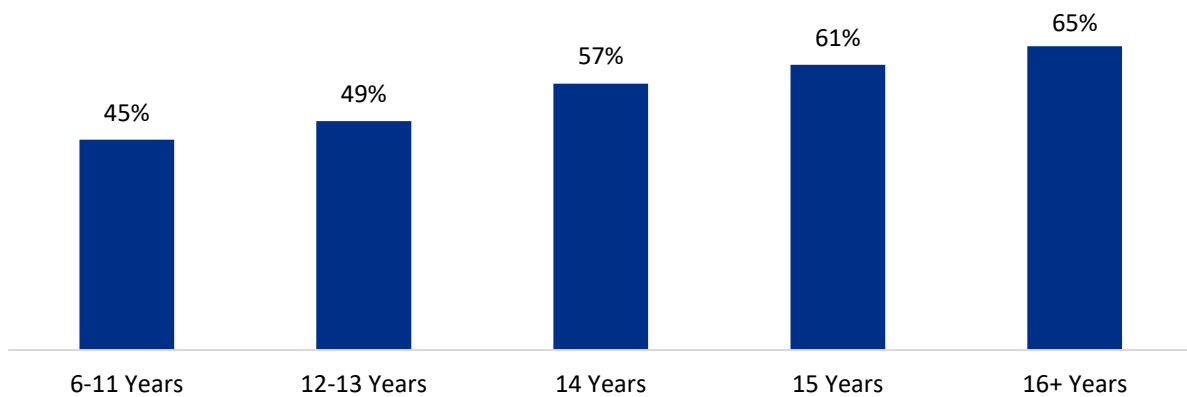
Figure 4.2
Prior Juvenile Justice Contacts

Level 1 Probation	Level 2 Probation	Level 3 Commitment	Total
<ul style="list-style-type: none"> • 50% prior complaint • 8% prior adjudication • 11% prior confinement 	<ul style="list-style-type: none"> • 74% prior complaint • 41% prior adjudication • 43% prior confinement 	<ul style="list-style-type: none"> • 97% prior complaint • 83% prior adjudication • 98% prior confinement 	<ul style="list-style-type: none"> • 58% prior complaint • 19% prior adjudication • 23% prior confinement

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

To examine the relationship between age and prior juvenile justice contacts, Figure 4.3 shows the percentage of juveniles with at least one prior contact by age at juvenile justice entry (i.e., date of the dispositional hearing). The percentage of juveniles with at least one prior complaint increased as their age increased.

Figure 4.3
Prior Complaints by Age at Juvenile Justice Entry



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Examination of the juvenile's most serious prior offense indicated that 30% had a felony offense as the most serious prior complaint. Juveniles with a Level 3 commitment had a greater percentage of felony

⁴⁶ A prior confinement could be a detention center admission or a YDC commitment or both. Generally, juveniles who had a YDC commitment also had a detention center admission.

offenses (77%) as their most serious prior complaint compared to those with a Level 1 or Level 2 probation (17% and 44% respectively).

Adjudicated Offense

The court orders the sanctions, services, and conditions for the juvenile based on the offense classification of the adjudicated offense(s) and the juvenile’s delinquency history. Table 4.2 examines the relationship in the offense classification of the most serious *charged* offense compared to the most serious *adjudicated* offense. Overall, 5% of the juveniles were *charged* with a Violent offense (Class A through E felonies), while 4% were *adjudicated* of a Violent offense. Of the Serious offenses (Class F through I felonies and Class A1 misdemeanors), 38% of the juveniles were *charged* with one, while 27% were *adjudicated* of a Serious offense. Finally, 57% of juveniles were *charged* with a Minor offense (Class 1 through 3 misdemeanors) compared to 69% of juveniles *adjudicated* of a Minor offense. As indicated in the shaded cells, the majority of juveniles were *adjudicated* of an offense within the same offense classification as initially *charged*; for example, over two-thirds (68%) of juveniles *charged* with a Violent offense were *adjudicated* of a Violent offense.

Table 4.2
Charged Offense by Adjudicated Offense

Charged Offense Classification	N	Adjudicated Offense Classification			Total N=2,792 %
		Violent n=105 %	Serious n=765 %	Minor n=1,922 %	
Violent	154	68	20	12	5
Serious	1,049	--	70	30	38
Minor	1,589	--	--	100	57
Total	2,792	4	27	69	100

Note: The shaded cells indicate the percentage of juveniles who were charged with and adjudicated of an offense within the same offense classification.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

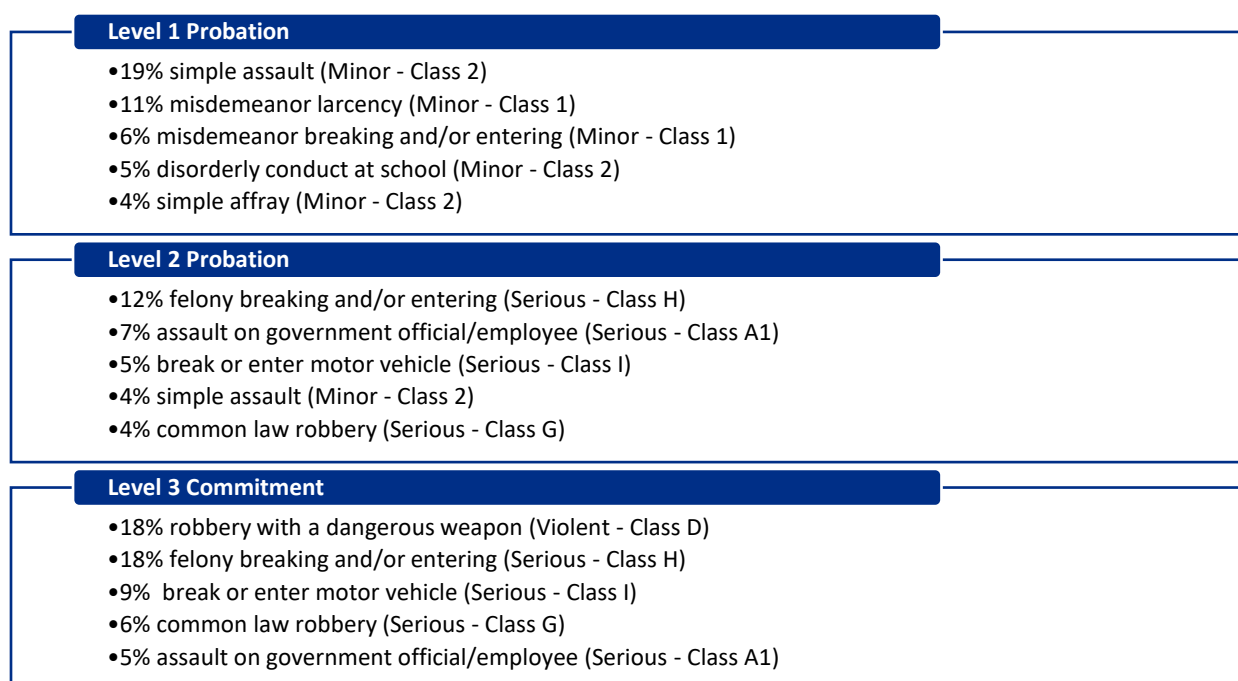
Figure 4.4 compares the most common adjudicated offenses for the three disposition levels. The top 5 offenses were all misdemeanors for juveniles who exited probation with a Level 1 disposition and comprised 45% of their adjudications. Level 3 commitment juveniles were adjudicated primarily with felonies as their top 5 (which comprised 56% of their adjudicated offenses), while juveniles with Level 2 probation were adjudicated of a mix of both felonies and misdemeanors as their top 5 adjudications (which accounted for 32% of their total adjudicated offenses).

Table 4.3 summarizes the offense profile of the three groups. The findings reflect both legal restrictions and court counselor considerations for nondivertible and other serious felonies having deeper involvement and more serious dispositions imposed in the juvenile justice system. Most juveniles with a Level 1 disposition had a misdemeanor as their most serious adjudicated offense, unlike juveniles with a more serious disposition who were more frequently adjudicated with a felony offense. Juveniles in the Level 3 commitment group were more likely to have a Violent offense compared to the Level 2 probation group. The majority of Level 2 probation and Level 3 commitment groups were adjudicated

with a Serious offense (66% and 67% respectively) compared to the Level 1 probation group (13%).⁴⁷ Juveniles with a Level 1 disposition were more likely to have been charged with a school-based offense compared to juveniles in Levels 2 and 3.

Juveniles' most serious adjudicated offenses were grouped into four crime categories: person, property, drug, and other.⁴⁸ Juveniles with a Level 2 or 3 disposition had a greater percentage of person offenses than the Level 1 probation group, while the Level 1 group had more drug and other types of offenses (see Figure 4.5). Of the adjudicated person offenses, only 17% of the 1,084 offenses were for a felony offense.⁴⁹ The Level 3 commitment group had more juveniles (50%) with a property offense as their most serious offense compared to juveniles who exited probation (38% for Level 1 and 40% for Level 2).

Figure 4.4
Top 5 Adjudicated Offenses



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

⁴⁷ See Chapter One and Appendix B for a discussion of offense classifications in the Juvenile Disposition Chart. Of the 268 adjudicated offenses classified as serious committed by juveniles in the Level 1 probation group, 130 (or 49%) were Class A1 misdemeanors.

⁴⁸ See Chapter Two for crime category definitions.

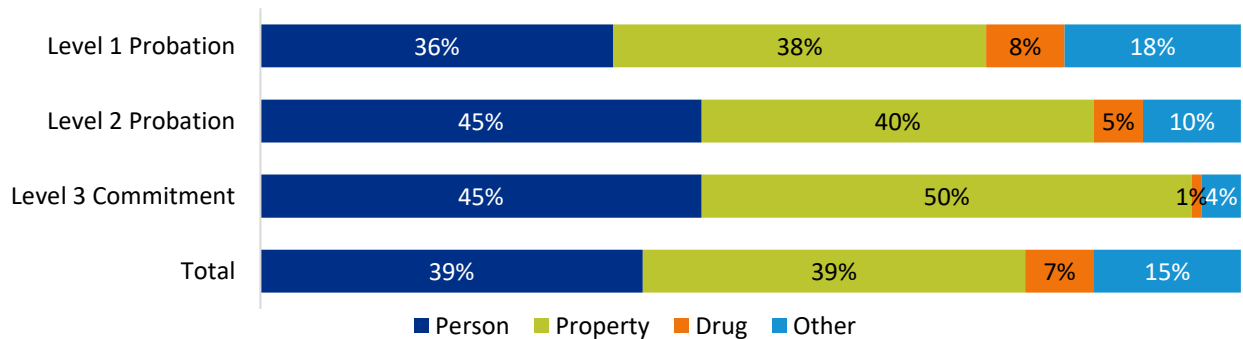
⁴⁹ Of the 188 felony person offenses, 118 were for Level 2 probation, 52 for Level 3 commitment, and 18 for Level 1 probation.

**Table 4.3
Adjudicated Offense**

Adjudicated Offense	Level 1 Probation n=2,044 %	Level 2 Probation n=589 %	Level 3 Commitment n=159 %	Total N=2,792 %
Offense Type				
Felony	7	58	85	22
Misdemeanor	93	42	15	78
Offense Classification				
Violent				
Class A-E Felonies	--	10	29	4
Serious				
Class F-I Felonies	13	66	67	27
Class A1 Misdemeanor				
Minor				
Class 1-3 Misdemeanors	87	24	4	69
School-Based Charged Offense				
No	49	69	90	56
Yes	51	31	10	44

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

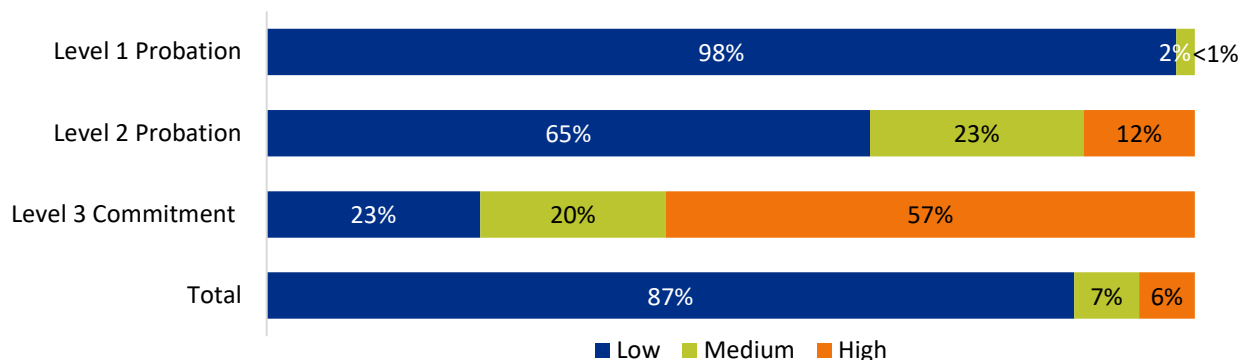
**Figure 4.5
Crime Category of the Adjudicated Offense**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Along with the seriousness of the adjudicated offense, judges use delinquency history to determine the appropriate disposition for the juvenile. Figure 4.6 shows that overall juveniles adjudicated and disposed had low delinquency history (87%); however, that percentage is dominated by the large number of juveniles with a Level 1 disposition whose delinquency history was almost all low (98%). Consistent with the juvenile dispositional chart, juveniles with a Level 2 or Level 3 disposition had a greater percentage in the high delinquency history level (12% and 57% respectively) compared to juveniles in the Level 1 group (less than 1%).

**Figure 4.6
Delinquency History Level**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Risk and Needs Assessments

Court counselors administer an RNA to all juveniles to assess the risk of future delinquency and to determine the individual needs of the juvenile during the intake process.⁵⁰ All adjudicated juveniles had both a risk and needs assessment completed. Table 4.4 lists select results of the assessments for the three groups.

In general, as the seriousness of the disposition level increased so did the risk factors that juveniles had. As to be expected, juveniles in the Level 3 commitment group had the highest percentages for the risk indicators (e.g., prior intake referrals, prior adjudications), while juveniles with a Level 1 disposition had the lowest percentages. Regardless of disposition, nearly all juveniles (91% overall) had school behavior problems. As seen with the risk indicators, the Level 3 commitment group had more needs than the other two groups. Of note, juveniles with a Level 3 disposition had a greater percentage of needs indicators that involved family problems compared to the other two disposition levels. Specifically, 58% had conflict in the home, 21% had one or more members in the household with substance use problems, and 74% indicated that some family members were involved in criminal activity. Combining risk and needs indicators, the Level 3 group had a greater percentage of juveniles with substance use, gang affiliation, and negative peer relationships compared to juveniles in the two probation groups.

Using the assessment instruments, separate risk and needs scores were computed for each juvenile. The average risk score increased as the seriousness of the disposition level increased (8 for Level 1 probation, 11 for Level 2 probation, and 19 for Level 3 commitment). Based on their individual scores, juveniles were placed in one of five levels of risk from RL1 (lowest risk) to RL5 (highest risk) and a low, medium, or high level for needs. Figure 4.7 shows the risk levels for all three disposition groups and for the group as a whole. The distribution of the groups by risk level was consistent with the pattern in average risk scores. Fewer juveniles in the Level 1 probation group were assessed at the higher risk levels (64% for RL4 and RL5), while all juveniles with a Level 3 disposition (100%) were assessed at the highest levels of risk (e.g., RL4 and RL5). Figure 4.7 also provides the needs level distribution. The same

⁵⁰ See Appendix A for a copy of the North Carolina Assessment of Juvenile Risk of Future Offending and the North Carolina Assessment of Juvenile Needs instruments and for information on the number and percentage of juveniles with a risk and needs assessment for the sample. On average, adjudicated juveniles completed their risk assessment within 18 days and their needs assessment within 14 days.

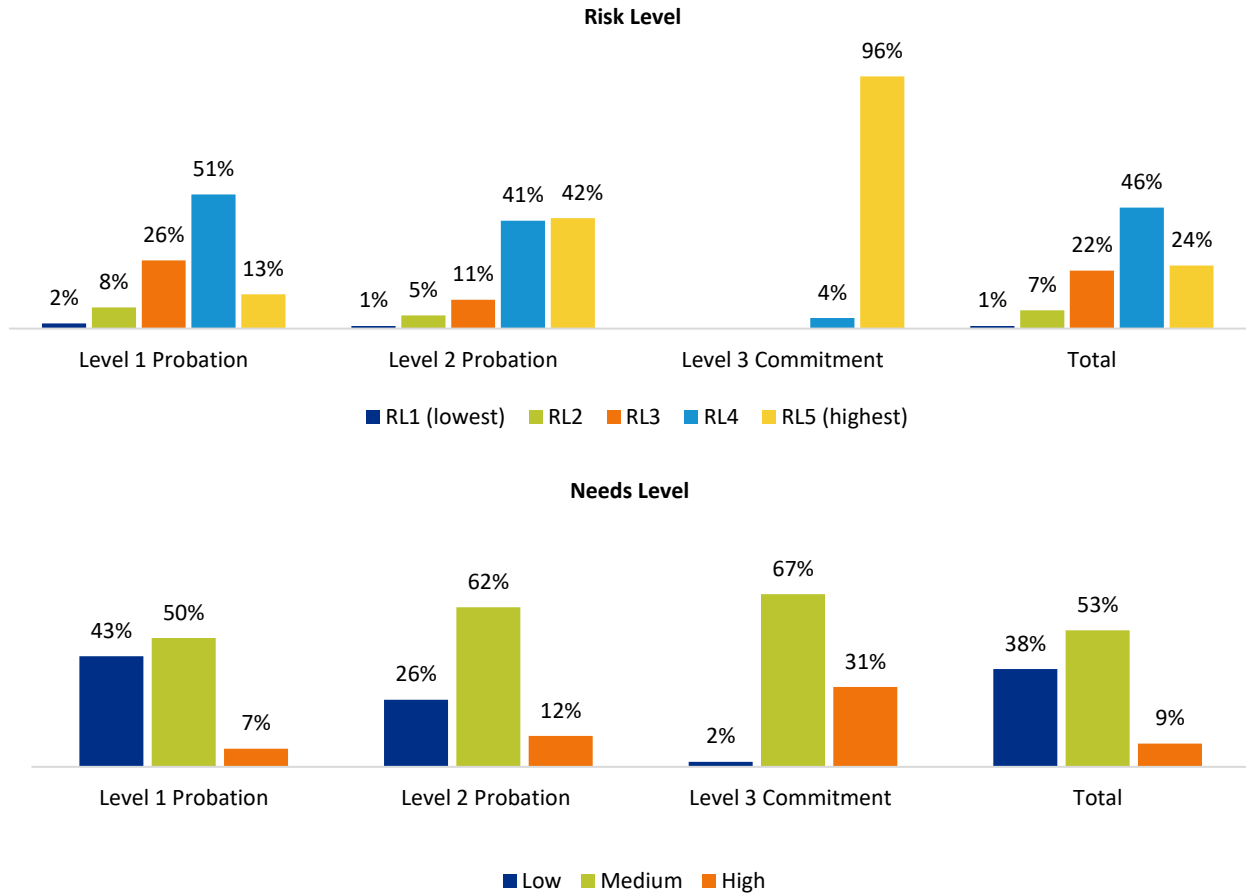
stair-step progression was found – more juveniles in the Level 3 commitment group were assessed with high needs (31%) compared to the Level 1 and Level 2 probation groups (7% and 12% respectively).

Table 4.4
Select Risk and Needs Indicators

Risk and Needs Indicators	Level 1 Probation n=2,044	Level 2 Probation n=589	Level 3 Commitment n=159	Total N=2,792
Risk Assessment	%	%	%	%
First Referral Before Age 12	12	17	22	13
Prior Intake Referrals	54	73	97	61
Prior Adjudications	26	55	94	36
Prior Assaults	23	41	67	29
Had Run Away	17	24	57	21
Had School Behavior Problems	91	90	97	91
Parents/Guardians Unwilling/Unable to Provide Parental Supervision	24	35	65	29
Risk Score (0-30 points) Avg.	8	11	19	9
Needs Assessment	%	%	%	%
Functioning Below Academic Grade Level	15	17	20	15
Juvenile Parent Status (i.e., is a parent)	1	1	4	1
History of Victimization	26	29	30	27
Risky Sexual Behavior	10	18	14	12
Need for Mental Health Care Indicated	85	92	97	87
Basic Needs Are Not Being Met	1	1	1	1
Impaired Functioning (i.e., medical, dental, health/hygiene)	1	2	2	1
Conflict in the Home	31	35	58	34
Parent, Guardian, or Custodian has Disabilities	6	6	7	6
One or More Members of Household have Substance Use Problems	13	14	21	14
Indication of Family Member's Involvement in Criminal Activity	54	62	74	57
Needs Score (0-51 points) Avg.	14	16	21	14
Combined Risk and Needs Indicators	%	%	%	%
Substance Use	40	49	86	45
Gang Affiliation	7	17	47	11
Negative Peer Relationships	79	88	100	82

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

**Figure 4.7
Risk and Needs Assessments**

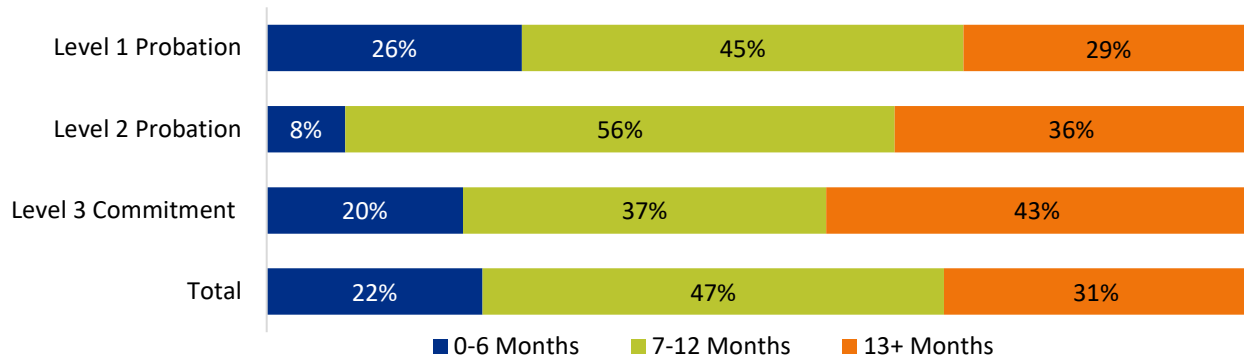


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Juvenile Justice Involvement Profile

This section presents basic information about the adjudicated juveniles and their involvement with the juvenile system – length of involvement for all three groups, probation supervision level and detention admissions for the Level 1 and Level 2 probation groups, and YDC entry and commitment types for the commitment group. On average, juveniles in the Level 1 probation group had the shortest involvement with the juvenile justice system (12 months) compared to the Level 2 probation and the Level 3 commitment groups (each at 13 months). However, a larger percentage of juveniles with a Level 3 commitment spent 13 or more months in confinement (43%) compared to Level 1 and Level 2 groups on probation (29% and 36% respectively). (See Figure 4.8.)

Figure 4.8
Length of Juvenile Justice Involvement



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Probation Supervision

Table 4.5 examines additional information about the juveniles on probation. Most juveniles on court-ordered probation exited probation while on standard supervision (85%). More juveniles with a Level 1 disposition exited while on standard supervision compared to Level 2 (87% and 75% respectively). Conversely, more juveniles with a Level 2 disposition exited probation on intensive probation (8%) and modified probation (17%) compared to the Level 1 group who exited intensive and modified probation (4% and 9% respectively). While on supervision, 23% of juveniles had an admission to a detention center. More juveniles with a Level 2 disposition had a detention admission compared to juveniles with a Level 1 disposition. These detention admissions could have been due to a new complaint or failure to appear, among other reasons. However, a portion of them were due to intermittent confinement – a sanction available for noncompliance with the conditions of their probation.⁵¹ Again, slightly more juveniles with a Level 2 disposition had a detention admission due to intermittent confinement compared to juveniles with a Level 1 disposition.

Table 4.5
Levels 1 and 2 Probation Profile

	Level 1 Probation n=2,013 %	Level 2 Probation n=571 %	Total N=2,854 %
Supervision Level at JJ Exit			
Intensive	4	8	5
Standard	87	75	85
Modified	9	17	10
Any Detention Admission	21	29	23
Detention Admission due to Intermittent Confinement	14	16	14

Note: Findings exclude 49 juveniles who were supervised out of state for a portion or all of their supervision.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

⁵¹ As mentioned in Chapter One, a Level 1 disposition may also include intermittent confinement in a detention center for up to five 24-hour periods, while the court can impose confinement on an intermittent basis for up to fourteen 24-hour periods for juveniles with a Level 2 disposition.

YDC Commitment

Additional information was also available for the Level 3 commitment group. Juveniles may enter a YDC due to adjudication of a new crime, violation of probation, or revocation of PRS. For the FY 2018 YDC groups, more juveniles entered a YDC due to a violation of probation compared to juveniles who entered due to a new crime (46% and 41% respectively), while few juveniles entered YDC due to a revocation of PRS (13%). (See Figure 4.9.) Juveniles who entered a YDC due to a new crime spent the longest time in a YDC on average (14 months) compared to those who entered due to a probation violation (12 months) or due to a PRS revocation (8 months). For most of the Level 3 commitment group (82%), it was their first YDC commitment. Almost all Level 3 commitment juveniles (94%) were placed on PRS upon release from a YDC. Eleven percent (11%) of the 150 juveniles placed on PRS upon release from a YDC violated their PRS and had their PRS revoked during the two-year follow-up period.

Figure 4.9
Level 3 Commitment Profile

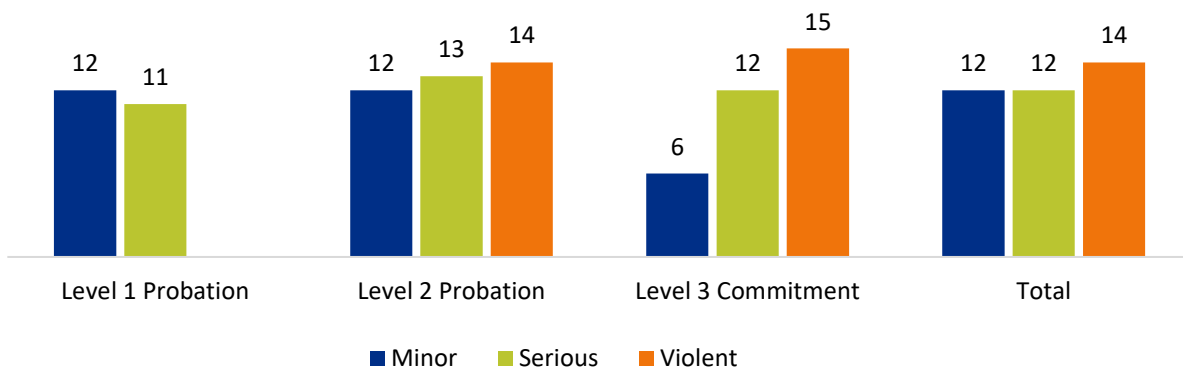


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Length of Juvenile Justice Involvement and Adjudicated Offense Classification

The length of involvement reflected juvenile justice practices and policies – the Level 1 probation group spent the least amount of time, on average, in the system (71% at 12 months or less) compared to the Level 2 probation and Level 3 commitment groups (64% and 57% at 12 months or less respectively) (see Figure 4.8). As shown in Figure 4.10, length of involvement increased based on the seriousness of the adjudicated offense for each group.

Figure 4.10
Average Length of Juvenile Justice Involvement in Months by Adjudicated Offense Classification



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

JUVENILE AND ADULT RECIDIVISM

Subsequent complaints were used as the primary measure for juvenile recidivism, supplemented with information on subsequent adjudications that resulted from those recidivist complaints. Arrests were used as the primary measure for adult recidivism, supplemented with information on convictions. A combined measure of subsequent juvenile complaints and/or adult arrests was compiled to indicate any recidivist involvement in either system. Recidivism rates are only reported for juveniles when there are more than 25 juveniles in a specific category.

Recidivism during Juvenile Justice Involvement

As discussed in Chapter One, recidivism rates are examined at two points in time – during juvenile justice involvement and during the two-year follow-up. Table 4.6 contains information on recidivism rates during juvenile justice involvement. Overall, 29% of juveniles had a delinquent complaint and/or an adult arrest during this time period. Juveniles with Level 2 probation had the highest recidivism rate at 36%, while 28% of juveniles with Level 1 probation had either a juvenile complaint and/or an adult arrest. Not surprisingly, juveniles in the commitment group had the lowest recidivism rates at 8% since they were confined in a YDC facility and had the least opportunity to recidivate.

For juveniles with recidivism, the first event occurred an average of 4 months after the start of their probation supervision or YDC commitment. The Level 1 and 2 probation groups committed their first recidivist event at 4 months, while juveniles with Level 3 commitment committed their first recidivist event a bit earlier, at 3 months on average. Overall, 59% had a misdemeanor as their most serious recidivist offense. The Level 1 probation group was more likely to have a misdemeanor as their most serious recidivist offense (63%) compared to the other two groups (Level 2 probation with 51% and Level 3 commitment with 23%).

Table 4.6
Recidivism Rates: Juvenile Justice Involvement

Disposition Level	N	Any Recidivism		Months to Recidivism Avg.	Most Serious Recidivist Offense:	
		#	%		Felony %	Misdemeanor %
Level 1 Probation	2,044	579	28	4	37	63
Level 2 Probation	589	210	36	4	49	51
Level 3 Commitment	159	13	8	3	77	23
Total	2,792	802	29	4	41	59

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Recidivism during Two-Year Follow-Up

Table 4.7 examines overall recidivism rates by disposition level for the one-year and two-year follow-up periods. Juveniles with a Level 3 commitment had higher recidivism rates than juveniles with Level 1 or Level 2 probation. There were no differences in recidivism rates by disposition level for juveniles who exited probation (24% each by the first year of the follow-up period and 34% each by the second year of the follow-up period).

Information on the total number of recidivist events for those juveniles who had a subsequent juvenile complaint, an adult arrest, or both during the follow-up period is also provided in Table 4.7. The 999 juveniles with any recidivism accounted for a total of 2,264 recidivist events, an average of 2 events per juvenile. Although juveniles in the Level 1 probation group were less likely to have a recidivist complaint and/or arrest than juveniles with a Level 3 commitment, they accounted for a higher volume of recidivist events due to their larger sample size. Juveniles with Level 1 or Level 2 probation had an average of 2 recidivist events compared to juveniles with a Level 3 commitment who averaged 3 recidivist events during the two-year follow-up.

**Table 4.7
Recidivism Rates: Two-Year Follow-Up**

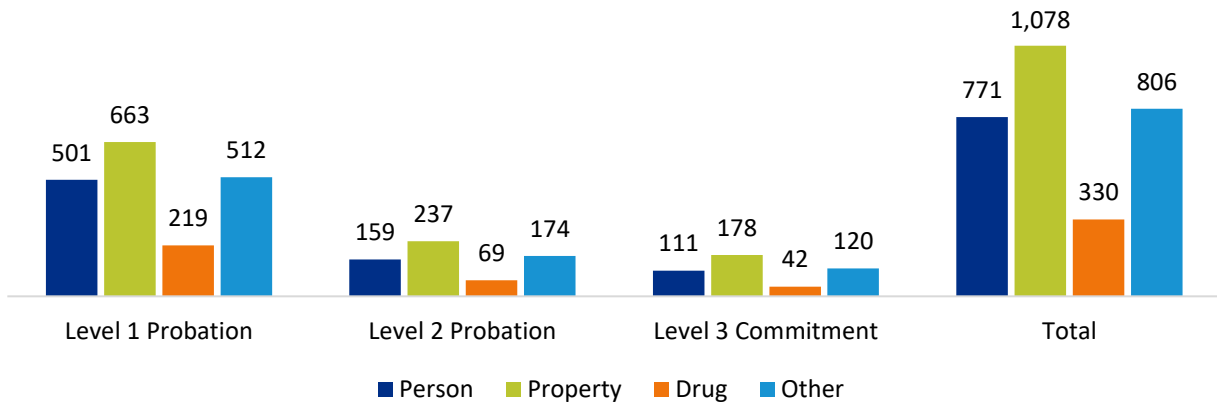
Disposition Level	N	Months to Recidivism Avg.	# of Juveniles with Any Recidivism	Total # Recidivist Events	One-Year Follow-up %	Two-Year Follow-up %
Level 1 Probation	2,044	9	700	1,467	24	34
Level 2 Probation	589	8	202	478	24	34
Level 3 Commitment	159	6	97	319	49	61
Total	2,792	8	999	2,264	25	36

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

For those juveniles with at least one subsequent delinquent complaint and/or arrest, the first recidivist event occurred an average of 8 months after the beginning of their follow-up for all three groups. Juveniles in the Level 3 group recidivated 2-3 months earlier at 6 months compared to juveniles in the Level 2 group at 8 months and the Level 1 group at 9 months. Of the 999 juveniles with a recidivist event, 32% recidivated within 3 months, 51% within 6 months, and 73% within 12 months.

Figure 4.11 provides information on the volume of recidivist arrests by crime category. Juveniles in all three groups were more likely to have a recidivist complaint/arrest for property and other offenses. Overall, 60% had a felony as their most serious recidivist offense. Juveniles in the Level 1 probation group were less likely to have a felony as their most serious recidivist offense (54%) compared to juveniles in the Level 2 probation and Level 3 commitment groups (65% and 91% respectively).

Figure 4.11
Number of Recidivist Events by Crime Category for Juveniles with Recidivism: Two-Year Follow-Up



Note: Multiple crime categories may be linked to a recidivist event. As a result, the number of recidivist events by crime category cannot be added together to equal the total number of recidivist events.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Personal Characteristics and Recidivism

Recidivism rates during the two-year follow-up by the juvenile’s personal characteristics are examined in Table 4.8. In general, juveniles with a Level 3 commitment had higher recidivism rates than juveniles with a Level 1 or 2 probation disposition for all categories of personal characteristics examined. Similar patterns of recidivism rates emerged by personal characteristics within each group. Males were more likely to recidivate than females. Black juveniles had the highest recidivism rates compared to the other racial groupings for juveniles with Level 1 and Level 2 probation, while juveniles in the Level 3 commitment group had only enough observations (more than 25) to provide the recidivism rates for black juveniles (63%). Generally, juveniles aged 12-13 years at offense had the highest recidivism rates for all disposition levels compared to the other age groupings. For the Level 1 and 2 probation groups, juveniles aged 13 and younger at their age at juvenile justice entry had the highest recidivism rates compared to the other age groups, while juveniles aged 16 years and older with a Level 3 commitment had the highest recidivism rates.

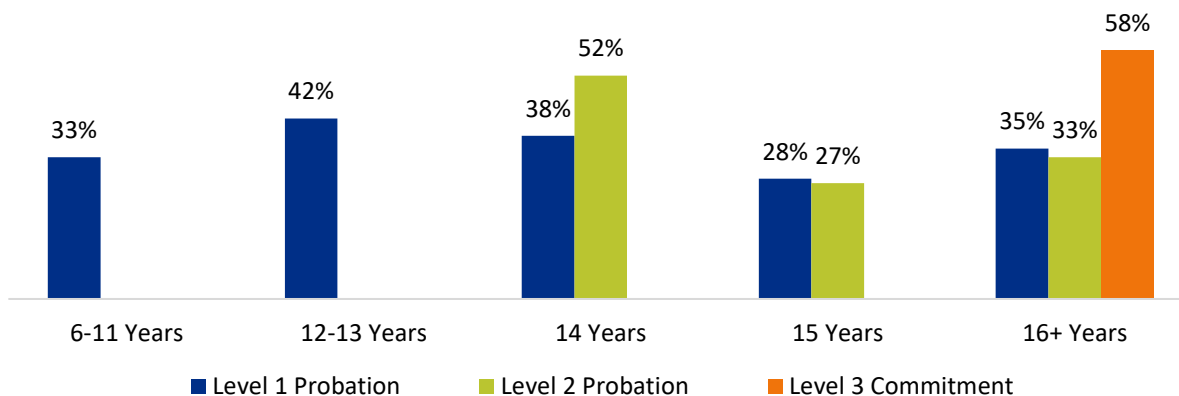
Table 4.8
Recidivism Rates by Personal Characteristics: Two-Year Follow-Up

Personal Characteristics	N	Level 1 Probation n=2,044 %	Level 2 Probation n=589 %	Level 3 Commitment n=159 %	Total N=2,792 %
Gender					
Male	2,111	37	35	62	39
Female	681	26	29	--	27
Race					
White	1,004	26	27	--	27
Black	1,414	41	41	63	43
Hispanic	257	31	25	--	30
Other/Unknown	117	35	--	--	37
Age at Offense					
6-11 Years	131	37	--	--	40
12-13 Years	695	38	34	--	38
14 Years	817	33	32	53	34
15 Years	1,149	32	34	64	35
Age at JJ Entry					
6-11 Years	85	40	--	--	45
12-13 Years	504	40	44	--	41
14 Years	692	35	28	63	35
15 Years	1,093	30	34	53	32
16+ Years	418	34	34	68	39
Total	2,792	34	34	61	36

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Figure 4.12 examines recidivism rates by age at juvenile justice exit during the two-year follow-up. Juveniles with a Level 1 probation disposition were represented in all age categories (over 25 juveniles in each age category); the highest recidivism rates for this group were found for juveniles aged 12-13 years (42%). Juveniles with a Level 2 probation disposition were only represented in the older age groupings and were older than the Level 1 group. However, the youngest age group for Level 2 dispositions, 14-year-olds, had the highest recidivism rates (52%) compared to the remaining older juveniles with a Level 2 disposition (27% for 15 years and 33% for 16 years or older). Juveniles with a Level 3 commitment had the highest recidivism rates (58%) across all three disposition levels.

Figure 4.12
Recidivism Rates by Age at Juvenile Justice Exit: Two-Year Follow-Up

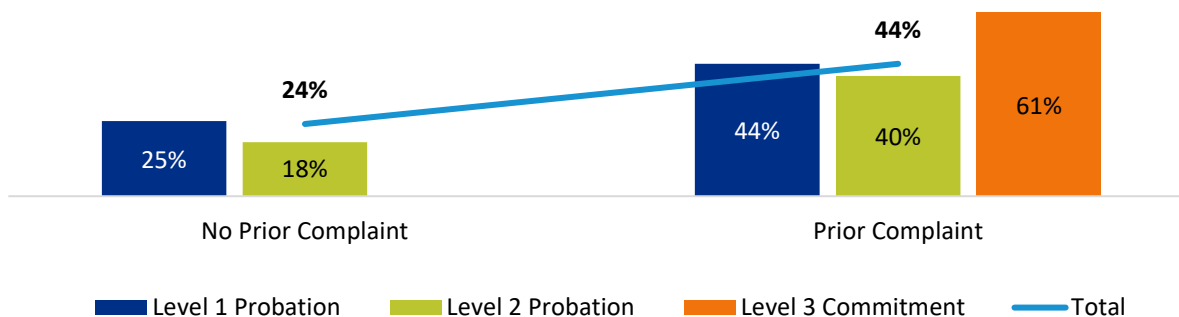


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Prior Juvenile Justice Contacts and Recidivism

Overall, 58% of the adjudicated juveniles had at least one prior delinquent complaint before probation entry or YDC commitment (see Figure 4.2). Figure 4.13 examines recidivism rates for juveniles with at least one prior complaint in comparison to juveniles with no prior complaint before probation entry or YDC admission. Overall, juveniles with a prior complaint had higher recidivism rates than those with no prior complaint (44% and 24% respectively). This pattern held when examining recidivism rates for the groups.

Figure 4.13
Recidivism Rates by Prior Complaints: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Adjudicated Offense, Delinquency History, and Recidivism

In Table 4.9, recidivism rates are examined by characteristics of the most serious adjudicated offense. Juveniles with a felony offense had lower recidivism rates than juveniles with a misdemeanor offense for the Level 1 and 2 probation groups. Overall, juveniles adjudicated of a Minor or Serious offense had higher recidivism rates than juveniles adjudicated of a Violent offense. Juveniles' average risk scores by offense classification provide insight into these findings. Juveniles in the Level 1 probation group had an

average risk score of 7 for Serious offense classification and 8 for Minor offense classification – hence, similar recidivism rates (31% for Serious offenses and 35% for Minor offenses). Juveniles in the Level 2 probation group ranged from a low risk score of 7 for juveniles with a Violent offense to 11 points for a Serious offense to a higher risk score of 13 points for those juveniles with a Minor offense. For the Level 2 probation group, recidivism rates increased as the average risk score associated with the adjudicated offense increased. The remaining group, Level 3 commitments, had an average risk score of 19 points for those juveniles adjudicated of a Violent offense or a Serious offense. While the risk score explains the higher recidivism rates compared to the Level 1 and 2 probation groups, it does not explain the higher recidivism rate for those juveniles with a Level 3 commitment adjudicated of a Serious offense (67%) compared to those juveniles adjudicated with a Violent offense (49%). Additional analysis would be needed to understand possible explanations.

No clear pattern was found when comparing recidivism rates by crime category for the three groups. Juveniles in the Level 2 probation group had higher recidivism rates if their charged offense was a school-based offense, while little difference was found for juveniles in the Level 1 probation group. Juveniles in the Level 3 commitment group did not have enough juveniles with a school-based offense (less than 25) to report recidivism rates.

Table 4.9
Recidivism Rates by Adjudicated Offense: Two-Year Follow-Up

Adjudicated Offense	N	Level 1 Probation n=2,044 %	Level 2 Probation n=589 %	Level 3 Commitment n=159 %	Total N=2,792 %
Offense Type					
Felony	614	26	28	57	34
Misdemeanor	2,178	35	44	--	36
Offense Classification					
Violent	105	--	17	49	31
Class A-E Felonies					
Serious	765	31	32	67	37
Class F-I Felonies					
Class A1 Misdemeanor					
Minor	1,922	35	46	--	36
Class 1-3 Misdemeanors					
Crime Category					
Person	1,084	30	32	61	33
Property	1,082	36	30	63	37
Drug	202	36	56	--	39
Other	424	38	51	--	40
School-Based Charged Offense					
No	1,556	35	32	59	37
Yes	1,236	33	41	--	35
Total	2,792	34	34	61	36

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Table 4.10 provides recidivism rates by the intersection of adjudicated offense classification and delinquency history level.⁵² In general, findings indicated that recidivism rates increased as delinquency history level increased. Recidivism rates were lowest for juveniles adjudicated of a Violent offense who had a low delinquency history level (23%) and highest for juveniles adjudicated of a Serious offense who had a high delinquency history (60%).

Table 4.10
Recidivism Rates by the Juvenile Disposition Chart: Two-Year Follow-Up

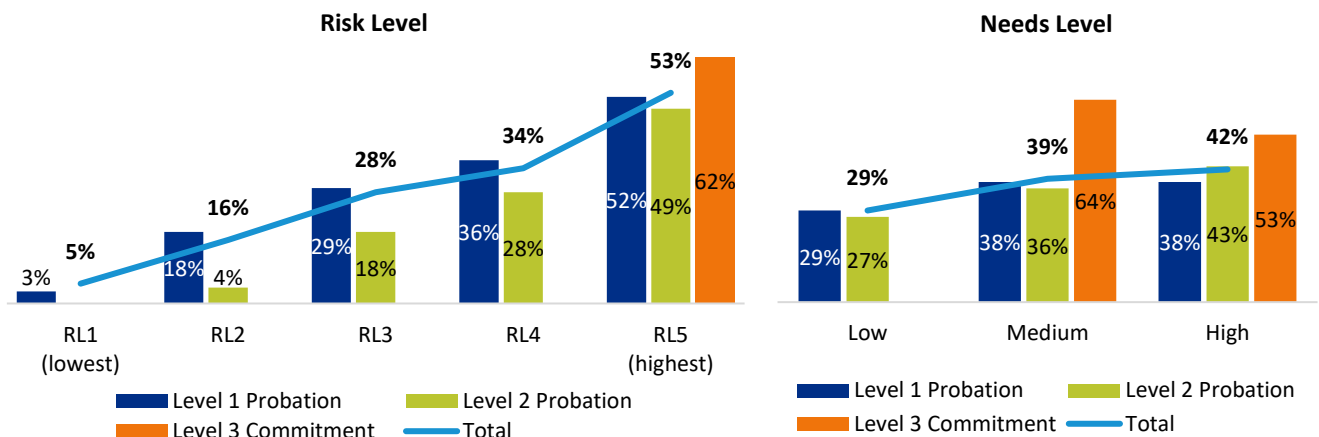
Adjudicated Offense Classification	N	Delinquency History Level			Total N=2,792 %
		Low n=2,425 %	Medium n=203 %	High n=164 %	
Violent	105	23	--	--	31
Serious	765	32	41	60	37
Minor	1,922	34	51	48	36
Total	2,792	34	47	54	36

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Risk/Needs Levels and Recidivism

Figure 4.14 explores the relationship between juveniles' risk and needs levels and recidivism rates. As expected, RL1 (lowest risk) juveniles had the lowest recidivism rates compared to RL5 (highest risk) juveniles, with an incremental, stair-step progression of recidivism rates between the middle three risk levels (RL2 to RL4). Similar findings were seen when examining the relationship between needs level and recidivism rates. Recidivism rates for juveniles with a Level 1 or a Level 2 probation disposition were similar when examining recidivism rates by needs level.

Figure 4.14
Recidivism Rates by Risk and Needs Levels: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

⁵² See Table E.9 in Appendix E for the number of juveniles at each intersection of adjudicated offense classification and delinquency history level.

Information on the recidivism rates and the combined indicators from the risk and needs assessment tools – substance use, gang affiliation (whether as a gang member or as an associate of a gang member), and peer relationships – is included in Table 4.11. Juveniles with substance use, gang affiliation, and negative peer influence generally had higher recidivism rates compared to their counterparts (no substance use, no gang affiliation, and positive peer influence). Generally, similar recidivism rates were found for juveniles with a Level 1 or 2 probation disposition whose combined risk and need measures indicated substance use and negative peer relationships.

Table 4.11
Recidivism Rates by Risk and Needs Indicators: Two-Year Follow-Up

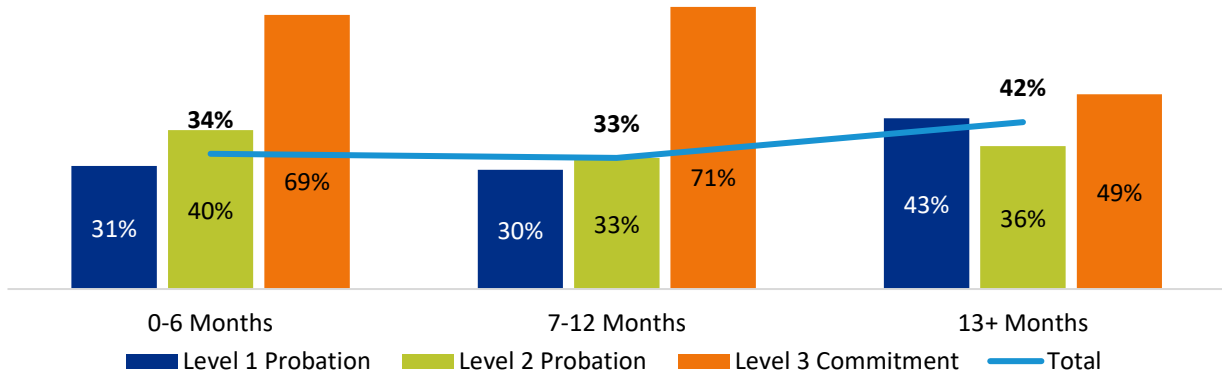
Risk and Needs Indicators	N	Level 1 Probation n=2,044 %	Level 2 Probation n=589 %	Level 3 Commitment n=159 %	Total N=2,792 %
Substance Use					
No	1,540	30	28	--	30
Yes	1,252	40	41	58	42
Gang Affiliation					
No	2,473	33	33	56	34
Yes	319	48	43	67	51
Peer Relationships					
Positive	503	28	21	--	27
Negative	2,289	36	36	61	38
Total	2,792	34	34	61	36

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Juvenile Justice Involvement Profiles and Recidivism

Figure 4.15 provides recidivism rates by the length of probation supervision for the Level 1 and Level 2 probation groups and the length of confinement for the Level 3 commitment group. Overall, there were similar recidivism rates for juveniles with less than 6 months and 7-12 months involvement (34% and 33% respectively); however, recidivism rates increased for juveniles with a juvenile justice involvement of 13 months or longer (42%). For juveniles in the Level 1 probation group, recidivism rates were typically higher for those with longer lengths of probation supervision (13 months and longer), while juveniles in the Level 2 group had higher recidivism rates for those with shorter lengths of probation supervision (6 months or less). Recidivism rates for juveniles with a Level 3 commitment were lower for lengths of confinement on average 13 months or more compared to confinement lengths of 12 months or less.

Figure 4.15
Recidivism Rates by Length of Juvenile Justice Involvement: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Overall, juveniles who exited probation on intensive supervision had the highest recidivism rates (45%) compared to juveniles who exited probation on modified or standard supervision (31% and 35% respectively). (See Table 4.12.) The Level 1 and 2 probation groups exiting probation on intensive and standard supervision had similar recidivism rates. For juveniles exiting modified supervision, juveniles with a Level 2 disposition had higher recidivism rates compared to juveniles with a Level 1 disposition (35% and 29% respectively). Juveniles who had a detention admission during supervision had higher recidivism rates than those who did not have a detention admission; little difference was found in recidivism rates for juveniles in the Level 1 and 2 probation groups.

Table 4.12
Recidivism Rates by Levels 1 and 2 Probation Profile: Two-Year Follow-Up

	N	Level 1 Probation n=2,013	Level 2 Probation n=571	Total N=2,854
Supervision Level at JJ Exit				
Intensive	121	45	45	45
Standard	2,191	35	34	35
Modified	272	29	35	31
Any Detention Admission				
No	1,994	31	31	31
Yes	590	47	45	46
Total	2,584	34	35	35

Note: Findings exclude 49 juveniles who were supervised out of state for all or a portion of their court-ordered supervision.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

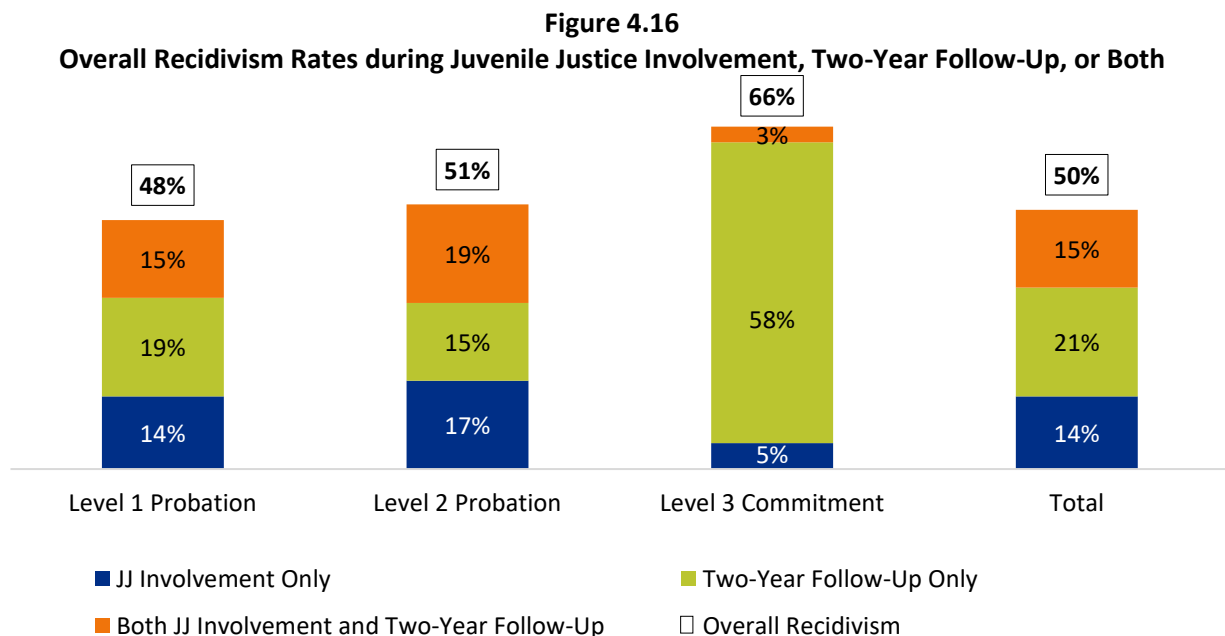
Juveniles with a Level 3 commitment who entered a YDC following adjudication for a new crime had lower recidivism rates compared to juveniles who entered a following a violation of their probation (54% and 64% respectively).⁵³ Since most Level 3 commitment juveniles entered YDC due to a new YDC commitment (82%), differences in recidivism rates by YDC commitment type are not meaningful. The

⁵³ Since there were fewer than 25 juveniles who entered a YDC due to a revocation of PRS, recidivism rates are not reported.

same is true for Level 3 commitments released onto PRS since almost all juveniles (94%) were released onto PRS.

Overall Recidivism during Juvenile Justice Involvement and Two-Year Follow-Up

Figure 4.16 combines the recidivism rates during the time periods discussed in Tables 4.6 and 4.7 to examine when recidivist activity occurred – during juvenile justice involvement only, the two-year follow-up only, or whether the juvenile recidivated in both time periods. Overall, about half of the juveniles with any recidivism recidivated during the two-year follow-up, accounting for 21% of the 50% overall recidivism rate. Nearly equal numbers of juveniles recidivated either during their juvenile justice involvement only or during both time periods (14% and 15% respectively). Juveniles in the Level 3 commitment group recidivated primarily during the two-year follow-up (58% of the 66% overall recidivism rate for the committed juveniles), while juveniles in the Level 1 and 2 probation groups were just as likely to have recidivated during their juvenile justice involvement only, their two-year follow-up, or both time frames.



Note: The overall recidivism rates were computed by adding together the rates for juveniles with recidivism during juvenile justice involvement only, during two-year follow-up only, and during both time periods.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

SUMMARY

Chapter Four examined the adjudicated juveniles who exited the juvenile justice system in FY 2018 with a Level 1 or Level 2 probation disposition or a Level 3 commitment to a YDC facility and focused on a comparison between the three groups. A statistical profile was provided and included personal characteristics and prior, current, and recidivist contacts with the juvenile justice and criminal justice systems. Two points of time were examined for recidivism (i.e., juvenile complaint and/or adult arrest) – during juvenile justice involvement and during the two-year follow-up period, as well as an overall recidivism rate.

As the seriousness of the juveniles' disposition imposed increased (i.e., from Level 1 probation to Level 2 probation to Level 3 commitment), the percentage of males, black juveniles, and older juveniles increased. These personal characteristics (e.g., gender, race) were also linked to higher recidivism rates for the Level 3 commitment group compared to both probation groups during the two-year follow-up.

Three measures were used to examine prior contacts with the juvenile justice system – prior complaints, adjudications, and confinement (i.e., detention admission and/or YDC commitment). As the seriousness of the juveniles' disposition increased, prior contact with the juvenile justice system for all three measures increased. Prior contacts with the juvenile justice system were also linked to higher recidivism rates for all three groups during the two-year follow-up.

Most adjudicated juveniles (78%) had a misdemeanor as their most serious adjudicated offense; however, the majority of the Level 3 commitment group had a felony offense as their most serious adjudicated offense (85%). Of those juveniles adjudicated of a Violent offense, all were in the Level 2 probation or Level 3 commitment groups. Juveniles in the Level 2 probation and Level 3 commitment groups committed more person and property offenses than juveniles with a Level 1 probation disposition. Generally, juveniles with the less serious offenses (based on offense type and offense classification) had higher recidivism rates during the two-year follow-up.

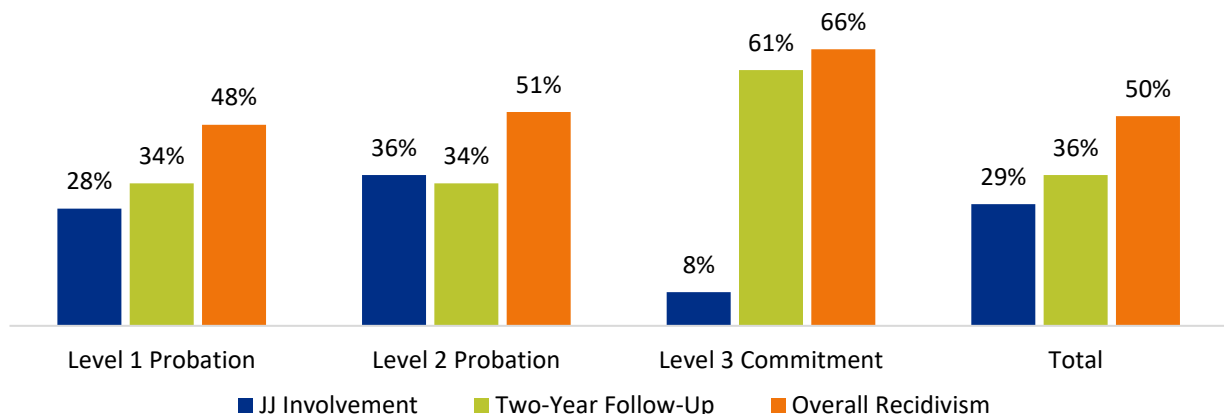
As the seriousness of the disposition increased, the percentage of juveniles assessed in the higher risk levels increased and juveniles' needs increased. An incremental increase in recidivism rates during the two-year follow-up was found for all groups by risk level and needs level (from lowest to highest).

Data about the length of involvement, probation supervision levels, and YDC entry and commitment types were available and provided more insight into findings for adjudicated juveniles. The Level 2 probation and Level 3 commitment groups spent the longest time in the juvenile justice system (an average of 13 months), followed by the Level 1 probation group (12 months). Juveniles with 12 months or less of juvenile justice involvement had lower recidivism rates compared to juveniles with 13 months or more. For the probation group, most (85%) were supervised under standard supervision. Examination of recidivism rates by supervision level found juveniles under intensive supervision – the highest level of supervision – had the highest recidivism rates during the two-year follow-up compared to the other two levels of supervision – standard and modified (lowest level). Most Level 3 commitment juveniles entered a YDC as their first (i.e., new) commitment (82%) due to a new crime (41%) or a violation of their probation (46%).

Figure 4.17 summarizes the adjudicated juveniles' recidivism rates during follow-up. Juveniles with Level 2 probation had slightly higher recidivism rates during their juvenile justice involvement (i.e., probation supervision), while committed juveniles had the lowest recidivism rates due to their confinement in a YDC facility during their juvenile justice involvement. During the two-year follow-up period, the Level 3 commitment group had the highest recidivism rates. While the Level 2 probation group had higher recidivism rates during their juvenile justice involvement compared to the Level 1 probation group, there were no differences in their recidivism rates during the two-year follow-up.

As the seriousness of the disposition increased, overall recidivism rates increased – juveniles with the least restrictive disposition had the lowest recidivism rates (48% for the Level 1 probation group and 51% for the Level 2 probation group), while juveniles with the most restrictive disposition had the highest overall recidivism rates (66% for the Level 3 commitment group).

Figure 4.17
Recidivism Rates for FY 2018 Adjudicated Juveniles



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

A limitation in the examination of adjudicated juveniles by their disposition level is the lack of data to fully examine supervision and YDC confinement periods. More data are needed to understand these groups. For those juveniles placed on supervised probation, the programs and services provided to the juvenile, the types of violations and responses to those violations, and the reason(s) the juvenile exited probation (e.g., successful completion, aged out, violation of probation) would be informative in understanding the findings. Additional information may explain why juveniles with a Level 2 probation disposition had higher recidivism rates during their supervision period compared to juveniles in the Level 1 probation group, while both probation groups had the same recidivism rates during the two-year follow-up. Information about core treatment and programming services received while confined in a YDC facility would contribute to the understanding of committed juveniles and their recidivism rates.

CHAPTER FIVE

CONCLUSIONS

During the 2005 Session, the North Carolina General Assembly expanded the Sentencing and Policy Advisory Commission’s mandate to include the preparation of biennial reports on statewide rates of juvenile recidivism. (Session Law 2005-276, Section 14.19.) This marks the eighth biennial report, submitted to the legislature on May 1, 2021. The study followed a sample of 6,668 juveniles who were brought to the attention of the court with a delinquent complaint and exited the juvenile justice system between July 1, 2017 and June 30, 2018. Contacts with the juvenile justice and criminal justice systems were tracked during their juvenile justice involvement and the two years following their exit from the juvenile system. Recidivism was defined broadly to include all delinquent complaints and adult arrests.

NEW METHODOLOGY

Beginning with the 2019 biennial report, a different methodology was employed. The new methodology differed from previous reports by using an exit sample and tracking the juveniles during their juvenile justice involvement, in addition to the fixed two-year follow-up from their sample involvement exit. This methodological change allows for greater examination of the timing of recidivism and the effect of the totality of system involvement on recidivism. With the new methodology, it is important to note that direct comparisons between the recidivism rates published prior to 2019 and the most recent reports (published in 2019 and this report) cannot be made due to the differences in sample selection and time periods studied.

SUMMARY

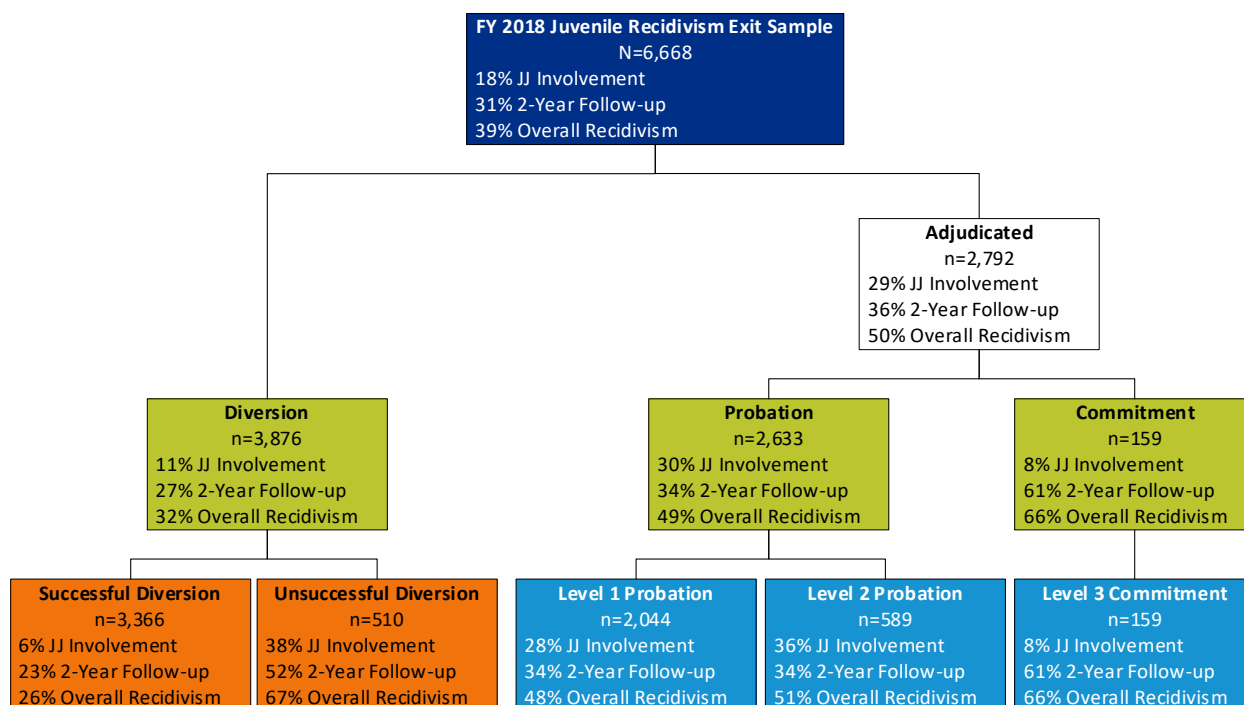
In line with the decisions made within the juvenile justice system, the 6,668 juveniles in the FY 2018 exit sample were categorized into one of three groups – diversion (58%), probation (40%), or commitment (2%). The legislative mandate specifies that juveniles adjudicated delinquent be studied; the probation and commitment groups represent those juveniles. In addition to the adjudicated group, examination of juveniles whose delinquent complaints were diverted from court (i.e., the diversion group) offered a more complete look at how the juvenile justice system handles delinquent behavior.

Altogether, nearly three-fourths of the sample (72%) were male and nearly one-half (48%) was black. At the time of their alleged delinquent act, the juveniles’ average age was 14 years. The events that brought the youth in the sample to the attention of the juvenile justice system were largely misdemeanors (82%); very few (only 2%) were charged with a violent delinquent act. Just over one-third (34%) of the juveniles had at least one prior delinquent complaint. On average, juveniles spent 7 months involved with the juvenile justice system – less time for the diverted juveniles (4 months) and more time for the adjudicated juveniles (12 months for juveniles who exited probation and 13 months for juveniles released from a YDC facility).

The committed juveniles had the lowest recidivism rates during their juvenile justice involvement (8%) due to their confinement in a YDC facility, followed by the diversion group (11%). (See Figure 5.1.)

Juveniles on probation had the highest recidivism rates during their juvenile justice involvement (30%). The findings indicated that recidivism during the two-year follow-up period was related to several factors. First, a clear relationship emerged between the level of involvement with the juvenile justice system and likelihood of recidivating during the two-year follow-up. Level of involvement ranged from the least serious (diversion) to the most serious (commitment); recidivism rates ranged from 27% for diverted juveniles to 34% for juveniles placed on probation to 61% for committed juveniles. Overall recidivism rates (i.e., recidivism during juvenile justice involvement and/or two-year follow-up) reflected similar patterns to recidivism during the two-year follow-up; the deeper the involvement of the youth in the juvenile justice system, the more likely s/he was to have recidivism. Diverted and committed juveniles recidivated primarily during their two-year follow-up, while juveniles who exited probation had similar recidivism rates during both time periods (30% during juvenile justice involvement and 34% during the two-year follow-up).

Figure 5.1
Recidivism Rates for North Carolina’s Diverted and Adjudicated Juveniles



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Diverted Juveniles

This report explored the differences between juveniles with a diversion plan or contract by whether the juvenile completed their diversion from juvenile court successfully or unsuccessfully. While smaller in number compared to the successful diversion group (n=3,366), juveniles with an unsuccessful diversion (n=510) tended to have more risk factors and needs identified than juveniles with a successful diversion. Juveniles with an unsuccessful diversion had much higher recidivism rates during each of the follow-up periods examined (see Figure 5.1). The higher recidivism rates for juveniles with an unsuccessful diversion were not surprising due to their higher levels of risk and needs. In addition, it is possible recidivism that occurred during their juvenile justice involvement was a contributing reason for their

unsuccessful diversion; however, this currently cannot be determined because no exit reason for unsuccessful diversion is captured in NC-JOIN. A closer examination of juveniles with an unsuccessful diversion by risk and needs, along with inclusion of a diversion exit reason in NC-JOIN, would provide useful insight in appropriate targeting of resources for these juveniles diverted from juvenile court.

Adjudicated Juveniles

Adjudicated juveniles were examined by their disposition level imposed – Level 1 probation, Level 2 probation, and Level 3 commitment. As the seriousness of the juvenile’s disposition increased, the percentage of juveniles who were male, black, adjudicated with a felony, and assessed as higher risk and with greater needs also increased. Juveniles with Level 2 probation had higher recidivism rates during their juvenile justice involvement, while juveniles with a Level 3 commitment had the highest recidivism rates during the two-year follow-up (see Figure 5.1).

For the probation group, most (85%) were supervised under standard supervision. Examination of recidivism rates by supervision level found juveniles under intensive supervision – the highest level of supervision – had the highest recidivism rates during the two-year follow-up compared to the other two levels of supervision – standard and modified (lowest level). Juveniles in the Level 2 probation group who were supervised under modified supervision had higher recidivism rates compared to juveniles in the Level 1 group. However, no differences were found in recidivism rates by disposition level for juveniles supervised under standard and intensive supervision levels.

To better understand the findings for juveniles who exited probation (particularly relating to supervision level and to timing of recidivism), future analysis should include an examination of the programs and services provided to the juvenile, the types of violations and responses to those violations, and the reason(s) the juvenile exited probation (e.g., successful completion, aged out, violation of probation).

Juveniles in the Level 3 commitment group entered a YDC most frequently due to violation of probation followed closely by new crime, while few juveniles entered a YDC due to revocation of PRS. While the commitment group had the highest recidivism rates compared to the probation group and had higher rates compared to the FY 2016 commitment group, two factors should be emphasized about the committed youth:

- The number of juveniles committed to a YDC is small (n=159), which can contribute to sizeable fluctuations from year-to-year due to the oversized effect of each observation on the total.
- These juveniles were assessed with the highest risk and the greatest need compared to the probation group. The problems associated with the commitment group are more complex in terms of personal needs (e.g., mental health, school problems, substance use, gang affiliation) and in terms of their home environment (e.g., juveniles with conflict in the home, household members with substance use problems, family members involved in criminal activity).

As a result, it is not surprising that the commitment group with the magnitude and nature of needs identified, in addition to having a high level of risk, would recidivate at higher rates.

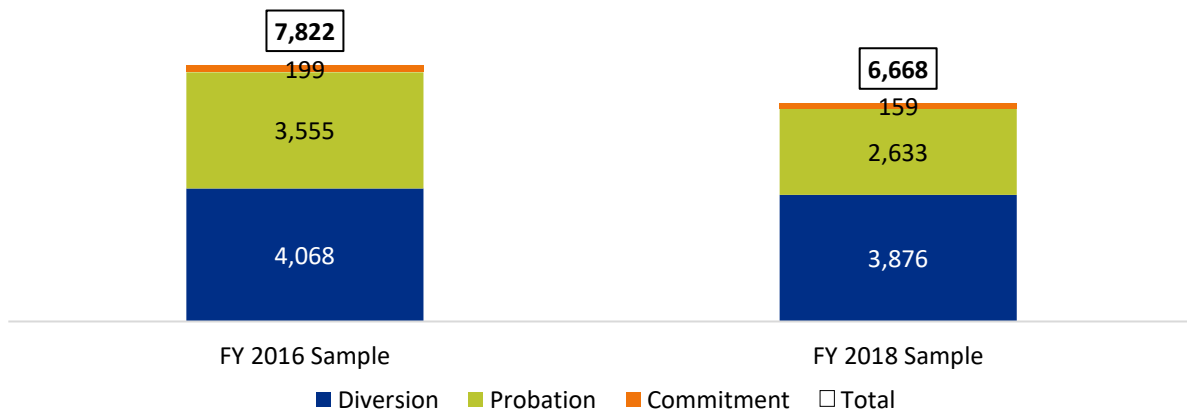
Information about core treatment and programming services received while confined in a YDC facility would contribute to the understanding of committed juveniles’ behavior while confined and their

outcomes (i.e., recidivism) upon their release. Finally, the inclusion of these data may provide insight to the optimal length of juvenile justice involvement for adjudicated juveniles.

TRENDS

While two data points do not represent a trend, a comparison between the first two samples under the new methodology can be made. Figure 5.2 compares the FY 2016 juvenile recidivism sample with the current FY 2018 sample. Overall, there was a 15% decrease in sample size from FY 2016 sample compared to FY 2018 sample. The probation group had the largest decrease in size (26%) followed by the commitment group (20%), while the diversion group had the smallest decrease in sample size (5%).

Figure 5.2
North Carolina Juveniles: A Comparison of FY 2016 and FY 2018 Samples

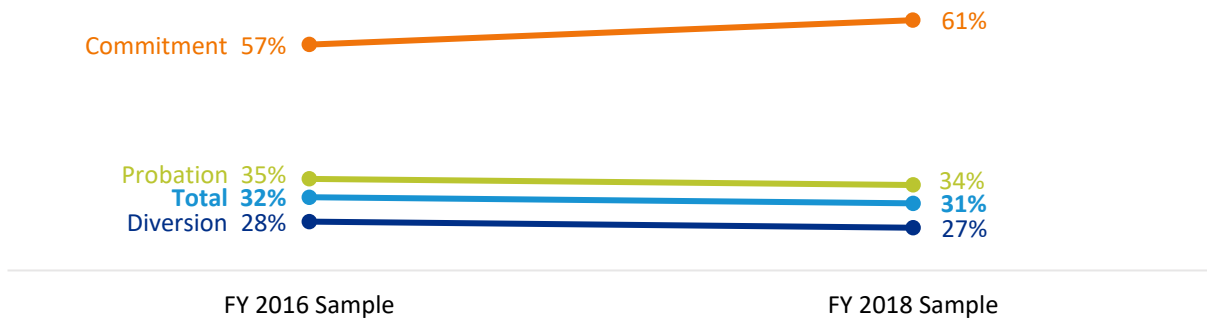


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

The recidivism rates during the two-year follow-up are remarkably similar when comparing the two samples (see Figure 5.3). For the diversion, probation, and total sample, the recidivism rates decreased one percentage point from the FY 2016 sample to the FY 2018 sample. The commitment group had a four-percentage point increase (from 57% for the FY 2016 sample to 61% for the FY 2018 sample), which is a result of the small number of juveniles in this group.⁵⁴ Recidivism rates by level of involvement ranged from the least serious (diversion) with the lowest recidivism rates to the most serious (commitment) with the highest recidivism rates for both samples.

⁵⁴ Again, it should be noted that the small numbers in the commitment group (n=199 in FY 2016 and n=159 in FY 2018) should be taken into consideration. For the FY 2018 commitment group, 97 juveniles had a recidivist event during the two-year follow-up. If only 6 fewer juveniles had committed a delinquent complaint and/or an adult arrest (n=91), the recidivism rates for the two samples would have been the same (57%).

Figure 5.3
Recidivism Rates for North Carolina Juveniles: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

CONCLUSIONS

The study’s key finding that recidivism corresponded with the juvenile’s level of involvement in the juvenile justice system could have a bearing on policy-related issues for juvenile justice. The analyses in this report revealed that the lowest levels of recidivism corresponded to the least invasive systemic responses of the juvenile justice system, particularly by processing and intervening with youth short of adjudication. It is important to recognize that there are several possible explanations for this. While the depth of the system’s response may contribute to a juvenile’s probability of reoffending, another possibility is that the system’s increasingly invasive, restrictive response is elicited by the most troubled youth affected by family dynamics, psychological issues, and school problems. The explanation to recidivistic behavior, more likely, lies in some interaction of all of these factors. Whatever the reason for the relationship between deeper involvement in the juvenile justice system and recidivism, this report and past report findings indicate the most efficient and effective investment of sufficient resources is in the community, at the front-end of the juvenile justice system. Community resources are more easily accessible to juveniles and their families and have a proven track record of successfully intervening with the complex issues associated with delinquent youth.

A direct relationship was also observed between the juveniles’ assessed risk and needs and their recidivism. Generally, as risk and needs levels increased, so did recidivism rates. The accurate identification of needs is of great importance to juveniles and the juvenile justice system, including an accurate assessment of needs levels. While needs levels should not be used to predict recidivism, an accurate assessment of needs is an essential component in identifying the proper treatment programs and determining whether the programs are targeting the appropriate juveniles for services. As also identified in the two previous reports, data from the juvenile recidivism studies indicate that the needs levels currently used by the DACJJ may need to be revisited. The DACJJ implemented a new risk and needs assessment tool, the Youth Assessment and Screening Instrument (YASI), effective January 1, 2021. The YASI focuses on the strengths and protective factors of the juvenile by developing an individualized service plan that allows for continued assessment of the juvenile while receiving services under the DACJJ. While the juveniles in this report were assessed under the old RNA, juveniles in future recidivism studies will be assessed using the YASI allowing for the examination of how the more individualized planning under the new (and more powerful) tool relates to recidivism rates.

As noted in this report, a limitation in the Sentencing Commission's juvenile recidivism study is the lack of available statewide jail data. While prison data are available, it was not included in the analysis due to the lack of comparable data from local jails. As the juveniles age into the adult system, tracking their confinement in an adult facility (i.e., jail, prison) becomes critical to understanding their subsequent criminal behavior. Including prison data and the addition of statewide automated jail data would allow for a more complete examination of this behavior for North Carolina's juveniles.

The passage of the 2017 JJRA raised the age of juvenile jurisdiction by adding a new population of 16- and 17-year-olds and by extending the number of years available for youth to be under the jurisdiction of the system. While the FY 2018 sample was under old law for age of juvenile jurisdiction (6 to 15 years of age), 30% of the sample turned 16 on or after December 1, 2019, and were eligible to continue under juvenile jurisdiction due to the change in the law. This primarily occurred during the end of the follow-up period. The FY 2020 sample for the 2023 report will include 16- and 17-year olds who are now in the juvenile justice system as a result of the change in the age of juvenile jurisdiction. The current report will serve as a baseline for understanding any changes in recidivism patterns as a result of the JJRA, and as a means of evaluating this important juvenile justice policy change.

The COVID-19 pandemic did not impact the findings in this report; however, it is anticipated that future samples may be affected by the responses to the pandemic (e.g., school closures, changes to courthouse operations). It is too early to predict future recidivism results, but this report will provide the baseline for any reductions in sample size and in recidivism rates due to the pandemic.

The Sentencing Commission looks forward to working collaboratively with the DACJJ to further understand the factors contributing to juvenile recidivism in North Carolina, and combining any lessons learned to make improvements to the juvenile justice system in North Carolina.

APPENDIX A

RISK AND NEEDS

Risk Assessment

NORTH CAROLINA ASSESSMENT OF JUVENILE RISK OF FUTURE OFFENDING

Juvenile Name (F, M, L)		DOB:
SS#:	County of Residence:	
Juvenile Race: <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Latino <input type="checkbox"/> Asian <input type="checkbox"/> Multi-racial <input type="checkbox"/> Other		
Juvenile Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female		
Date Assessment Completed:	Completed by:	

Instructions: Complete each assessment item R1 to R9 using the best available information. Circle the numeric score associated with each item response and enter it on the line to the right of the item. Total the item scores to determine the level of risk and check the appropriate risk level in R10. Identify the most serious current offense in R11. Assessment items R1-R5 are historical in nature and should be answered based on the juvenile’s lifetime. Items R6 and R7 should be evaluated over the 12 months prior to the assessment. R7-R9 should be evaluated as of the time of the assessment. Use the Comments section at the end as needed for additional information or clarification.

- R1. Age when first delinquent offense alleged in a complaint:** Circle appropriate score and enter the actual age.
- | | Score |
|--|-------|
| a. Age 12 or over or no delinquent complaint | 0 |
| b. Under age 12 | 2 |
| Actual age: | |
- R2. Number of undisciplined or delinquent referrals to Intake** (Referrals are instances of complaints coming through the Intake process. A referral may include multiple complaints; for example, breaking or entering and larceny, or multiple larcenies or other offenses that occur at one time.)
- | | |
|--------------------------|---|
| a. Current referral only | 0 |
| b. 1 Prior referral | 1 |
| c. 2-3 Prior referrals | 2 |
| d. 4+ Prior referrals | 3 |
- R3. Most serious prior adjudication(s).** Enter the actual number of prior adjudications for each class of offense shown in b through e then circle the score for **only** the **most serious** offense for which there has been a prior adjudication. **The maximum possible score for this item is 4.**
- | | | |
|--|---------------------|---|
| a. No Prior Adjudications | | 0 |
| b. Prior Undisciplined | # of adjudications: | 1 |
| c. Prior Class 1-3 misdemeanors | # of adjudications: | 2 |
| d. Prior Class F-I felonies or A1 misdemeanors | #of adjudications: | 3 |
| e. Prior Class A-E felonies | #of adjudications: | 4 |
- R4. Prior Assaults:** “Assault” is defined as any assaultive behavior, whether physical or sexual, with or without a weapon as evidenced by a prior delinquent complaint. Record the number of complaints for each assault category shown. Then circle the score for the assault category with the highest numerical score. **The maximum possible score for this item is 5.**
- | | | |
|---|------------------|---|
| a. No assaults | | 0 |
| b. Involvement in an affray | # of complaints: | 1 |
| c. Yes, without a weapon | # of complaints: | 2 |
| d. Yes, without a weapon, inflicting serious injury | # of complaints | 3 |
| e. Yes, with a weapon | # of complaints: | 4 |
| f. Yes, with a weapon inflicting serious injury | # of complaints: | 5 |
- R5. Runaways (from home or placement):** “Runaway” is defined as absconding from home or any placement and not voluntarily returning within twenty-four (24) hours as evidenced by a complaint, motion for review, or from reliable information. Circle appropriate score.
- | | |
|------------------------------------|---|
| a. No | 0 |
| b. Yes | 2 |
| Actual number of runaway incidents | |
- R6. Known use of alcohol or illegal drugs during past 12 months:** Do not include tobacco in scoring this item. Circle appropriate score.
- | | |
|--|---|
| a. No known substance use | 0 |
| b. Some substance use, need for further assessment | 1 |
| c. Substance abuse, assessment and/or treatment needed | 3 |

R7. School behavior problems during the prior 12 months: Circle appropriate score.

a. No problems (Enrolled, attending regularly)	0
b. Minor problems (attending with problems handled by teacher/school personnel, or 1-3 unexcused absences/truancy)	1
c. Moderate problems (4 to 10 unexcused absences /truancy, or 1 or more in-school suspensions or 1 short-term suspension – up to 10 days)	2
d. Serious problems (more than 1 short-term suspension, or 1 or more long-term suspension, or more than 10 unexcused absences or expelled/dropped out)	3

R8. Peer relationships: Circle appropriate score. Put check in the line following appropriate information.

a. Peers usually provide good support and influence	0
b. Youth is rejected by pro-social peers _____, or youth sometimes associates with others who have been involved in delinquent/criminal activity but is not primary peer group _____	1
c. Youth regularly associates with others who are involved in delinquent/criminal activity	3
d. Youth is a gang member _____ or associates with a gang _____	5

R9. Parental supervision: (Score the current responsible parental authority) Circle appropriate score.

a. Parent, guardian or custodian willing and able to supervise	0
b. Parent, guardian or custodian willing but unable to supervise	2
c. Parent, guardian or custodian unwilling to supervise	3

R10.

TOTAL RISK SCORE	
-------------------------	--

Check Risk Level: RL1-lowest risk (0) RL2 (1-2) RL3 (3-5)
 RL4 (6-12) RL5-highest risk (13-30)

R11. Completed before or after adjudication: (check) before _____ after _____

Most serious offense alleged /adjudicated in current complaint/petition	
	Statute number
Class offense: <input type="checkbox"/> A-E Felony <input type="checkbox"/> F-I Felony, A1 Misdemeanor <input type="checkbox"/> Class 1-3 Misdemeanor <input type="checkbox"/> Undisciplined	

Note: Risk level is to be considered along with the current offense.

COMMENTS:

Needs Assessment

NORTH CAROLINA ASSESSMENT OF JUVENILE NEEDS

Juvenile Name (F, M, L)		DOB:
SS#:	County of Residence:	
Juvenile Race: <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Latino <input type="checkbox"/> Asian <input type="checkbox"/> Multi-racial <input type="checkbox"/> Other		
Juvenile Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female		
Date Assessment Completed:	Completed by:	

Instructions: Complete each needs assessment item using the best available information. Circle the score associated with the most appropriate item choice and enter the number on the line to the left of the item. Items that are of a current nature should be considered as of the time of the assessment unless a time period for consideration is noted. Assessment items that are historical in nature (Y6 and F5) should be answered based on the juvenile or family member's lifetime. Total the points for all items to determine the total need score and then check the appropriate needs level (low, medium or high). Complete the information source checklist. Finally, identify at least three priority needs for constructing a case plan and appropriate service interventions. Give additional information as needed in the Comments section.

YOUTH NEEDS
Score

Y1. Peer Relationships

- _____ 0 a. Peers usually provide good support and influence.
 2 b. Youth is rejected by pro-social peers.
 3 c. Youth sometimes associates with others who have been involved in delinquent/criminal activity but this is not a primary peer group.
 4 d. Youth regularly associates with others who are involved in delinquent/criminal activity.
 5 e. Youth is a gang member ____ or associates with a gang ____.

Name of gang _____

Y2. School Behavior/Adjustment

- _____ 0 a. No problems. Youth is attending regularly ____, graduated ____, or has GED ____.
 1 b. Minor problems. Work effort ____, or disciplinary problems ____ that were handled by classroom teacher/school personnel or 1-3 unexcused absences/truancy ____.
 3 c. Moderate problems. Youth has 4 to 10 unexcused absences ____, or received 1 or more in-school suspensions ____, or 1 short-term suspension (i.e. less than 10 days) ____.
 4 d. Serious problems. Youth has dropped out of school ____, or been expelled ____, or received more than one short-term suspension ____, or one long-term suspension (10 days or more) ____, or has more than 10 unexcused absences ____.

Y3. General Academic Functioning

- _____ 0 a. Generally functioning above or at grade level ____, or is placed in appropriate Exceptional Children's program ____.
 3 b. Generally functioning below grade level. Needs an educational evaluation ____, or has identified Exceptional Children's needs that are unserved ____.

Check Assessed Exceptional Children's needs: Autism ____, Behaviorally Emotionally Disabled ____, Deaf/Blind ____, Gifted/Talented ____, Hearing Impaired ____, Mentally Disabled ____, Multi-handicapped ____, Orthopedically Impaired ____, Other Health Impaired ____, Pregnant Student ____, Specific Learning Disabled ____, Speech/Language Impaired ____, Traumatic Brain Injury ____, Visually Impaired ____

Y4. Substance Abuse Within Past 12 months (Do not consider tobacco in this item.)

- _____ 0 a. No known substance use.
 1 b. Some substance use, need for further assessment.
 3 c. Substance abuse, assessment and/or treatment needed.
- Check all that apply: Denial ____ Refusal of treatment ____
 Unmet need for treatment ____ Prior treatment failures ____ Currently in treatment ____
- Describe substance abuse noted above by type: (check all that apply, leave blank if none)
 Cocaine ____ Amphetamines ____ Opiates ____ Inhalants ____
 Alcohol ____ Cannabinoids ____ Other _____

_____ **Y5. Juvenile Parent Status**

- 0 a. Juvenile is not a parent.
- 1 b. Juvenile is a parent, but does *not* have custody of child.
- 2 c. Juvenile is a parent ____ or an expectant parent ____ but has adequate childcare support.
- 4 d. Juvenile is a parent ____ or an expectant parent ____ but inadequate childcare support. Number of children _____

_____ **Y6. History of Victimization by Caregiver or Others**

- 0 a. No history or evidence of physical, sexual, or emotional abuse or neglect or other criminal victimization.
- 2 b. Victimization with appropriate support. History or evidence of physical, sexual, or emotional abuse or neglect or other criminal victimization with appropriate response to protect against subsequent victimization.
- 3 c. Victimization without support. One or more incidents of victimization; failure to protect against subsequent victimization.

Check all that apply to the youth: physical abuse ____, sexual abuse ____, emotional abuse ____, neglect ____, criminal victimization ____, other _____

_____ **Y7. Sexual Behavior During Past 12 Months**

- 0 a. No apparent problem.
- 2 b. Behavior that needs further assessment such as use of pornography ____, obscene phone calls ____, voyeurism ____, uses sexually explicit language or gestures ____ or other _____.
- 3 c. Engages in sexual practices that are potentially dangerous to self or others ____.
- 4 d. Youth's sexual adjustment/behavior results in victimization of others _____. May use sexual expression/behavior to attain power and control over others _____.

_____ **Y8. Mental Health**

- 0 a. No need for mental health care indicated.
- 1 b. Has mental health needs that are being addressed.
- 3 c. Behavior indicates a need for additional mental health assessment ____ or treatment _____.

Check all behaviors that apply:

Withdrawn ____ Self mutilation ____ Sad ____ Runs away ____
Confused ____ Hallucinations ____ Anxious ____ Fights ____
Sleep problems ____ Eating problems ____ Angry ____ Restless ____
Risk-taking/impulsive ____ Other _____
Diagnosis (from MH professional) _____

_____ **Y9. Basic Physical Needs/Independent Living**

- 0 a. Youth is living with parents, guardian or custodian. Basic needs for food, shelter and protection are met.
- 1 b. Youth is in temporary residential care or shelter ____ or living independently with basic needs for food, shelter and protection being met _____.
- 2 c. Youth is living with parents, guardian or custodian. Basic needs are not being met. Food needs not met ____, shelter needs not met ____, protection needs not met ____.
- 3 d. Youth is living independently. Basic needs are not being met. Food needs not met ____, shelter needs not met ____, protection needs not met ____.

_____ **Y10. Health & Hygiene (exclude Mental Health Conditions)**

- 0 a. No apparent problem.
- 1 b. Youth has medical, ____ dental ____, health/ hygiene education ____ needs which do not impair functioning. **Youth uses tobacco products** ____.
- 2 c. Youth has physical handicap ____ or chronic illness ____ that limits functioning and the condition is being treated.
- 3 d. Youth has physical handicap ____ or chronic illness ____ that limits functioning and the condition is not being treated. Youth does not comply with prescribed medication ____ or has an unmet need for prescribed medication _____.

Juvenile Name (F, M, L) _____ DOB: _____

FAMILY NEEDS: Answer the following questions about the juvenile's primary family. The primary family is the juvenile's natural family or the family unit that the juvenile is living with on a permanent basis. If the juvenile is placed away from home, the questions should be answered about the "family" to which the juvenile will be returning. Make any needed clarifying comments in the comment section.

_____ **F1. Conflict in the Home Within Past 12 Months**

- 0 a. The home environment is relatively supportive; there are no problems that require outside intervention.
- 2 b. Marital or domestic discord resulting in emotional or physical conflict (without serious injury) with spouse, partner, and/or child(ren) _____. Family members avoid contact with each other _____.
- 4 c. Domestic violence resulting in injury or the involvement of law enforcement and/or domestic violence programs _____. Restraining orders/criminal complaints _____ substantiated abuse _____.
- Check if there is a history of domestic discord _____ or domestic violence _____.

_____ **F2. Supervision Skills**

- 0 a. Adequate skills. Parent makes rules for youth and generally enforces them; parent attempts to keep track of the child's activities and uses discipline when needed; youth respects parent for the most part.
- 2 b. Marginal skills. Parent may make rules, but has difficulty enforcing them _____ or youth often engages in inappropriate activities without parent's knowledge _____ or parent does not react with necessary sanctions when rules are broken _____ or parents say they are having difficulty controlling the juvenile _____.
- 4 c. Inadequate. Parent supports juvenile's delinquency/independence or excuses it _____ or parent refuses responsibility for youth _____ or abandons youth _____.

_____ **F3. Disabilities of Parent, Guardian or Custodian**

- 0 a. Parent, guardian or custodian has no known disabilities that interfere with parenting.
- 2 b. Parent, guardian or custodian's ability to provide for youth is impaired by serious mental health disorder _____ or a serious health problem _____ or other disability _____.

_____ **F4. Substance Abuse Within the Past 3 Years By Household Members (Do not include juvenile.)**

- 0 a. No evidence of alcohol or drug abuse.
- 3 b. One or more household members abuse alcohol or drugs.
- Indicate all that apply: Parent is abuser _____ Sibling is abuser _____
Other household member is abuser _____ Unmet need for treatment _____ Denial _____
Refusal of treatment _____ Prior treatment failures _____ Job loss _____
DWI _____ Other conflict with the law _____ Abusive/destructive behavior _____
- Describe substance use/abuse noted above by type (check all that apply, leave blank if none)
- | | | |
|---------------|--------------------|---------------|
| Cocaine _____ | Amphetamines _____ | Opiates _____ |
| Alcohol _____ | Cannabinoids _____ | Other _____ |

_____ **F5. Family Criminality**

- 0 a. No family member (including siblings) has been convicted/adjudicated for criminal acts.
- 1 b. Parents, guardian or custodian and/or siblings have record of convictions/adjudications. Parent, guardian or custodian conviction _____ Sibling conviction/adjudication _____
- 3 c. Parent, guardian or custodian and/or siblings are currently incarcerated, or are on probation or parole (give relationship and status) _____ or are known gang members _____.

Total Needs Score

Check Needs Level: Low (0-12) Medium (13-22) High (23+)

Sources of information: Check all that apply

Juvenile _____	Mother _____	Father _____	Other Caregiver _____
Sibling _____	Other relative _____	School _____	Victim _____
Neighbor _____	Law Enforcement _____	DSS _____	Mental Health _____
Others _____	_____	_____	_____

ASSESSMENT OF NEEDS COMMENTS:

**ASSESSMENT OF JUVENILE RISK OF FUTURE OFFENDING and
ASSESSMENT OF JUVENILE NEEDS
SUMMARY AND RECOMMENDATION**

Juvenile Name (F, M, L)	
SS#:	DOB:
Date of Assessment and Recommendation	

Total Risk Score _____ RL1-lowest risk (0) RL2 (1-2) RL3 (3-5)
 RL4 (6-12) RL5-highest risk (13-30)

Total Needs Score _____ Low Needs (0-12) Medium Needs (13-22) High Needs (23+)

After completing each Needs Assessment item, review the findings and determine the youth's priority needs i.e., those behaviors which must be addressed by service interventions to deter future delinquent behavior. Then enter the priority needs in the boxes below (enter the priority needs item reference; i.e., Y1 , Y2 or F3, etc.) and briefly describe the service intervention recommended. The Needs Assessment plus the Risk Assessment provide the basic information for constructing the case plan.

Priority Needs	Services Recommended
1.	
2.	
3.	
Other:	

Comments:

Table A.1
Juveniles with Risk and/or Needs Assessments by Level of Involvement

Level of Involvement	N	Avg. Days to Complete:		No Risk or Needs		Risk Only		Needs Only		Both Risk and Needs	
		Risk	Needs	n	%	n	%	n	%	n	%
Diversion	3,876	3	3	5	0.1	3	0.1	1	0.0	3,867	99.8
Probation	2,633	18	14	0	--	0	--	0	--	2,633	100.0
Commitment	159	23	12	0	--	0	--	0	--	159	100.0
Total	6,668	9	8	5	0.1	3	0.1	1	0.0	6,659	99.9

Note: Generally, risk and/or needs assessments were counted if the assessment was completed within a year of the date the sample entry event (i.e., diversion start date or dispositional hearing date).

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

APPENDIX B

JUVENILE DISPOSITION CHART

Juvenile Disposition Chart

Offense Classification	Delinquency History Level		
	Low 0-1 point	Medium 2-3 points	High 4 or more points
Violent Class A-E felonies	Level 2 or 3	Level 3	Level 3
Serious Class F-I felonies Class A1 misdemeanors	Level 1 or 2	Level 2	Level 2 or 3
Minor Class 1-3 misdemeanors	Level 1	Level 1 or 2	Level 2

Offense Classification (G.S. 7B-2508)

Violent – Adjudication of a Class A through E felony offense.

Serious – Adjudication of a Class F through I felony offense or a Class A1 misdemeanor.

Minor – Adjudication of a Class 1, 2, or 3 misdemeanor.

Delinquency History Levels (G.S. 7B-2507(c))

Points

For each prior adjudication of a Class A through E felony offense, 4 points.

For each prior adjudication of a Class F through I felony offense or a Class A1 misdemeanor offense, 2 points.

For each prior adjudication of a Class 1, 2, or 3 misdemeanor, 1 point.

If the juvenile was on probation at the time of the offense, 2 points.

Levels

Low – No more than 1 point.

Medium – At least 2, but not more than 3 points.

High – At least 4 points.

APPENDIX C

DISPOSITIONAL OPTIONS

Dispositional Options

Level 1 Community	Level 2 Intermediate	Level 3 Commitment
<ul style="list-style-type: none"> • intensive substance abuse treatment program • excuse from school attendance • residential treatment program • in-home supervision • community-based program • custody • restitution up to \$500 • nonresidential treatment program • not associate with specified persons • community service up to 100 hours • victim-offender reconciliation • probation • no driver's license • intermittent confinement up to 5 days • fine • not be in specified places • curfew • wilderness program • supervised day program 	<ul style="list-style-type: none"> • intensive substance abuse treatment program • residential treatment program • intensive nonresidential treatment program • wilderness program • group home placement • intensive probation • supervised day program • regimented training program • house arrest with/without electronic monitoring • suspension of more severe disposition w/conditions • intermittent confinement up to 14 days • multipurpose group home • restitution over \$500 • community service up to 200 hours 	<ul style="list-style-type: none"> • 6 month minimum confinement • minimum 90 day post-release supervision

APPENDIX D

FY 2018 CLOSED AND DISMISSED JUVENILES

Table D.1
Profile of FY 2018 Closed and Dismissed Juveniles

		Closed N=2,167	Dismissed N=1,077
Personal Characteristics			
Male	%	66	74
Race			
White	%	28	36
Black	%	56	51
Hispanic	%	11	8
Other/Unknown	%	5	5
Age at Offense	Avg.	13	14
Age at JJ Entry	Avg.	13	14
Age at JJ Exit	Avg.	13	14
Prior Juvenile Justice Contacts			
Prior Complaint	%	18	33
Prior Adjudication	%	7	12
Prior Confinement	%	4	7
Most Serious Charged Offense			
Offense Type			
Misdemeanor	%	95	72
Offense Classification			
Violent (Class A - E Felony)	%	<1	6
Serious (Class F - I Felony, Class A1 Misd.)	%	12	31
Minor (Class 1 - 3 Misdemeanor)	%	88	63
Crime Category			
Person	%	48	44
Property	%	24	36
Drug	%	6	6
Other	%	22	14
School-Based Offense	%	65	43
Risk Assessment			
Risk Assessment Completed	%	85	92
Risk Level			
RL1 (lowest)	%	11	7
RL2	%	28	16
RL3	%	38	32
RL4	%	18	34
RL5 (highest)	%	5	11
Risk Score (0-30 points)	Avg.	4	6
Needs Assessment			
Needs Assessment Completed	%	86	92
Needs Level			
Low	%	83	58
Medium	%	15	38
High	%	2	4
Needs Score (0-51 points)	Avg.	7	11
Juvenile Justice Involvement			
Length of JJ Involvement (months)	Avg.	0	5
Recidivism Rates during JJ Involvement	%	2	12

continued

Table D.1
Profile of FY 2018 Closed and Dismissed Juveniles

		Closed N=2,167	Dismissed N=1,077
Recidivism Rates: Two-Year Follow-Up			
One-Year Follow-Up	%	18	22
Two-Year Follow-up	%	26	31
Months to First Recidivist Event	Avg.	8	9
Number of Recidivist Events	Avg.	2	2
By Personal Characteristics			
Gender			
Male	%	31	33
Female	%	17	26
Race			
White	%	17	23
Black	%	31	38
Hispanic	%	25	27
Other	%	18	25
By Prior Complaint			
No Prior Complaint	%	20	23
Prior Complaint	%	53	47
By Most Serious Charged Offense			
Offense Type			
Felony	%	44	35
Misdemeanor	%	25	29
Offense Classification			
Violent (Class A - E Felony)	%	--	28
Serious (Class F - I Felony, Class A1 Misd.)	%	36	35
Minor (Class 1 - 3 Misdemeanor)	%	24	29
Crime Category			
Person	%	25	30
Property	%	29	33
Drug	%	26	24
Other	%	24	32
School-Based Offense	%		
No	%	28	34
Yes	%	25	26
By Risk/Needs Assessments			
Risk Level			
RL1 (lowest)	%	17	22
RL2	%	13	18
RL3	%	25	25
RL4	%	57	43
RL5 (highest)	%	70	53
Needs Level			
Low	%	22	26
Medium	%	62	41
High	%	56	51
Summary of Recidivism Rates			
During Juvenile Justice Involvement (JJI)	%	2	12
During Two-Year Follow-Up	%	26	31
Overall Recidivism: JJI and/or 2-Yr Follow-Up	%	27	36

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

APPENDIX E

ADDITIONAL TABLES

Ages at Juvenile Justice Entry/Exit

**Table E.1
Age at Juvenile Justice Entry and Exit of the Entire Sample**

	Diversion n=3,876 %	Probation n=2,633 %	Commitment n=159 %	Total N=6,668 %
Age at JJ Entry				
6-11 Years	13	3	--	9
12-13 Years	31	19	2	26
14 Years	25	25	17	25
15 Years	28	39	43	32
16+ Years	3	14	38	8
Age at JJ Exit				
6-11 Years	10	2	--	7
12-13 Years	26	8	--	18
14 Years	24	13	3	19
15 Years	28	23	15	26
16+ Years	12	54	82	30

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

**Table E.2
Age at Juvenile Justice Entry and Exit of the Diversion Juveniles**

Personal Characteristics	Successful Diversion n=3,366 %	Unsuccessful Diversion n=510 %	Total N=3,876 %
Age at JJ Entry			
6-11 Years	13	10	13
12-13 Years	30	37	31
14 Years	26	23	25
15 Years	28	29	28
16+ Years	3	1	3
Age at JJ Exit			
6-11 Years	11	8	10
12-13 Years	25	30	26
14 Years	24	26	24
15 Years	27	29	28
16+ Years	13	7	12

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Table E.3
Age at Juvenile Justice Entry and Exit of the Adjudicated Juveniles

Personal Characteristics	Level 1 Probation n=2,044	Level 2 Probation n=589	Level 3 Commitment n=159	Total N=2,792
Age at JJ Entry	%	%	%	%
6-11 Years	4	1	--	3
12-13 Years	22	10	2	18
14 Years	26	22	17	25
15 Years	36	49	43	39
16+ Years	12	18	38	15
Age at JJ Exit	%	%	%	%
6-11 Years	2	<1	--	1
12-13 Years	9	2	--	7
14 Years	14	9	3	13
15 Years	25	19	15	23
16+ Years	50	70	82	56

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Juvenile Complaints and Adult Arrests

Table E.4
Recidivism Rates for Juvenile Complaints and Adult Arrests: Two-Year Follow-Up

	Juvenile Complaint		Adult Arrest		Recidivism Complaint and/or Arrest	
	N	%	N	%	N	%
Diversion	3,565	25	2,302	11	3,876	27
Probation	1,353	25	2,343	27	2,633	34
Commitment	36	47	159	54	159	61
Total	4,954	25	4,804	20	6,668	31

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Table E.5
Recidivism Rates for Juvenile Complaints and Adult Arrests by Jurisdiction: Two-Year Follow-Up

	N	Juvenile System Only n=1,864	Adult System Only n=1,714	Juvenile and Adult Systems n=3,090	Recidivism Complaint and/or Arrest N=6,668
Diversion	3,876	31	21	25	27
Probation	2,633	40	34	33	34
Commitment	159	--	56	78	61
Total	6,668	33	33	28	31

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Juvenile Adjudications and Adult Convictions

Table E.6
Recidivism Rates for Juvenile Adjudications and Adult Convictions: Two-Year Follow-Up

Level of Involvement	N	Months to Recidivism Avg.	# of Juveniles with Any Recidivism	Total # Recidivist Events	One-Year Follow-up %	Two-Year Follow-up %
Diversion	3,876	6	743	995	15	19
Successful	3,366	10	354	456	6	11
Unsuccessful	510	3	389	539	72	76
Probation	2,633	10	492	680	12	19
Level 1 Probation	2,044	10	374	505	11	18
Level 2 Probation	589	9	118	175	14	20
Commitment (Level 3)	159	11	56	83	20	35
Total	6,668	8	1,291	1,758	14	19

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Table E.7
Recidivism Rates for Juvenile Adjudications and Adult Convictions: Two-Year Follow-Up

	Juvenile Adjudication		Adult Conviction		Adjudication and/or Conviction	
	N	%	N	%	N	%
Diversion	3,565	19	2,302	3	3,876	19
Probation	1,353	16	2,343	12	2,633	19
Commitment	36	25	159	30	159	35
Total	4,954	18	4,804	8	6,668	19

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Table E.8
Recidivism Rates for Juvenile Adjudications and Adult Convictions by Jurisdiction: Two-Year Follow-Up

	N	Juvenile System Only n=1,864	Adult System Only n=1,714	Juvenile and Adult Systems n=3,090	Adjudication and/or Conviction N=6,668
Diversion	3,876	22	11	18	19
Probation	2,633	24	18	18	19
Commitment	159	--	30	53	35
Total	6,668	22	18	19	19

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

Adjudicated Juveniles

**Table E.9
Number of Adjudicated Juveniles by Adjudicated Offense Classification and Delinquency History Level**

Adjudicated Offense Classification	Delinquency History Level			Total
	Low	Medium	High	
Violent Class A-E Felonies	62	19	24	105
Serious Class F-I Felonies Class A1 Misdemeanor	591	74	100	765
Minor Class 1-3 Misdemeanors	1,772	110	40	1,922
Total	2,425	203	164	2,792

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2018 Juvenile Recidivism Exit Sample

APPENDIX F

SUPERVISION LEVELS: MINIMUM STANDARDS OF
CONTACT

Figure F.1
Minimum Standards of Contact by Supervision Level

Modified Supervision
<ul style="list-style-type: none">•Face-to-face contact with a juvenile at least every 60 days for the duration of supervision•Face-to-face contact with the juvenile’s parent within the first 15 days of supervision and at least every 60 days for the duration of supervision•A home visit within the first 15 days of supervision and at least every 90 days thereafter
Standard supervision
<ul style="list-style-type: none">•Face-to-face contact with a juvenile at least every 30 days for the duration of supervision•Face-to-face contact with the juvenile’s parent within the first 15 days of supervision and at least every 60 days for the duration of supervision•A home visit within the first 15 days of supervision and at least every 60 days thereafter
Intensive supervision
<ul style="list-style-type: none">•Immediate contact with the juvenile and their parent after assignment on intensive supervision•3 face-to-face contacts with the juvenile every week•1 face-to-face contact with the juvenile’s parent every week•1 home visit every week•1 school visit every week•Includes tighter timeframes for child/family team meetings and more frequent supervisory reviews

Source: NC Department of Adult Correction and Juvenile Justice