

# JUVENILE RECIDIVISM STUDY:

FY 2016  
SAMPLE

# JUVENILE RECIDIVISM STUDY:

FY 2016

JUVENILE  
EXIT SAMPLE

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## LIST OF ACRONYMS

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

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# CHAPTER ONE JUVENILE RECIDIVISM STUDY DIRECTIVE AND METHODOLOGY

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## 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.**

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 seventh biennial report on juvenile recidivism, submitted to the General Assembly on May 1, 2019.

## THE JUVENILE JUSTICE SYSTEM

Under current law, 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.<sup>1</sup> 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).

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<sup>1</sup> As described later in this chapter, North Carolina's age of juvenile jurisdiction will increase 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 non-criminal 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 were 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 offenses<sup>2</sup>) 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. (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 re-evaluate the decision to divert and subsequently file the complaint as a petition in juvenile court.

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<sup>2</sup> Nondivertible offenses are defined in N.C. Gen. Stat. (hereinafter 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.

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 Hearing<sup>3</sup>

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

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<sup>3</sup> Prior to a probable cause hearing, juveniles with a felony petition are 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 Alternatives<sup>4</sup>

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.

A Level 1 or community disposition offers the court less restrictive dispositional alternatives such as probation, community-based programs, non-residential 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.<sup>5</sup>

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.<sup>6</sup> 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 on an intermittent basis for up to fourteen 24-hour periods.

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<sup>4</sup> Appendix C contains a complete list of dispositional alternatives for all three levels.

<sup>5</sup> 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.

<sup>6</sup> 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 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 DACJJ for placement in a YDC.<sup>7</sup> However, G.S. 7B-2513(e) states that 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.<sup>8</sup> Upon completion of their term of commitment, juveniles are subject to a minimum of 90 days of post-release supervision (PRS). DACJJ currently houses approximately 210 committed juveniles in four YDCs.

## Raise the Age: Implementation of the JJRA

In 2017, the North Carolina General Assembly passed the Juvenile Justice Reinvestment Act (JJRA).<sup>9</sup> 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.<sup>10</sup> 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.<sup>11</sup> Raising the age of juvenile jurisdiction 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. Empirical information on these juveniles will not be available until complaints are processed through the juvenile justice system under the new law and enough time has elapsed to study their recidivism.

## JUVENILE RECIDIVISM RESEARCH DESIGN – UPDATED

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,

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<sup>7</sup> 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.

<sup>8</sup> G.S. 7B-2513(a).

<sup>9</sup> 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](https://www.nccourts.gov/assets/inline-files/JuvenileReinvestmentFactSheet_05012017.pdf).

<sup>10</sup> The increase in the age of juvenile jurisdiction will apply to 16- and 17-year-olds at the time of their alleged offense who have no prior adult convictions and are charged with Class H or Class I felonies or non-motor vehicle misdemeanors. This change in jurisdiction applies to offenses committed on or after December 1, 2019.

<sup>11</sup> S.L. 2017-57, s. 16D.4.(aa) and (bb).

- 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.

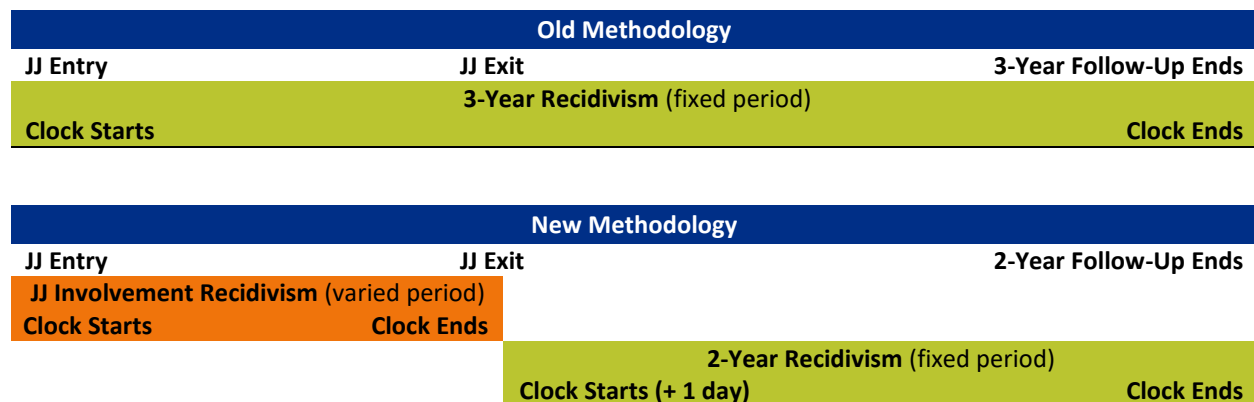
The 2019 biennial report employs a different methodology than previous reports. The current research approach included:

- 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 new 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 their 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 the new methodology, the rates of recidivism presented in this report will serve as baseline rates for comparison with future reports. Direct comparisons between the recidivism rates presented in this report and previous reports cannot be made 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 Old and New Recidivism Research Designs**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

## Sample

The sample includes 7,822 juveniles identified in DACJJ’s automated juvenile justice database who exited the juvenile justice system in FY 2016 following diversion for a delinquent complaint (n=4,068) or, for those adjudicated delinquent and with a disposition imposed, following probation in the community (n=3,555) or commitment in a YDC facility (n=199).<sup>12</sup> 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 2016 sample. See Appendix D for summarized information about these two groups of juveniles.

## Measuring Recidivism during Juvenile Justice Involvement and Follow-Up Periods

As previously mentioned, this report employs a different methodology than previous reports. With an exit sample, the juvenile’s delinquent and/or criminal behavior (i.e., recidivism) can also 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.

**Table 1.1**  
**FY 2016 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)
• <b>Diversion</b>	• Juveniles whose diversion plan or contract ended in FY.	• Start date of diversion plan/contract	• One day after diversion exit date
• <b>Probation</b>	• Juveniles exiting probation in FY.	• Disposition date (i.e., probation start date)	• One day after probation exit date
• <b>Commitment</b>	• 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 2016 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.

<sup>12</sup> Juveniles whose most serious alleged complaint was for an infraction, local ordinance violation, or misdemeanor traffic offenses were excluded from the sample.

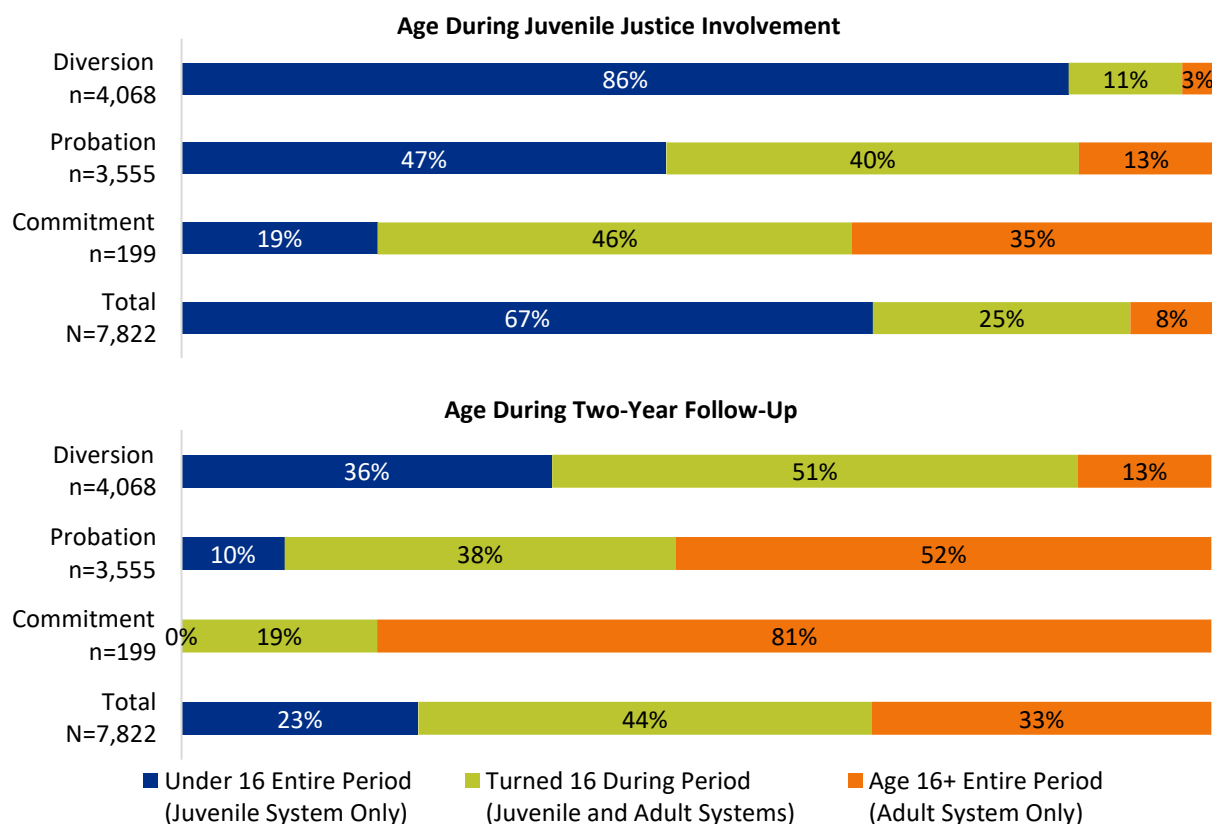


However, for both time periods examined, the window of opportunity to reoffend may vary if confinement occurred during follow-up (e.g., admission to a detention center, commitment to a YDC, confinement in local jails or in prisons).

### 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 (for juveniles under 16 years of age), criminal justice system (for juveniles 16 years of age or older), or both (for juveniles who turned 16 years of age during the time period examined).<sup>13</sup>

**Figure 1.2**  
**Legal Jurisdiction during Recidivism Periods**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

During their juvenile justice involvement, 67% 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. The remaining 25% who turned 16 years of age during their juvenile justice involvement were tracked in both the juvenile justice system and the criminal justice

<sup>13</sup> As described previously, the age of adult jurisdiction/criminal responsibility in North Carolina is currently 16 years, but will be raised to 18 years effective December 1, 2019.

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 (35%). Diverted juveniles were the youngest and had the largest percentage tracked solely in the juvenile justice system (86%).

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 (44% in both the juvenile justice system and criminal justice system, 33% 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.

### Defining Recidivism

The primary outcome measure of recidivism was defined as having either a delinquent juvenile complaint and/or an adult arrest either during juvenile justice involvement or within the two-year follow-up period. Although the juvenile complaint and/or adult arrest had to occur within the follow-up period examined, the date that the alleged offense occurred could have been prior to the start of follow-up.<sup>14</sup> Additional measures of recidivism included the offense severity 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 turned 16 years	• 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 2016 Juvenile Recidivism Exit Sample

<sup>14</sup> 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.

## 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 7,822 juveniles exiting the juvenile justice system between July 1, 2015 and June 30, 2016 and followed during their juvenile justice involvement and for two years following this involvement.

## ANALYSIS AND REPORT OUTLINE

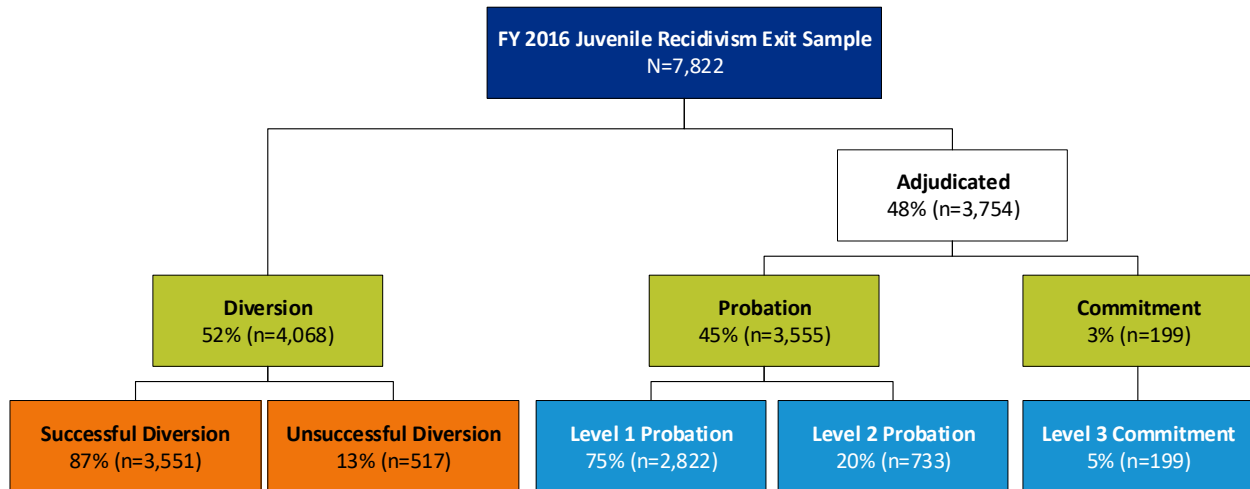
This report marks the seventh biennial report on statewide rates of juvenile recidivism. As described previously, this report employs a different methodology than previous reports. The study follows a sample of 7,822 juveniles who *exited the juvenile justice system in FY 2016* to determine whether subsequent involvement in either the juvenile justice system and criminal justice system (i.e., recidivism) occurred.

Figure 1.3 provides an overview of the FY 2016 juvenile recidivism exit sample. The 7,822 sample juveniles were divided into three groups based on their level of involvement for their most serious exit event: juveniles with cases diverted (n=4,068), juveniles adjudicated with a probation sanction (n=3,555), 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=199).<sup>15</sup>

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<sup>15</sup> 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).

**Figure 1.3**  
**FY 2016 Juvenile Recidivism Exit Sample**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

Chapter Two provides a statistical profile of the three groups comprising the FY 2016 sample (including personal characteristics, delinquency history, most serious charged offense, and RNA) and includes a summary of their subsequent involvement in the juvenile 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.

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.

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## CHAPTER TWO

### FY 2016 JUVENILE RECIDIVISM EXIT SAMPLE

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Chapter Two profiles a cohort of juveniles exiting North Carolina’s juvenile justice system from July 1, 2015 through June 30, 2016 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 7,822 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 2016 from one of three levels of involvement examined – diversion (n=4,068), probation (n=3,555), and commitment to a YDC facility (n=199). 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. The disposed groups 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 (3% of the sample).

### Personal Characteristics

Table 2.1 describes the personal characteristics by level of involvement. Overall, 73% of juveniles were male. Committed juveniles had the highest percentage of males at 91%. Almost half (48%) of the juveniles in the sample were black, 38% were white, 9% were Hispanic, and 5% were identified as other or unknown.<sup>16</sup> Committed juveniles also had the highest percentage of black juveniles (68%) compared to the diversion and probation groups (48% and 47% respectively). At the time of their alleged

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<sup>16</sup> Due to low percentages, American Indian, Asian, and multi-racial juveniles were combined with other/unknown into one category.

delinquent act, the juveniles' average age was 14 years. The diversion group was slightly younger at 13 years than the overall average age. Most juveniles (61%) were 14 or 15 years old when the alleged offense occurred. The diverted group had a higher proportion of juveniles 12 years or younger and a lower proportion of juveniles 14 years and older compared to the other two groups. While all the juveniles were under 16 years at the time they were alleged to have committed the charged offense, a small portion (8%) had turned 16 years by the time the juvenile entered the system for their sample involvement. In contrast, 33% were 16 years or older by the time they exited the system from the sample event. Diverted juveniles were younger at juvenile justice entry to and exit from the system compared to the probation and commitment groups, while juveniles in the commitment group were the oldest juveniles at both points in time.

**Table 2.1**  
**Personal Characteristics**

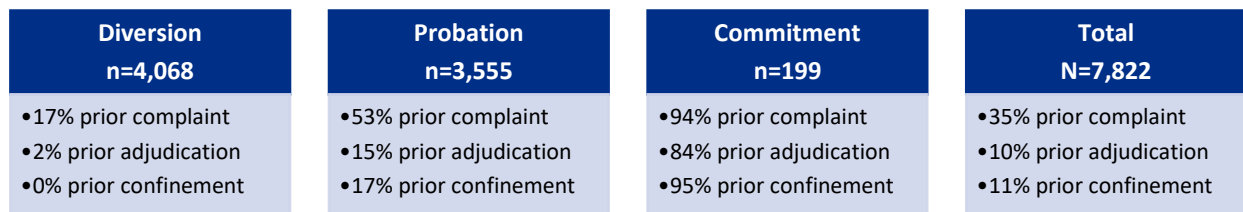
<b>Personal Characteristics</b>	<b>Diversion</b> n=4,068 %	<b>Probation</b> n=3,555 %	<b>Commitment</b> n=199 %	<b>Total</b> N=7,822 %
<b>Gender</b>				
Male	68	77	91	73
Female	32	23	9	27
<b>Race</b>				
Black	48	47	68	48
White	38	40	19	38
Hispanic	9	9	9	9
Other/Unknown	5	4	4	5
<b>Age at Offense</b>				
6-11 Years	13	6	2	10
12-13 Years	32	27	22	29
14 Years	25	29	29	27
15 Years	30	38	47	34
<b>Age at JJ Entry</b>				
6-11 Years	12	4	1	8
12-13 Years	31	21	6	26
14 Years	24	25	17	25
15 Years	30	37	41	33
16+ Years	3	13	35	8
<b>Age at JJ Exit</b>				
6-11 Years	10	2	0	6
12-13 Years	27	8	1	17
14 Years	21	15	5	18
15 Years	29	23	13	26
16+ Years	13	52	81	33

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

## 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 2.1 provides the percentage of juveniles with prior juvenile justice contacts by level of involvement. Overall, 35% 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 (53% for probation and 94% for commitment). Ten percent of juveniles had at least one prior adjudication and 11% had a prior confinement.<sup>17</sup> 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.

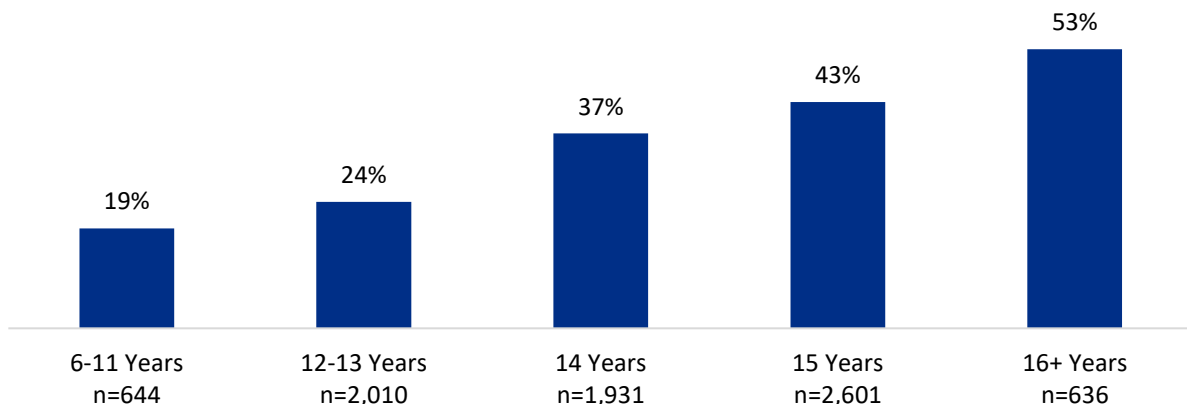
**Figure 2.1**  
**Prior Juvenile Justice Contacts**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Sample

To examine the relationship between age and prior juvenile justice contacts, Figure 2.2 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). Figure 2.2 also displays the marked differences of prior contact with the juvenile justice system by age at entry. Generally, the percentage of juveniles with at least one prior complaint increased as their age increased.

**Figure 2.2**  
**Prior Complaints by Age at Juvenile Justice Entry**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

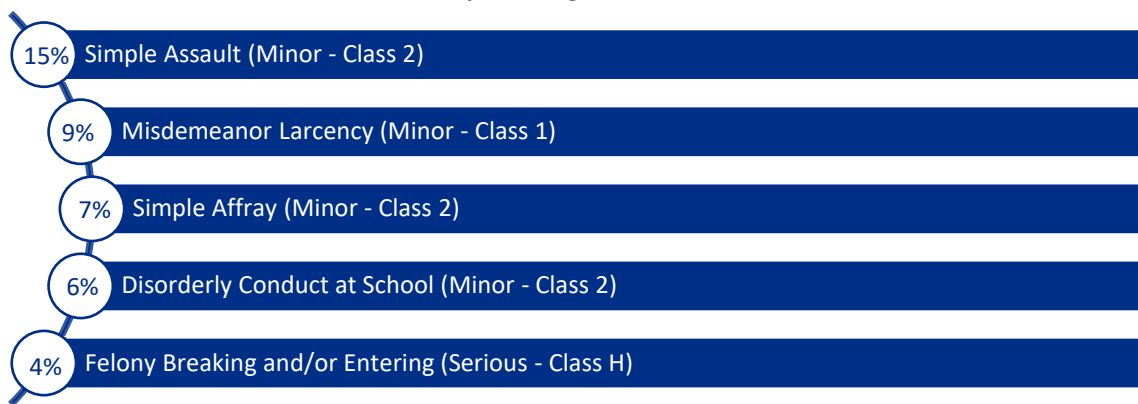
<sup>17</sup> A prior confinement could be a detention center admission or a YDC commitment or both. Generally, juveniles who had a YDC commitment also had a detention center admission.

Of the 2,755 juveniles with at least one prior complaint, most were in the probation group (68%). Examination of the juvenile’s most serious prior offense found 79% had a misdemeanor offense as the most serious prior complaint. Diverted juveniles had a higher percentage of misdemeanor offenses (93%) as their most serious prior complaint compared to the probation and commitment groups (78% and 34% respectively). Committed juveniles had the highest percentage with a felony as their most serious prior complaint (66%).

## Charged Offense

The most serious charged offense is defined as the most serious offense alleged in the complaint (hereinafter referred to as charged offense).<sup>18</sup> Figure 2.3 provides the most common offenses for juveniles in the sample (e.g., simple assault, misdemeanor larceny, simple affray). The top 5 offenses accounted for 41% of charged offenses for the sample. The top 4 offenses are misdemeanors.

**Figure 2.3  
Top 5 Charged Offenses**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

Table 2.2 provides a comparison between the groups with respect to their offense profile. Overall, the majority of the 7,822 juveniles (84%) 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 21% of the commitment group. Twenty-eight percent (28%) of juveniles in the commitment group were alleged to have committed a Violent offense (Class A through E felonies).<sup>19</sup> Only 11% of the diversion group were alleged to have committed a Serious offense.<sup>20</sup>

Juveniles’ charged offenses were also grouped into four crime categories: person, property, drug, and other.<sup>21</sup> Overall, the most common type of offense, regardless of whether it was a felony or misdemeanor, was person (41%), followed by property (30%), other (19%), and drug (10%). (See Table 2.2.) Of the person offenses, most (89%) were for a misdemeanor offense. The top 2 person offenses

<sup>18</sup> See Chapter Four for the adjudicated offense classification for juveniles in the probation and commitment groups.

<sup>19</sup> See Chapter One and Appendix B for a discussion of offense classifications in the Juvenile Disposition Chart.

<sup>20</sup> Of the 444 serious offenses alleged to have been committed by the diversion group, 279 (or 63%) were for Class A1 misdemeanors.

<sup>21</sup> 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.



were simple assault and simple affray. Most of the property offenses (69%) were misdemeanors. The top 2 property offenses were misdemeanor larceny and felony breaking and/or entering. With 84% of the drug offenses being a misdemeanor, the most common offenses were simple possession of Schedule VI controlled substance and possess drug paraphernalia. 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.

**Table 2.2**  
**Charged Offense**

<b>Charged Offense</b>	<b>Diversion</b> n=4,068 %	<b>Probation</b> n=3,555 %	<b>Commitment</b> n=199 %	<b>Total</b> N=7,822 %
<b>Offense Type</b>				
Felony	4	27	79	16
Misdemeanor	96	73	21	84
<b>Offense Classification</b>				
<b>Violent</b>				
Class A-E Felonies	--	4	28	3
<b>Serious</b>				
Class F-I Felonies	11	33	67	22
Class A1 Misdemeanor				
<b>Minor</b>				
Class 1-3 Misdemeanors	89	63	5	75
<b>Crime Category</b>				
Person	42	38	50	41
Property	25	36	43	30
Drug	10	11	1	10
Other	23	15	6	19
<b>School-Based Offense</b>				
No	31	50	86	41
Yes	69	50	14	59

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

Overall, 59% of juveniles had a school-based offense.<sup>22</sup> More diverted juveniles (69%) had a school-based offense, while half of the juveniles with probation (50%) had a school-based offense. Committed juveniles had the fewest school-based offenses (14%).

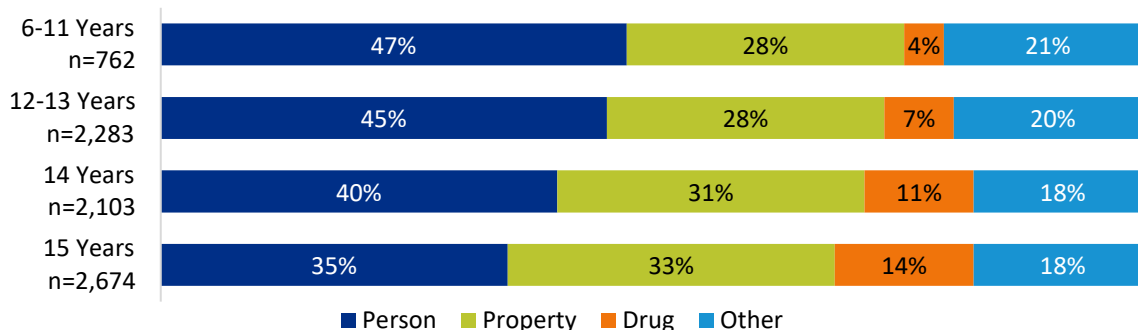
### Crime Category and Age at Offense

Figure 2.4 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 the juveniles aged – 47% for juveniles aged 6-11 years compared

<sup>22</sup> 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), or post-secondary (e.g., community college, trade school, college) education, but excludes home schools, preschools, and day cares.

to 35% for juveniles aged 15 years. Property and drug offenses increased as the juveniles aged (28% to 33% for property offenses and 4% to 14% for drug offenses). Offenses in the other category decreased as juveniles aged.

**Figure 2.4**  
**Crime Category of Charged Offense by Age at Offense**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

## Risk and Needs Assessments

During intake, DACJJ staff administers a RNA to all juveniles to assess the risk of future delinquency and to determine the individual needs of the juvenile.<sup>23</sup> Only 34 juveniles 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, 36% had at least one prior intake referral, 15% had their first referral before age 12, and 19% 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. These findings are not surprising given the deeper involvement with the juvenile system of the commitment and probation groups.

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 (72%). Problems related to home-life were evident, with 43% of juveniles having criminality in their family, 22% experiencing conflict in the home, and 18% 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.

Combining select risk and needs indicators, 33% of juveniles had substance abuse problems and 68% had negative peer relationships. Overall, a very small percentage of the sample (6%) reported some type of gang affiliation; however, over half (51%) of the commitment group reported some type of gang

<sup>23</sup> 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. For this report, RNA were analyzed if the assessment was completed within a year of the date the sample event entry. Overall, risk assessments were completed within 21 days on average, while the needs assessment was completed within 9 days on average. The risk and needs findings in this report only include the juveniles who had both RNA completed. See Table A.1 for more details of the completion and average time to RNA.

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.

**Table 2.3**  
**Select Risk and Needs Indicators**

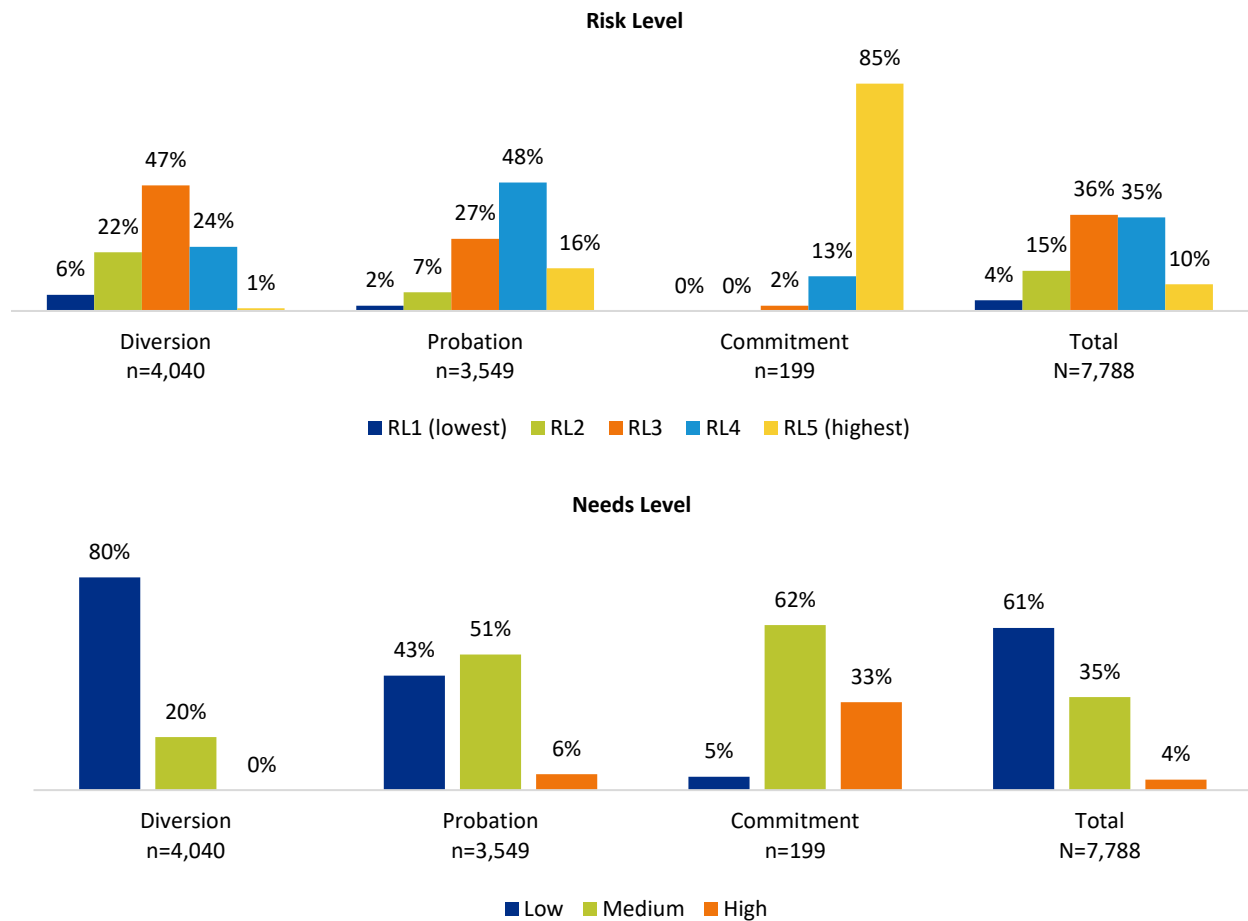
<b>Risk and Needs Indicators</b>	<b>Diversion</b> n=4,040	<b>Probation</b> n=3,549	<b>Commitment</b> n=199	<b>Total</b> N=7,788
<b>Risk Assessment</b>	%	%	%	%
First Referral Before Age 12	16	13	23	15
Prior Intake Referrals	17	55	95	36
Prior Adjudications	3	24	90	14
Prior Assaults	8	24	63	17
Had Run Away	4	15	52	10
Had School Behavior Problems	85	92	94	88
Parents/Guardians Unwilling/Unable to Provide Parental Supervision	9	27	66	19
<b>Risk Score (0-30 points) Avg.</b>	<b>4</b>	<b>8</b>	<b>17</b>	<b>6</b>
<b>Needs Assessment</b>	%	%	%	%
Functioning Below Academic Grade Level	6	13	19	10
Juvenile Parent Status (i.e., is a parent)	0	1	3	1
History of Victimization	14	23	33	18
Risky Sexual Behavior	2	11	23	7
Need for Mental Health Care Indicated	58	86	97	72
Basic Needs Are Not Being Met	0	0	3	0
Impaired Functioning (i.e., medical, dental, health/hygiene)	0	1	2	1
Conflict in the Home	12	30	55	22
Parent, Guardian, or Custodian has Disabilities	3	5	7	4
One or More Members of Household have Substance Abuse Problems	6	12	25	9
Indication of Family Member's Involvement in Criminal Activity	37	48	67	43
<b>Needs Score (0-51 points) Avg.</b>	<b>9</b>	<b>14</b>	<b>20</b>	<b>11</b>
<b>Combined Risk and Needs Indicators</b>	%	%	%	%
Substance Abuse	21	44	76	33
Gang Affiliation	2	8	51	6
Negative Peer Relationships	56	80	97	68

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

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 2.5 shows the risk levels for each group and for the entire sample. Overall, there were few juveniles that were RL1 or RL5 (4% and 10% respectively). As expected,

the risk level increased as the seriousness of the juvenile justice involvement increased. Fewer diverted juveniles were assessed at the higher risk levels (25% for RL4 and RL5) compared to juveniles in the probation group (64% for RL4 and RL5) and the commitment group (98% 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 less than 1% for the commitment group). The average risk scores for each group also indicated the lower risk of the diversion group (average of 4 points) as compared to the higher risk of the probation group (average of 8 points) and to the highest risk group, the commitment group (average of 17 points). (See Table 2.3.)

**Figure 2.5  
Risk and Needs Assessments**



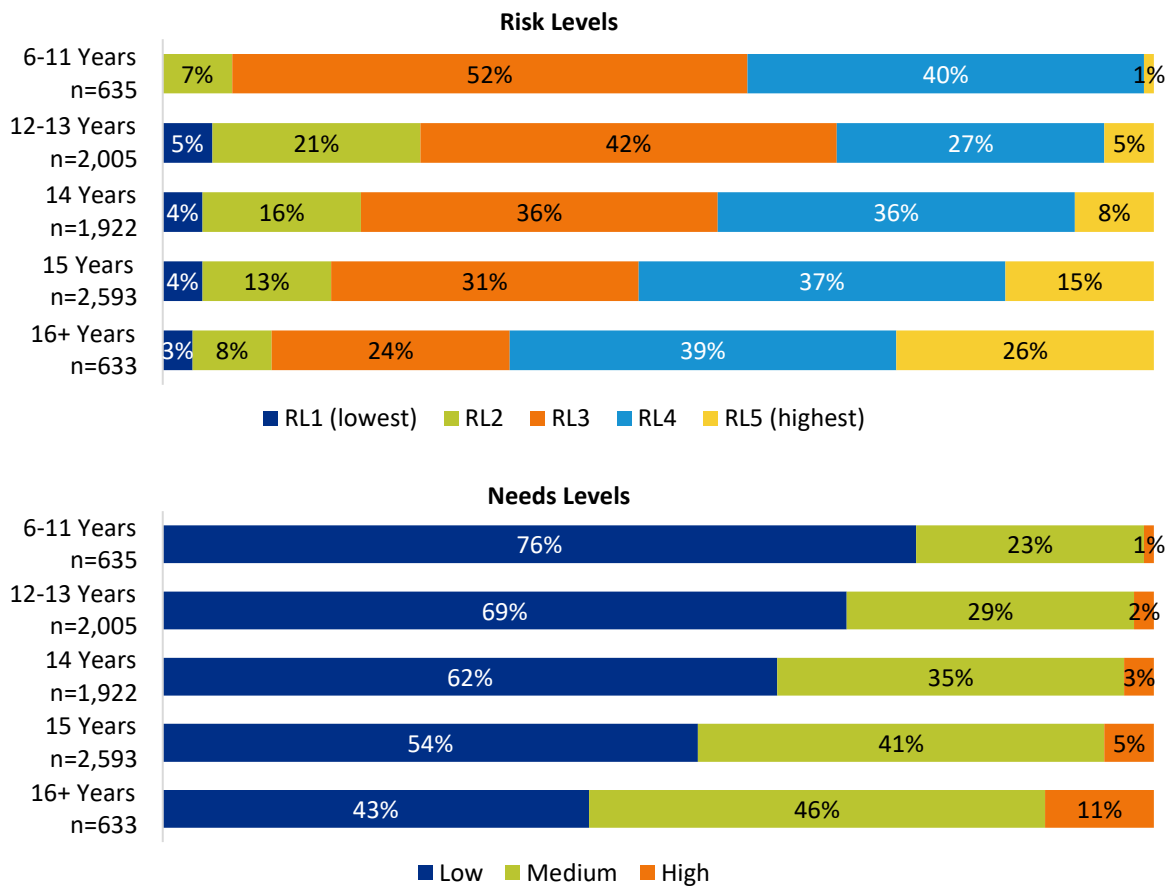
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

Figure 2.5 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 (61%). The majority of juveniles with a diversion (80%) were assessed as low needs, while less than half (43%) of the probation group and only 5% of the commitment group were assessed as low needs. Juveniles in the commitment group had the highest percentage of juveniles assessed as high needs (33%). The average needs scores for each group also indicated the lower needs of the diversion group (average of 9 points) as compared to the higher needs of the probation group (average of 14 points) and to the group with the highest needs, the commitment group (average of 20 points). (See Table 2.3.)

### 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 2.6). The youngest juveniles were assessed primarily at RL3 and RL4 (92% of juveniles aged 6-11). As the juvenile’s age increased, more 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 the juveniles aged (to 43% at 16 years and older).

**Figure 2.6**  
**Risk and Needs Levels by Age at Juvenile Justice Entry**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 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).

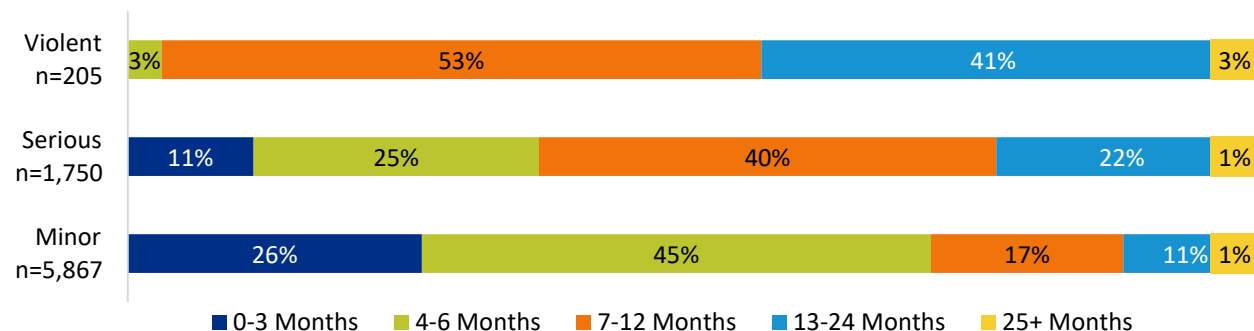
**Table 2.4**  
**Length of Juvenile Justice Involvement**

	<b>Diversion</b> n=4,068	<b>Probation</b> n=3,555	<b>Commitment</b> n=199	<b>Total</b> N=7,822
<b>Length of JJ Involvement</b>	%	%	%	%
0-3 Months	41	1	1	22
4-6 Months	59	19	15	40
7-12 Months	0	49	35	23
13-24 Months	--	29	44	14
25+ Months	--	2	5	1
<b>Overall Average in Months</b>	<b>4</b>	<b>12</b>	<b>13</b>	<b>8</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

Figure 2.7 examines the length of the juvenile’s involvement by offense classification by the for the entire sample. Juveniles who were alleged to have committed a Violent offense spent the longest amount of time in the juvenile justice system (97% at 7 months or more) compared to the juveniles who were alleged to have committed a Serious offense (63% at 7 months or more). Juveniles with a Minor offense spent the least amount of time in the juvenile justice system (71% 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 2.7**  
**Length of Juvenile Justice Involvement by Charged Offense**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 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.<sup>24</sup> Recidivism rates are only reported for juveniles when there are greater 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 2.5 contains information on the recidivism rates during juvenile justice involvement. Overall, 19% of juveniles had a delinquent complaint and/or an adult arrest during their sample involvement. Juveniles on probation had the highest recidivism rate at 31% followed by juveniles in the diversion group at 10%. 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.

Of the juveniles with recidivism, the first event occurred an average of 4 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 each, on average, into their juvenile justice involvement. Overall, 72% 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 (85%) compared to the probation group (67%). 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 (47%) 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 %
<b>Diversio</b>	4,068	396	10	2	15	85
<b>Probation</b>	3,555	1,089	31	4	33	67
<b>Commitment</b>	199	15	8	4	53	47
<b>Total</b>	<b>7,822</b>	<b>1,500</b>	<b>19</b>	<b>4</b>	<b>28</b>	<b>72</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

<sup>24</sup> 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 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 32% 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 all but one 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.	# with Any	Total # Recidivist Events	One-Year Follow-up %	Two-Year Follow-up %
<b>Diversion</b>	4,068	9	1,142	2,267	19	28
<b>Probation</b>	3,555	8	1,254	2,782	24	35
<b>Commitment</b>	199	7	113	331	44	57
<b>Total</b>	<b>7,822</b>	<b>8</b>	<b>2,509</b>	<b>5,380</b>	<b>22</b>	<b>32</b>

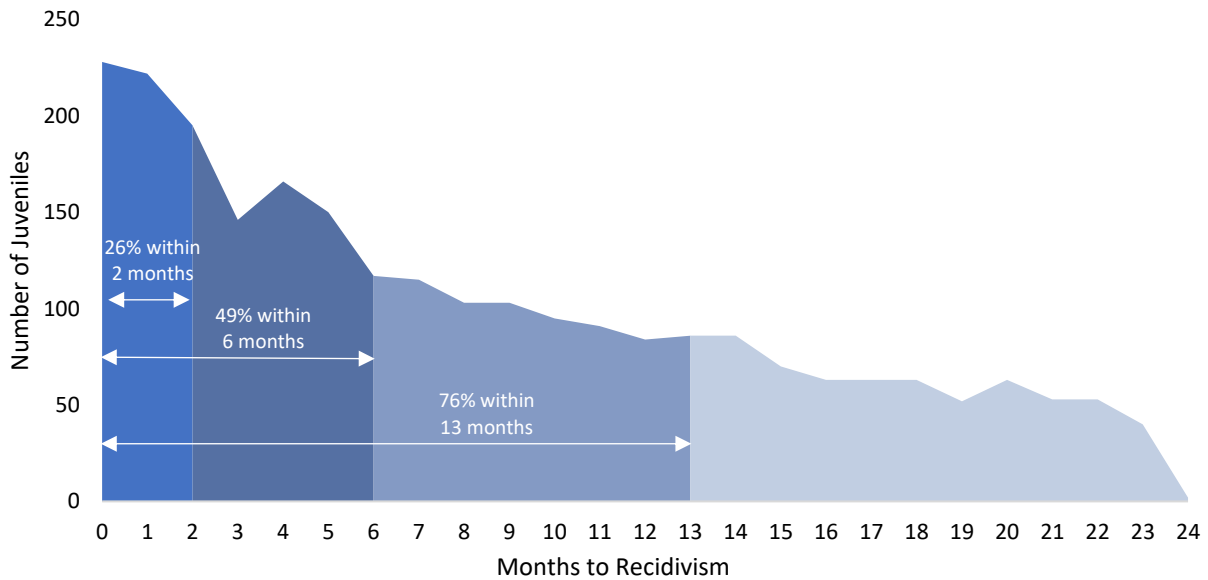
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

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 2,509 juveniles with any recidivism accounted for a total of 5,380 recidivist events. The probation group accounted for the highest volume of subsequent complaints and/or adult arrests at 2,782. 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 7 months) than the probation or diversion groups (an average of 8 months and 9 months respectively). Of the 2,509 juveniles with a recidivist event, 26% recidivated within 2 months, 49% within 6 months, and 76% within 13 months (see Figure 2.8).



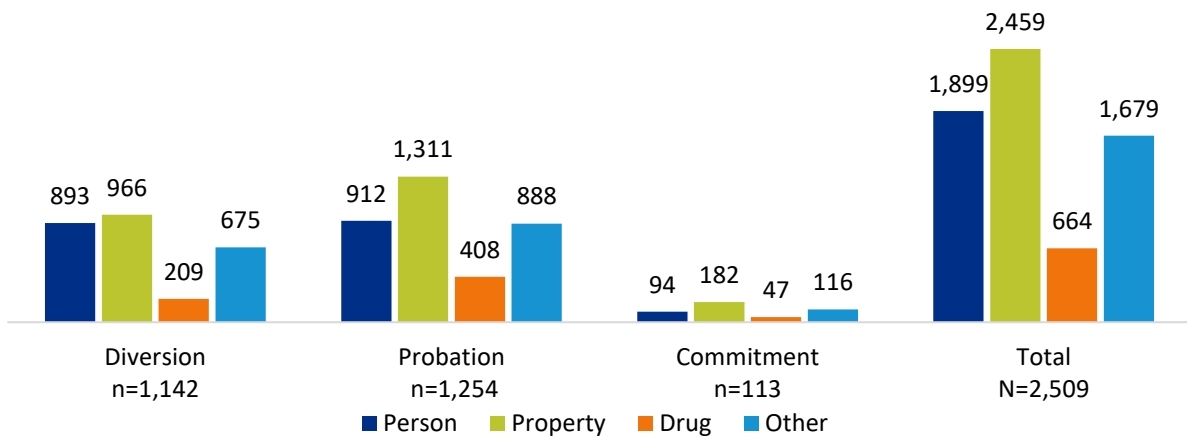
**Figure 2.8**  
**Months to First Recidivist Event for Juveniles with Any Recidivism**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

The recidivist events were categorized based on crime category, as shown in Figure 2.9. Property and person offenses comprised the largest volume of recidivist events for the entire sample and for the diversion and probation groups, 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 (35%) compared to juveniles in the probation and commitment groups (57% and 78% respectively).

**Figure 2.9**  
**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 2016 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 (35% and 25% respectively). Black juveniles had the highest recidivism rates at 40%, followed by juveniles identifying as other or unknown (30%), Hispanic juveniles (26%), and white juveniles (24%). Generally, juveniles aged 12-13 had the highest recidivism rates for all time points examined by age.

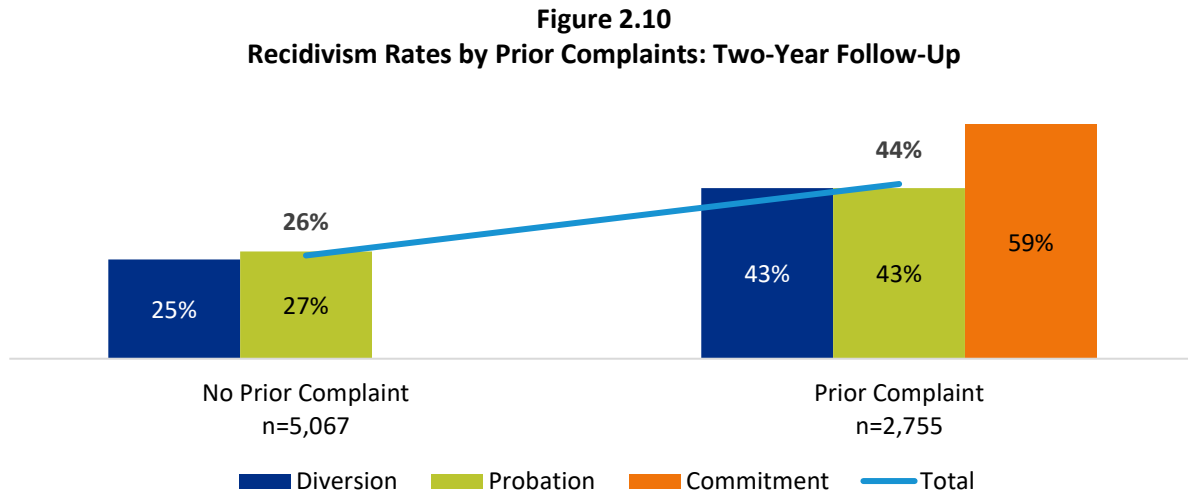
**Table 2.7**  
**Recidivism Rates by Personal Characteristics: Two-Year Follow-Up**

<b>Personal Characteristics</b>	<b>N</b>	<b>Diversion</b> n=4,068 %	<b>Probation</b> n=3,555 %	<b>Commitment</b> n=199 %	<b>Total</b> N=7,822 %
<b>Gender</b>					
Male	5,680	31	37	54	35
Female	2,142	22	29	--	25
<b>Race</b>					
Black	3,775	35	44	57	40
White	2,982	21	27	58	24
Hispanic	720	21	30	--	26
Other/Unknown	345	27	31	--	30
<b>Age at Offense</b>					
6-11 Years	762	27	35	--	30
12-13 Years	2,283	33	39	72	36
14 Years	2,103	30	34	50	32
15 Years	2,674	22	34	54	29
<b>Age at JJ Entry</b>					
6-11 Years	644	26	37	--	29
12-13 Years	2,010	33	40	--	36
14 Years	1,931	30	35	61	33
15 Years	2,601	23	34	50	29
16+ Years	636	25	32	57	33
<b>Age at JJ Exit</b>					
6-11 Years	443	24	34	--	26
12-13 Years	1,372	33	38	--	34
14 Years	1,402	32	38	--	34
15 Years	2,035	26	32	69	29
16+ Years	2,570	20	36	53	33
<b>Total</b>	<b>7,822</b>	<b>28</b>	<b>35</b>	<b>57</b>	<b>32</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

## Prior Complaints and Recidivism

Overall, 35% (n=2,755) of juveniles had at least one prior delinquent complaint before entry into the sample. Figure 2.10 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 of juveniles with at least one prior complaint had a subsequent complaint and/or adult arrest compared to 26% 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 2016 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 no differences in the recidivism rates based on offense type for the sample overall or for juveniles in the diversion group; however, juveniles in the probation and commitment groups had higher recidivism rates if their charged offense was a misdemeanor. In examining recidivism rates by offense classification, juveniles with a Serious offense (Class F-I felonies or Class A1 misdemeanors) had higher recidivism rates than juveniles with a Violent offense.

Overall, juveniles with property offenses had the highest recidivism rates compared to the other three crime categories and represented the highest recidivism rates for the diversion 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 was not school-based; however, it must be noted that only 27 juveniles in the commitment group had a school-based charged offense.

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

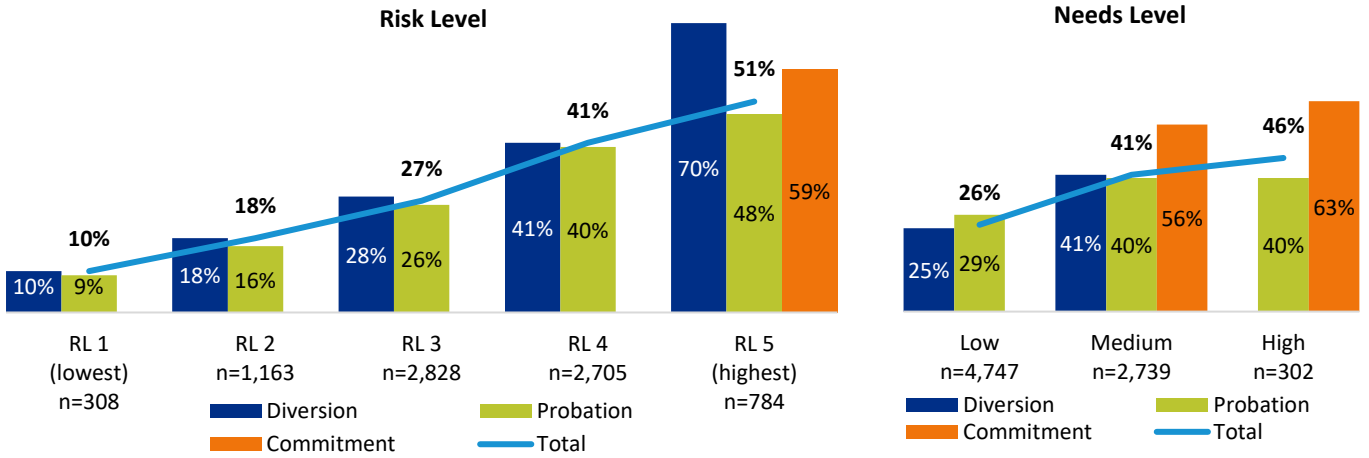
<b>Charged Offense</b>	<b>N</b>	<b>Diversion</b> n=4,068 %	<b>Probation</b> n=3,555 %	<b>Commitment</b> n=199 %	<b>Total</b> N=7,822 %
<b>Offense Type</b>					
Felony	1,269	27	31	52	33
Misdemeanor	6,553	28	37	74	32
<b>Offense Classification</b>					
<b>Violent</b>					
Class A-E Felonies	205	--	21	45	28
<b>Serious</b>					
Class F-I Felonies	1,750	31	35	60	36
Class A1 Misdemeanor					
<b>Minor</b>					
Class 1-3 Misdemeanors	5,867	28	37	--	31
<b>Crime Category</b>					
Person	3,172	27	32	56	30
Property	2,383	30	37	57	35
Drug	781	25	34	--	30
Other	1,486	28	39	--	33
<b>School-Based Offense</b>					
No	3,202	30	35	55	34
Yes	4,620	27	36	70	31
<b>Total</b>	<b>7,822</b>	<b>28</b>	<b>35</b>	<b>57</b>	<b>32</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

### Risk/Needs Levels and Recidivism

As shown previously (see Figure 2.5), the majority of juveniles were assessed in the middle three risk levels (86%). Most juveniles were assessed as low needs (61%). Figure 2.11 explores the relationship between the juvenile's risk and needs levels and their recidivism rates. As expected, RL1 (lowest risk) juveniles had the lowest recidivism rates (10%) compared to RL5 (highest risk) juveniles (51%), with an incremental, stair-step progression of recidivism rates in between the middle three risk levels (RL2 to RL4). Similar findings in the recidivism rates were seen when examining the relationship between needs level and subsequent complaints and/or adult arrests. However, the gap in between the recidivism rates of the medium and high needs juveniles was smaller than the gap between the recidivism rates of low and medium needs juveniles. Juveniles in the probation group had the same recidivism rates for both medium and high needs juveniles.

**Figure 2.11**  
**Recidivism Rates by Risk and Needs Levels: Two-Year Follow-Up**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

Information on the recidivism rates and the combined indicators from the risk and needs assessment tools – substance abuse, 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 abuse, gang affiliation, and negative peer influence had higher recidivism rates (40%, 52%, and 36% respectively) compared to their counterparts (no substance abuse, 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	Probation	Commitment	Total
		n=4,040 %	n=3,549 %	n=199 %	N=7,788 %
<b>Substance Abuse</b>					
No	5,255	26	31	49	28
Yes	2,533	35	41	59	40
<b>Gang Affiliation</b>					
No	7,330	28	34	58	31
Yes	458	55	50	55	52
<b>Peer Relationships</b>					
Positive	2,515	24	26	--	25
Negative	5,273	32	38	56	36
<b>Total</b>	<b>7,788</b>	<b>28</b>	<b>35</b>	<b>57</b>	<b>32</b>

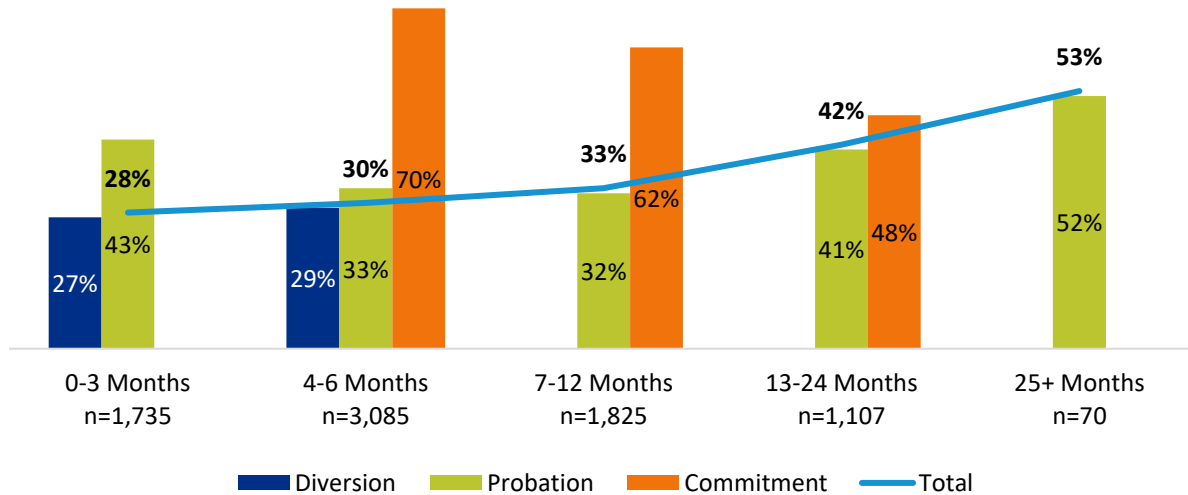
Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

### Length of Juvenile Justice Involvement and Recidivism

Overall, recidivism rates increased the longer the juveniles were involved with the juvenile justice system (see Figure 2.12); however, this pattern did not hold once specific groups were examined. The diversion group, which had the shortest length of involvement, had minimal differences in recidivism

rates by length of involvement. For the commitment group, recidivism rates decreased as length of involvement increased from 4 to 24 months, while recidivism rates for juveniles in the probation group increased as length of involvement increased.

**Figure 2.12**  
**Recidivism Rates by Length of Juvenile Justice Involvement: Two-Year Follow-Up**

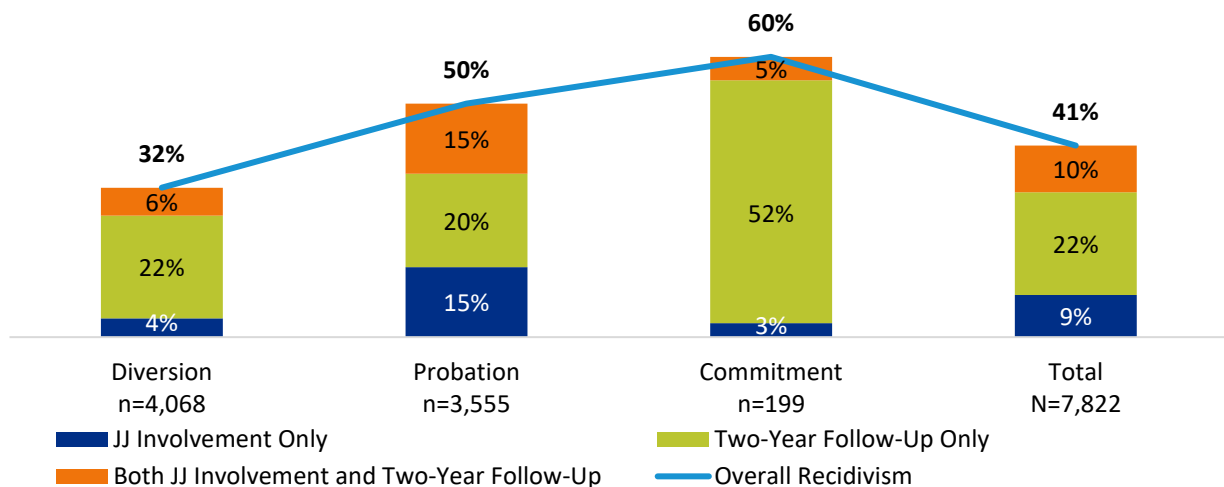


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

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

Figure 2.13 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

**Figure 2.13**  
**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 2016 Juvenile Recidivism Exit Sample

follow-up only, or 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 (22% of the 41% overall recidivism rate), with equal numbers of juveniles recidivating either during their juvenile justice involvement only or during both time periods (9% 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 (22% of the 32% overall recidivism rate for the diverted juveniles and 52% of the 60% overall recidivism rate for the committed juveniles), while juveniles in the probation group were just as likely to have recidivated during their juvenile justice involvement only, their two-year follow-up, or both time frames (15%, 20%, and 15% respectively).

## 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.<sup>25</sup> Of the entire sample, 480 juveniles (6%) had at least one admission to a detention center during the two-year follow-up – 267 juveniles in the diversion group, 176 in the probation group, and 37 in the commitment group.

Commitment to a YDC is the most severe sanction available in the juvenile justice system for juveniles who are adjudicated delinquent. Of the juveniles in the sample, 72 juveniles had one or more commitments to a YDC during the two-year follow-up. A YDC commitment 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 commitment group had the most juveniles with a YDC commitment at 32 juveniles compared to the probation group with 23 juveniles and the diversion group with 17 juveniles. As previously mentioned, juveniles released from a YDC facility are placed on PRS for 90-days and revocation of PRS may explain the higher detention admission rates and number of juveniles committed to a YDC during follow-up for the commitment group. It also should be noted that almost all YDC commitments are preceded by a detention admission.

As explained in Chapter One, the 2019 study adopted a new methodology for sample selection. By selecting a sample of juveniles as they exited the juvenile system, it impacted the detention admissions and YDC commitments analyses 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 jails and state prisons).

### 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 4 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.

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<sup>25</sup> Detention admissions during juvenile justice involvement will be examined further in Chapter Four.

## SUMMARY

Chapter Two examined the FY 2016 juvenile sample by level of their juvenile justice involvement and as a whole. A statistical profile of the juveniles in North Carolina after their exit from the juvenile justice system was provided and included the characteristics of the sample and 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 severity of the juveniles' level of involvement increased (i.e., diversion [least severe] to probation to commitment [most severe]), 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 systems – prior complaints, adjudications, and confinement (i.e., detention admission and/or YDC commitment). As the severity of the juveniles' level of involvement increased, prior contact with the juvenile justice system for all three measures increased. Examination of prior contacts and the juveniles' age found 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 (84%) had a misdemeanor as their most serious charged offense, with the commitment group having the highest percentage with a felony offense (79%). The probation and commitment groups were alleged to have committed all of the Violent charged offenses as regulated by 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 2016 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) were found for all three groups.

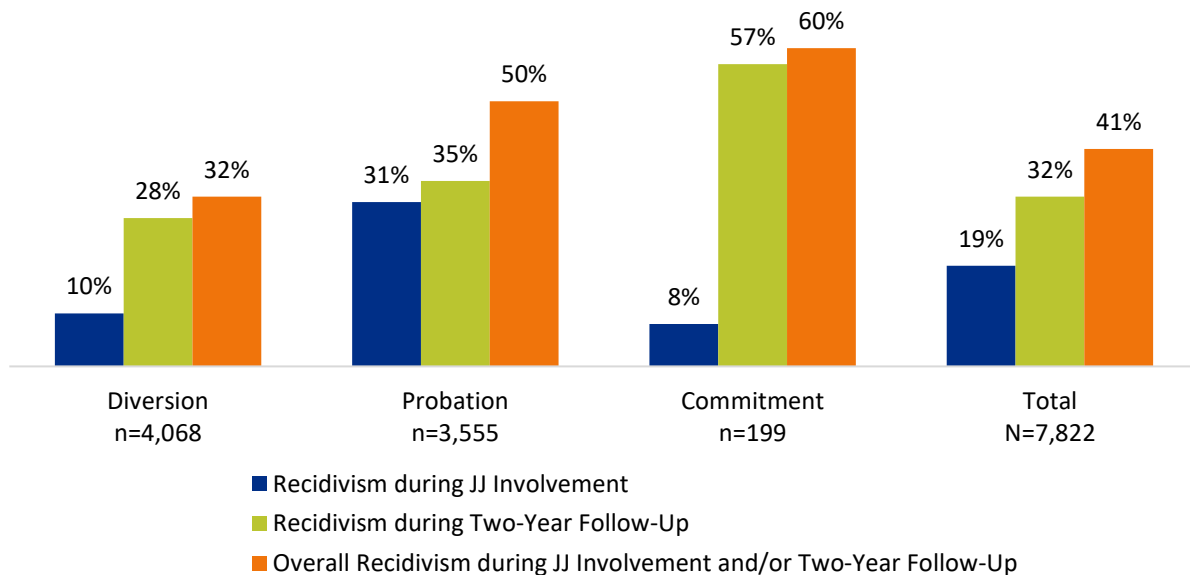
The amount of time the juveniles spent in the juvenile justice system increased as the severity of the juveniles' level of involvement increased. Diverted juveniles spent the least amount of time in the juvenile system (an average of 4 months), while juveniles who were committed to a YDC spent the most 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 2.14 summarizes the sample's recidivism rates for both time periods examined as well as the overall recidivism rates. 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. The recidivism rates increased as the severity of the 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 the severity of involvement increased continued 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 (50% for the probation group and 60% for the commitment group).

**Figure 2.14**  
**Recidivism Rates for FY 2016 Juvenile Recidivism Exit Sample**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

A major 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 the addition of statewide automated jail data would allow for a more complete examination of this behavior in North Carolina.

As described in this chapter, juveniles with the least juvenile justice contact 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 will be 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).

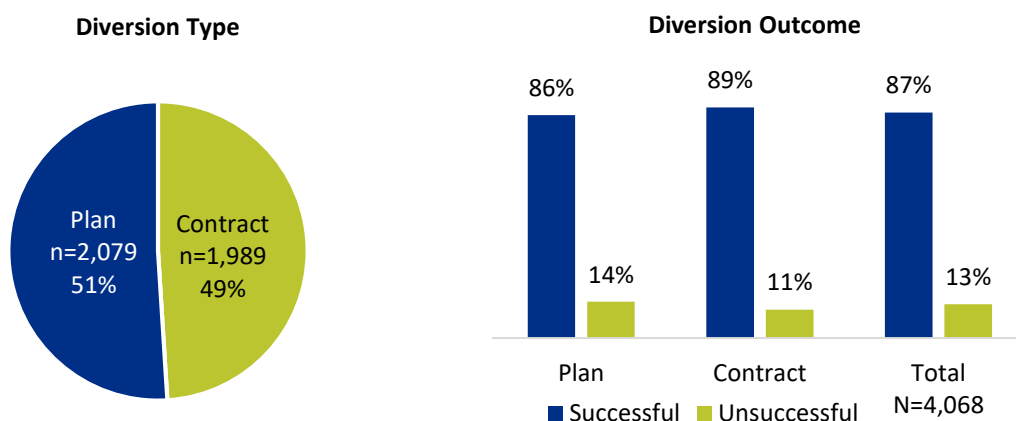
## CHAPTER THREE DIVERTED JUVENILES

This chapter focuses on the 4,068 juveniles who exited diversion in FY 2016. 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 non-compliance 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 2016 diversion exits and their prior, current, and recidivist involvement in the juvenile and adult criminal justice systems.

### STATISTICAL PROFILE

As shown in Figure 3.1, juveniles who exited diversion in FY 2016 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 (89%). Juveniles have up to 6 months to complete the terms of their diversion plan or contract.<sup>26</sup> Juveniles with a successful diversion (n=3,551) averaged 4 months to completion, while those with an unsuccessful diversion (n=517) averaged 3 months before exiting due to non-compliance. As shown in Figure 3.2, nearly half (48%) of juveniles with a successful diversion completed the terms of their diversion within 5 or 6 months. Conversely, 53% of juveniles with an unsuccessful diversion failed to comply with the diversion terms within the first 2 months.

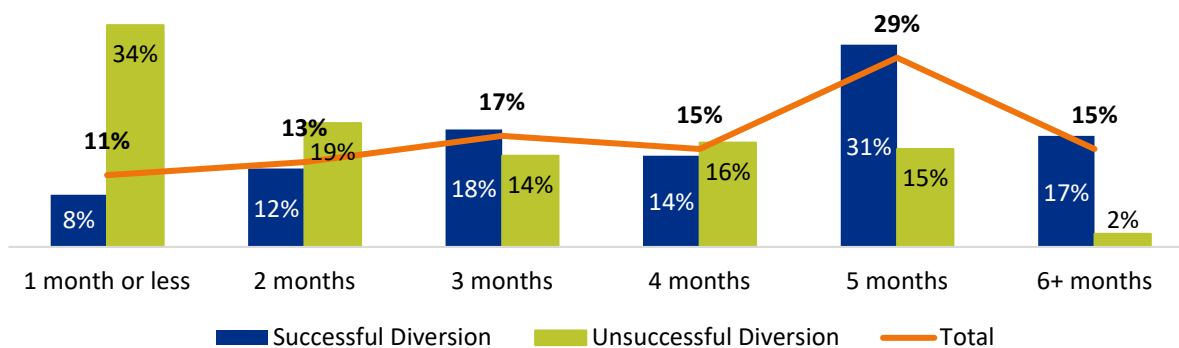
**Figure 3.1**  
**Diversion Outcomes by Diversion Type**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

<sup>26</sup> 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

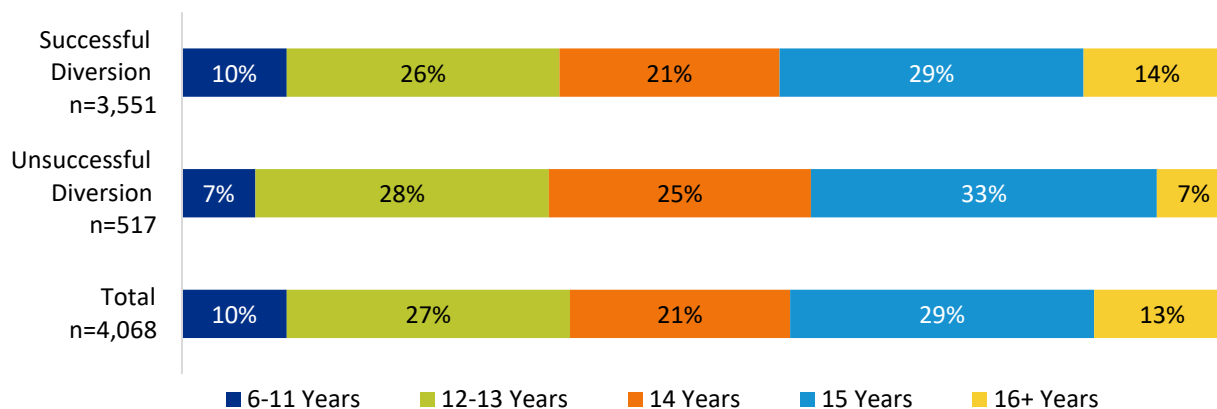


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

### 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.<sup>27</sup> However, juveniles with an unsuccessful diversion tended to be slightly older at juvenile justice entry with an average age of 14 compared to 13 for the successful diversion group. The groups had nearly equivalent proportions of juveniles aged 6-13 years and 14 years or older.

**Figure 3.3**  
Distribution of Age at Juvenile Justice Exit



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

<sup>27</sup> Due to low percentages, American Indian, Asian, and multi-racial juveniles were combined with other/unknown into one category.

**Table 3.1  
Personal Characteristics**

<b>Personal Characteristics</b>	<b>Successful Diversion</b> n=3,551 %	<b>Unsuccessful Diversion</b> n=517 %	<b>Total</b> N=4,068 %
<b>Gender</b>			
Male	67	70	68
Female	33	30	32
<b>Race</b>			
Black	48	51	48
White	38	35	38
Hispanic	9	9	9
Other/Unknown	5	5	5
<b>Age at Offense</b>			
6-11 Years	14	9	13
12-13 Years	31	35	32
14 Years	24	28	25
15 Years	31	28	30
<b>Age at JJ Entry</b>			
6-11 Years	13	9	12
12-13 Years	30	33	31
14 Years	24	27	24
15 Years	30	29	30
16+ Years	3	2	3

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 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, adjudications, or confinements when compared to juveniles with a successful diversion.<sup>28</sup> 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 (0%).

Figure 3.5 examines prior complaints by age at juvenile justice entry. Overall, 12% of juveniles 6-11 years of age at offense and 12% of juveniles 12-13 years of age at offense had at least one prior complaint. At age 14, there was a pronounced increase in the percentage of juveniles with at least one prior complaint. As expected, juveniles in the oldest age categories had the highest percentage with at least one prior complaint (19-20%).

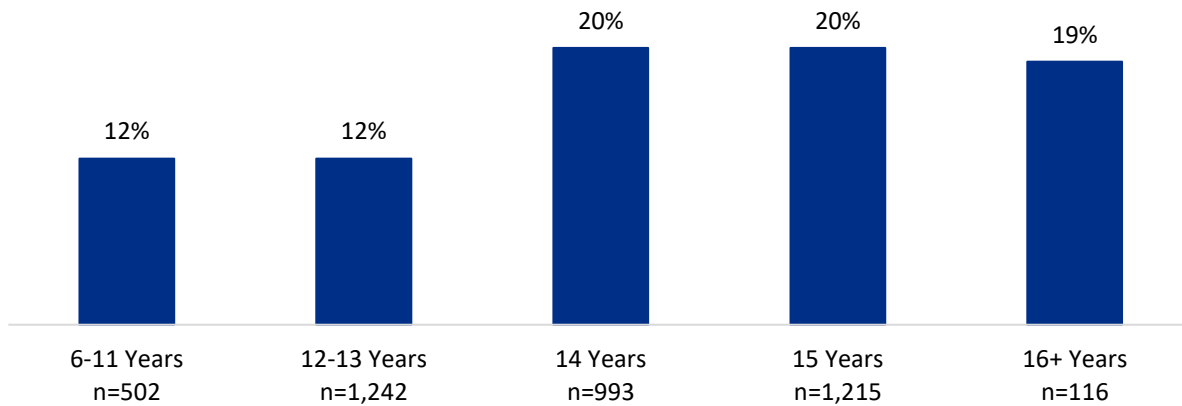
<sup>28</sup> A prior confinement could be a detention center admission or a YDC commitment or both. Generally, juveniles who had a YDC commitment also had a detention center admission.

**Figure 3.4**  
**Prior Juvenile Justice Contacts**

Successful Diversion n=3,551	Unsuccessful Diversion n=517	Total N=4,068
<ul style="list-style-type: none"> <li>•16% prior complaint</li> <li>•2% prior adjudication</li> <li>•0% prior confinement</li> </ul>	<ul style="list-style-type: none"> <li>•22% prior complaint</li> <li>•4% prior adjudication</li> <li>•1% prior confinement</li> </ul>	<ul style="list-style-type: none"> <li>•17% prior complaint</li> <li>•2% prior adjudication</li> <li>•0% prior confinement</li> </ul>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

**Figure 3.5**  
**Prior Complaints by Age at Juvenile Justice Entry**



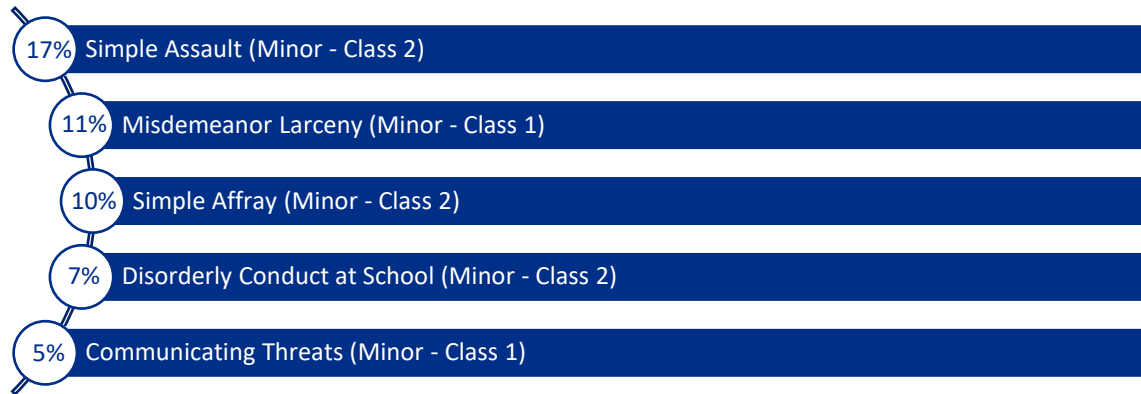
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

Examination of the juvenile’s most serious prior offense indicated that 93% had a misdemeanor offense as the most serious prior complaint. Juveniles with a successful diversion had a greater percentage of misdemeanor offenses (94%) as their most serious prior complaint compared to those with an unsuccessful diversion (89%).

### 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 five offenses accounted for 50% of delinquent complaints for the diverted group. Although the order differed slightly, the top five offenses were the same for juveniles with a successful and unsuccessful diversion.

**Figure 3.6  
Top 5 Charged Offenses**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 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 as compared to those with an unsuccessful diversion. Nearly all juveniles in the diverted group had a misdemeanor as their most serious charged offense (96%). No juveniles who were diverted were alleged to have committed a Violent offense (Class A through E felony) and only 11% were alleged to have committed a Serious offense (Class F-I felonies and Class A1 misdemeanors).<sup>29</sup> 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.<sup>30</sup> The top 2 offenses for each category were as follows:

- Person – 41% simple assault (Minor - Class 2) and 24% simple affray (Minor - Class 2),
- Property – 43% misdemeanor larceny (Minor - Class 1) and 10% injury to real property (Minor - Class 1),
- Drug – 42% simple possession of Schedule VI controlled substance (Minor - Class 3) and 23% possess up to ½ ounce of marijuana (Minor – Class 3), and
- Other – 30% disorderly conduct at school (Minor - Class 2) and 21% possess or carry weapons on educational property (or aid to) (Minor - Class 1).

Juveniles with a successful diversion had a lower percentage of property offenses (25% compared to 29%) and a higher percentage of drug offenses (10% compared to 6%) than juveniles with an unsuccessful diversion. Both groups had a similar percentage of person offenses – 42% of those with a successful diversion and 41% of those with an unsuccessful diversion. Of the person offenses alleged to have been committed, only 23 of the 1,706 offenses were for a felony offense. Over two-thirds of diverted juveniles had a school-based offense.<sup>31</sup> Juveniles with an unsuccessful diversion were slightly less likely to have a school-based offense than juveniles with a successful diversion (63% and 70% respectively).

<sup>29</sup> See Chapter One and Appendix B for a discussion of offense classifications in the Juvenile Disposition Chart.

<sup>30</sup> See Chapter Two for crime category definitions.

<sup>31</sup> See Chapter Two for a definition of school-based offense.

**Table 3.2  
Charged Offense**

<b>Charged Offense</b>	<b>Successful Diversion</b> n=3,551 %	<b>Unsuccessful Diversion</b> n=517 %	<b>Total</b> N=4,068 %
<b>Offense Type</b>			
Felony	4	4	4
Misdemeanor	96	96	96
<b>Offense Classification</b>			
<b>Violent</b>			
Class A-E Felonies	0	0	0
<b>Serious</b>			
Class F-I Felonies	11	13	11
Class A1 Misdemeanors			
<b>Minor</b>			
Class 1-3 Misdemeanors	89	87	89
<b>Crime Category</b>			
Person	42	41	42
Property	25	29	25
Drug	10	6	10
Other	23	24	23
<b>School-Based Offense</b>			
No	30	37	31
Yes	70	63	69

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

### Risk and Needs Assessments

The court counselors administer a RNA to all juveniles to assess the risk of future delinquency and to determine the individual needs of the juvenile during the intake process.<sup>32</sup> Only 28 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 groups found for running away, school behavior problems, and having parents/guardians unwilling/unable to provide parental supervision. Although juveniles with an unsuccessful diversion had a higher percentage with prior intake referrals (23% compared to 16%), a lower percentage had their first juvenile justice referral before age 12 (13% compared to 17%).

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 (78%), conflict in the home (21%), and family member's criminal involvement (50%). For combined risk and needs indicators, the unsuccessful diversion group had a greater percentage of juveniles with substance abuse and negative

<sup>32</sup> 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. For this report, RNA were analyzed if the assessment was completed within a year of the date the complaint was received. Nearly all (n=4,022) juveniles with a RNA had their assessment completed within 30 days.

peer relationships (31% and 69% respectively) compared to the successful diversion group (19% and 54% respectively).

**Table 3.3**  
**Select Risk and Needs Indicators**

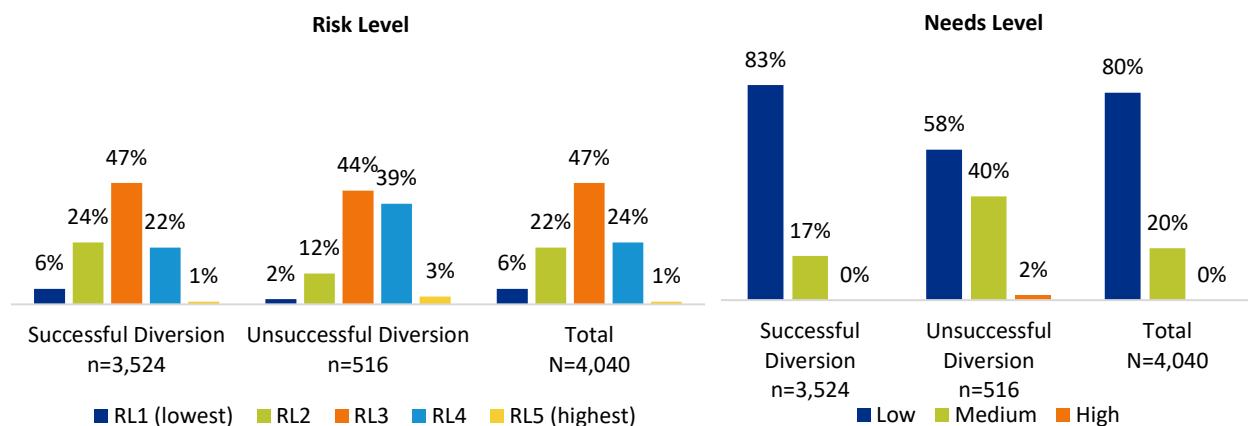
<b>Risk and Needs Indicators</b>	<b>Successful Diversion</b> n=3,524 %	<b>Unsuccessful Diversion</b> n=516 %	<b>Total</b> N=4,040 %
<b>Risk Assessment</b>			
First Referral Before Age 12	17	13	16
Prior Intake Referrals	16	23	17
Prior Adjudications	2	5	3
Prior Assaults	8	10	8
Had Run Away	3	10	4
Had School Behavior Problems	84	92	85
Parents/Guardians Unwilling/Unable to Provide Parental Supervision	8	17	9
<b>Risk Score (0-31 points) Avg.</b>	<b>4</b>	<b>5</b>	<b>4</b>
<b>Needs Assessment</b>			
Functioning Below Academic Grade Level	6	9	6
Juvenile Parent Status (i.e., is a parent)	0	1	0
History of Victimization	13	19	14
Risky Sexual Behavior	2	4	2
Need for Mental Health Care Indicated	55	78	58
Basic Needs Are Not Being Met	0	0	0
Impaired Functioning (i.e., medical, dental, health/hygiene)	0	1	0
Conflict in the Home	11	21	12
Parent, Guardian, or Custodian has Disabilities	2	4	3
One or More Members of Household have Substance Abuse Problems	5	10	6
Indication of Family Member's Involvement in Criminal Activity	35	50	37
<b>Needs Score (0-51 points) Avg.</b>	<b>8</b>	<b>12</b>	<b>9</b>
<b>Combined Risk and Needs Indicators</b>			
Substance Abuse	19	31	21
Gang Affiliation	1	6	2
Negative Peer Relationships	54	69	56

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample



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 3.7 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 (23% for RL4 and RL5) compared to juveniles with unsuccessful diversions (42% 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 3.7 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 (58%). There were very few juveniles that were high needs overall (14 juveniles in the successful diversion group and 11 in the unsuccessful diversion group).

**Figure 3.7**  
**Risk and Needs Assessments**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 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, 10% 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 (5%) 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 (41%). 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, 85% had a misdemeanor as their most serious recidivist offense, with little variation between the two groups.

**Table 3.4**  
**Recidivism Rates: Juvenile Justice Involvement**

Diversion Outcome	N	Any Recidivism		Months to Recidivism Avg.	Most Serious Recidivist Offense:	
		#	%		Felony %	Misdemeanor %
Successful	3,551	182	5	2	14	86
Unsuccessful	517	214	41	2	15	85
<b>Total</b>	<b>4,068</b>	<b>396</b>	<b>10</b>	<b>2</b>	<b>15</b>	<b>85</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 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 (37% and 52% respectively) compared to juveniles with a successful diversion (17% and 25% 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 9 months after the beginning of their follow-up. The timing of the first recidivist event was slightly longer for juveniles with a successful diversion (9 months) compared to those with an unsuccessful diversion (8 months). Of juveniles in the successful diversion group with a recidivist event, 27% had a subsequent delinquent complaint and/or arrest within 3 months, 51% within 7 months, and 77% within 14 months. Of juveniles in the unsuccessful diversion group with a recidivist event, 26% had a subsequent delinquent complaint and/or arrest within the first month, 51% within 5 months, and 75% within 12 months.

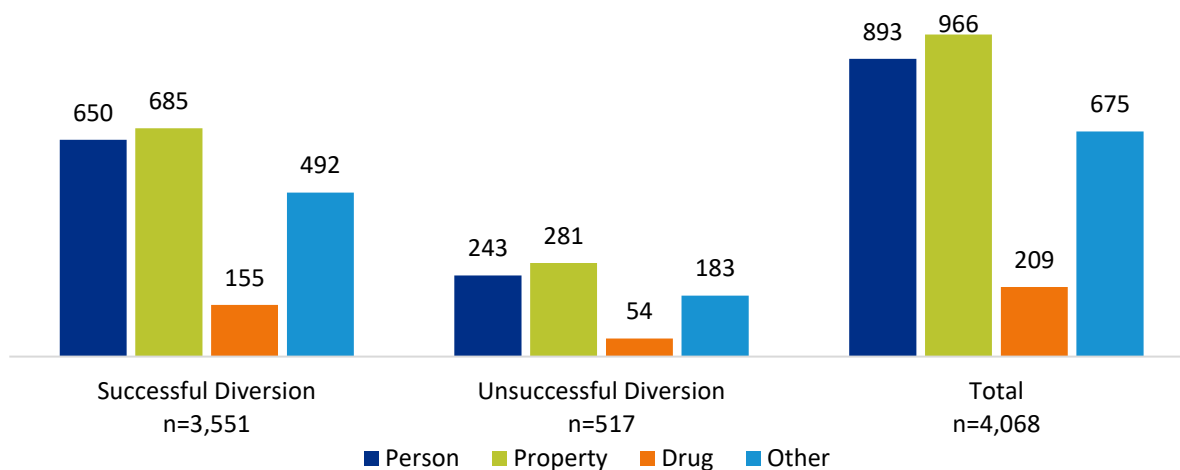
The 1,142 juveniles with any recidivism accounted for a total of 2,267 recidivist events. Consistent with their larger number, juveniles with a successful diversion accounted for the highest volume of subsequent complaints and/or adult arrests at 1,649. There were no differences in the average number of recidivist events between the two groups (2 each). Information on the volume of recidivist events by crime category is provided in Figure 3.8. Both groups were most likely to have a recidivist event for a property offense, followed by a person offense. Overall, 65% 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 (41%) than those with a successful diversion (33%).

**Table 3.5**  
**Recidivism Rates: Two-Year Follow-Up**

Diversion Outcome	N	Months to Recidivism Avg.	# with Any	Total # Recidivist Events	One-Year Follow-up %	Two-Year Follow-up %
Successful	3,551	9	872	1,649	17	25
Unsuccessful	517	8	270	618	37	52
<b>Total</b>	<b>4,068</b>	<b>9</b>	<b>1,142</b>	<b>2,267</b>	<b>19</b>	<b>28</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

**Figure 3.8**  
**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 2016 Juvenile Recidivism Exit Sample

### Type of Diversion and Recidivism

Juveniles with a diversion contract had slightly higher recidivism rates during the two-year follow-up. Of juveniles with a diversion contract, 21% had a subsequent complaint and/or adult arrest during the one-year follow-up and 29% during the two-year follow-up compared to juveniles with a diversion plan at 18% and 27% for respective years of follow-up.

### Personal Characteristics and Recidivism

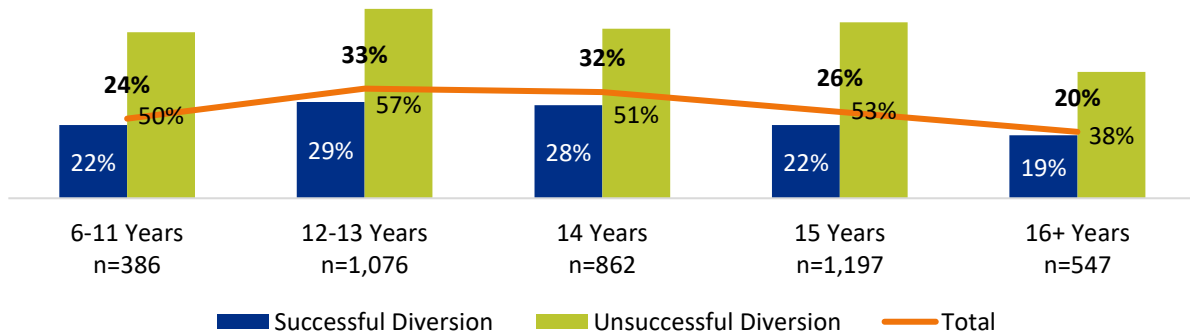
Recidivism rates during the two-year follow-up by the juvenile's personal characteristics are examined in Table 3.6 and Figure 3.9. Juveniles with an unsuccessful diversion had higher recidivism rates than those with a successful diversion for all categories of personal characteristics examined. Consistent 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	Unsuccessful Diversion	Total
		n=3,551 %	n=517 %	N=4,068 %
<b>Gender</b>				
Male	2,753	27	57	31
Female	1,315	19	40	22
<b>Race</b>				
Black	1,953	31	60	35
White	1,541	18	44	21
Hispanic	379	17	49	21
Other/Unknown	195	25	38	27
<b>Age at Offense</b>				
6-11 Years	547	25	50	27
12-13 Years	1,287	29	57	33
14 Years	1,012	26	53	30
15 Years	1,222	19	47	22
<b>Age at JJ Entry</b>				
6-11 Years	502	25	47	26
12-13 Years	1,242	29	57	33
14 Years	993	26	51	30
15 Years	1,215	19	49	23
16+ Years	116	22	--	25
<b>Total</b>	<b>4,068</b>	<b>25</b>	<b>52</b>	<b>28</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

**Figure 3.9**  
**Recidivism Rates by Age at Juvenile Justice Exit: Two-Year Follow-Up**

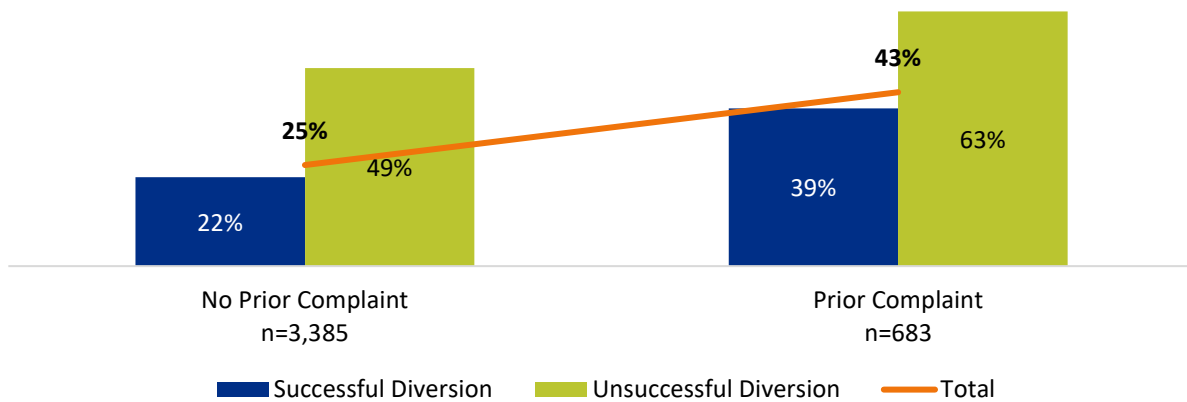


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

## Prior Complaints and Recidivism

As shown earlier (see Figure 3.4), 17% of diverted juveniles had at least one prior complaint – 16% of juveniles with a successful diversion and 22% of juveniles with an unsuccessful diversion. Figure 3.10 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 25% 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 3.10**  
**Recidivism Rates by Prior Complaints: Two-Year Follow-Up**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

## Charged Offense and Recidivism

In Table 3.7, recidivism rates are examined by characteristics of the most serious 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 higher recidivism rates than juveniles with a Minor offense; juveniles with a property offense had the highest recidivism rates of the crime categories. For juveniles with a successful diversion, little difference was found for juveniles with a school-based offense compared to those whose offense was not school-based. However, recidivism rates were lower for juveniles with an unsuccessful diversion who had a school-based offense (49% compared to 58%).

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

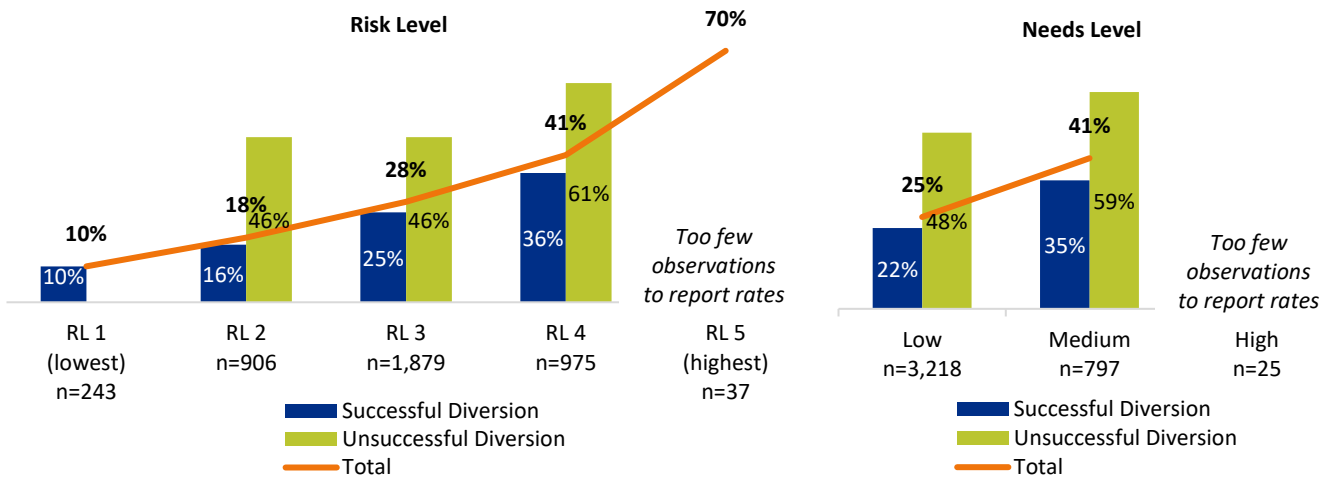
<b>Charged Offense</b>	<b>N</b>	<b>Successful Diversion</b> n=3,551 %	<b>Unsuccessful Diversion</b> n=517 %	<b>Total</b> N=4,068 %
<b>Offense Type</b>				
Felony	165	23	--	27
Misdemeanor	3,903	25	52	28
<b>Offense Classification</b>				
<b>Violent</b>				
Class A-E Felonies	0	--	--	--
<b>Serious</b>				
Class F-I Felonies	444	27	57	31
Class A1 Misdemeanors				
<b>Minor</b>				
Class 1-3 Misdemeanors	3,624	24	52	28
<b>Crime Category</b>				
Person	1,706	24	49	27
Property	1,030	26	58	30
Drug	393	23	50	25
Other	939	25	51	28
<b>School-Based Offense</b>				
No	1,262	25	58	30
Yes	2,806	24	49	27
<b>Total</b>	<b>4,068</b>	<b>25</b>	<b>52</b>	<b>28</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

### Risk/Needs Levels and Recidivism

As shown earlier (see Figure 3.7), 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 (58%). Figure 3.11 explores the relationship between the juvenile's risk and needs levels and their 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=25) of juveniles in this category.

**Figure 3.11**  
**Recidivism Rates by Risk and Needs Levels: Two-Year Follow-Up**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

Information on the recidivism rates and the combined indicators from the risk and needs assessment tools – substance abuse, 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 abuse, gang affiliation, and negative peer influence had higher recidivism rates compared to their counterparts (no substance abuse, 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.

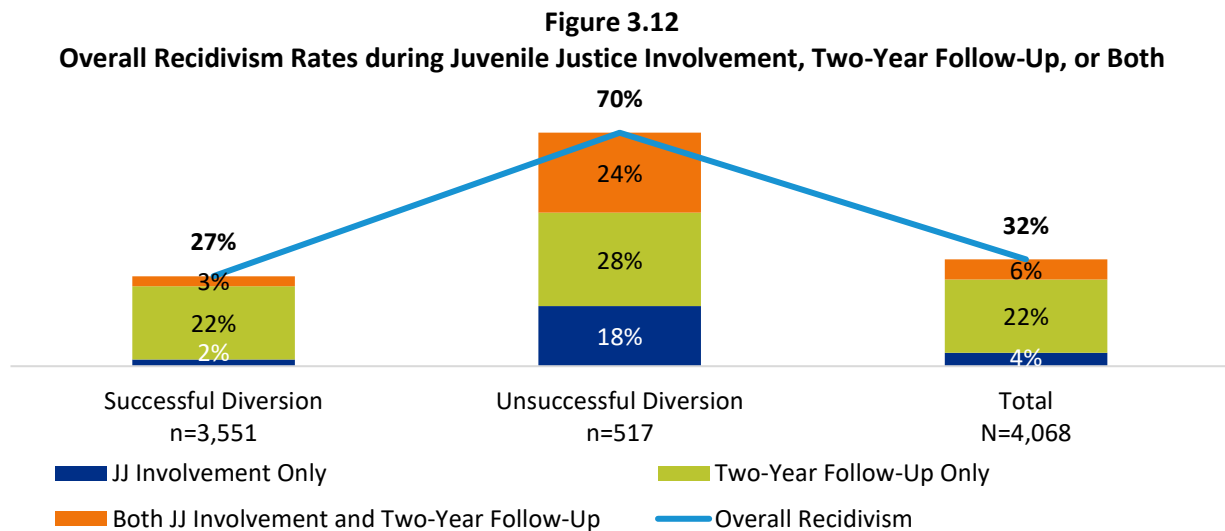
**Table 3.8**  
**Recidivism Rates by Combined Risk and Needs Indicators: Two-Year Follow-Up**

Risk and Needs Indicators	N	Successful Diversion n=3,524 %	Unsuccessful Diversion n=516 %	Total N=4,040 %
<b>Substance Abuse</b>				
No	3,204	23	49	26
Yes	836	30	59	35
<b>Gang Affiliation</b>				
No	3,958	24	52	28
Yes	82	51	61	55
<b>Peer Relationships</b>				
Positive	1,784	21	48	24
Negative	2,256	27	54	32
<b>Total</b>	<b>4,040</b>	<b>25</b>	<b>52</b>	<b>28</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

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

Figure 3.12 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 22% of their overall recidivism rate of 27%; the remaining 5% of their overall recidivism rate was accounted for by juveniles who had recidivism only during their juvenile justice involvement (2%) or who had recidivism during both time periods (3%). Juveniles with an unsuccessful diversion had a much higher overall recidivism rate (70%), with higher percentages having recidivism only during their juvenile justice involvement (18%) 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 2016 Juvenile Recidivism Exit Sample

## SUMMARY

Chapter Three provided a statistical profile of juveniles who exited diversion in FY 2016 and included an examination of their prior, current, and recidivist involvement in the juvenile and adult 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%). Juveniles with a diversion contract had slightly higher recidivism rates during the two-year follow-up (29% compared to their counterparts at 27%).

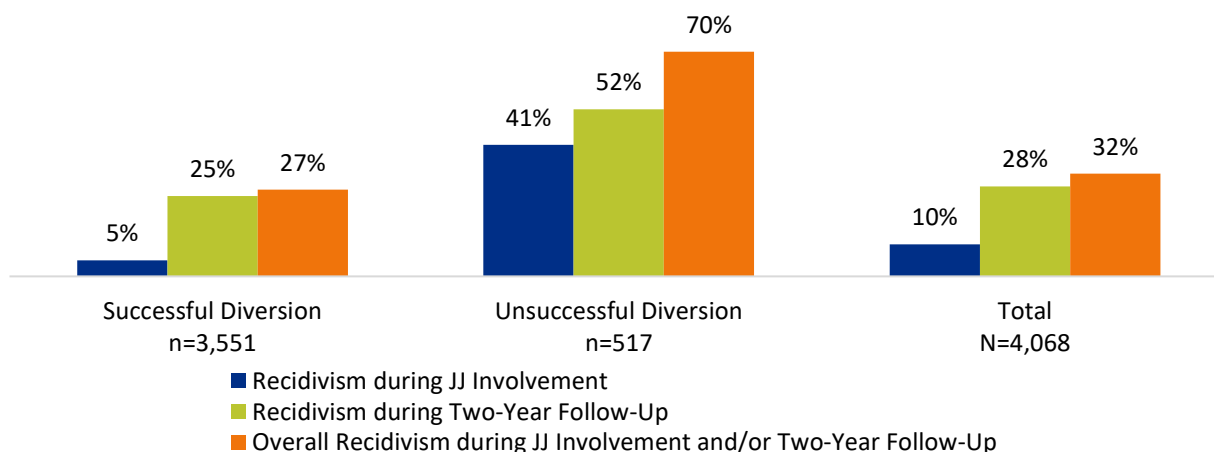


Very few differences were found between the successful diversion group and the unsuccessful diversion group with respect to personal characteristics. While a higher percentage of juveniles with an unsuccessful diversion had prior juvenile justice contacts, the two groups were similar in terms of offense 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 3.13, juveniles with an unsuccessful diversion had much higher recidivism rates during the follow-up periods examined – 41% 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 3.13**  
**Recidivism Rates for FY 2016 Diverted Juveniles**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

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## CHAPTER FOUR ADJUDICATED JUVENILES

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In accordance with the Sentencing Commission’s legislative mandate to study adjudicated juveniles, this chapter focuses on 3,754 juveniles adjudicated delinquent by their disposition levels (hereinafter referred to as adjudicated juveniles). The adjudicated juveniles were comprised of 3,555 juveniles who exited supervised probation and 199 juveniles who exited a YDC facility in FY 2016. 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 2016 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 (n=199).

### 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, non-residential 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,<sup>33</sup> 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.<sup>34</sup> The juveniles in the sample ordered on probation were supervised under the policies and procedures in effect during FY 2016. Once a 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 types of supervision levels: modified, standard, and intensive. Information about the juvenile’s supervision level was unavailable for the sample studied. While this report focused on court-ordered probation as a dispositional alternative, the juvenile court judge usually orders other alternatives in addition to probation. While information on other alternatives ordered by the court was also unavailable for this

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<sup>33</sup> 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).

<sup>34</sup> G.S. 7B-2510(c)

report, the Sentencing Commission publishes a complementary report about the effectiveness of JCPC funded programs.<sup>35</sup>

A Level 3 or YDC commitment is the most restrictive disposition available to a juvenile court 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. 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.

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 abuse, 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 examines 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 severity of the disposition increased. Overall, half of the juveniles were black (49%). Examination of race by disposition level found a pattern similar to gender – the percentage of black juveniles increased as the severity of the disposition increased.<sup>36</sup> 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 (26% 13 years and younger) compared to juveniles with a more severe disposition (19% 13 years and younger for Level 2 probation and 7% 13 years and younger for Level 3 commitment). Juveniles in the Levels 1 and 2 probation groups were younger at entry to and exit from the system compared to the commitment group, while juveniles in the Level 1 probation group were the youngest juveniles at both points in time.

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<sup>35</sup> See the Sentencing Commission’s *Effectiveness of Programs Funded by Juvenile Crime Prevention Councils* reports at <https://www.nccourts.gov/documents/publications/effectiveness-of-juvenile-crime-prevention-council-jcpc-programs>.

<sup>36</sup> Due to low percentages, American Indian, Asian, and multi-racial juveniles were combined with other/unknown into one category.

**Table 4.1  
Personal Characteristics**

<b>Personal Characteristics</b>	<b>Level 1 Probation</b> n=2,822 %	<b>Level 2 Probation</b> n=733 %	<b>Level 3 Commitment</b> n=199 %	<b>Total</b> N=3,754 %
<b>Gender</b>				
Male	75	85	91	78
Female	25	15	9	22
<b>Race</b>				
Black	46	52	68	49
White	41	35	19	38
Hispanic	9	9	9	9
Other/Unknown	4	4	4	4
<b>Age at Offense</b>				
6-11 Years	6	6	2	6
12-13 Years	28	22	22	26
14 Years	30	27	29	29
15 Years	36	45	47	39
<b>Age at JJ Entry</b>				
6-11 Years	4	2	1	4
12-13 Years	22	17	6	20
14 Years	27	22	17	25
15 Years	35	42	41	37
16+ Years	12	17	35	14
<b>Age at JJ Exit</b>				
6-11 Years	2	1	0	2
12-13 Years	9	5	1	8
14 Years	16	11	5	14
15 Years	24	18	13	22
16+ Years	49	65	81	54

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

### 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 4.1).<sup>37</sup>

<sup>37</sup> 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.

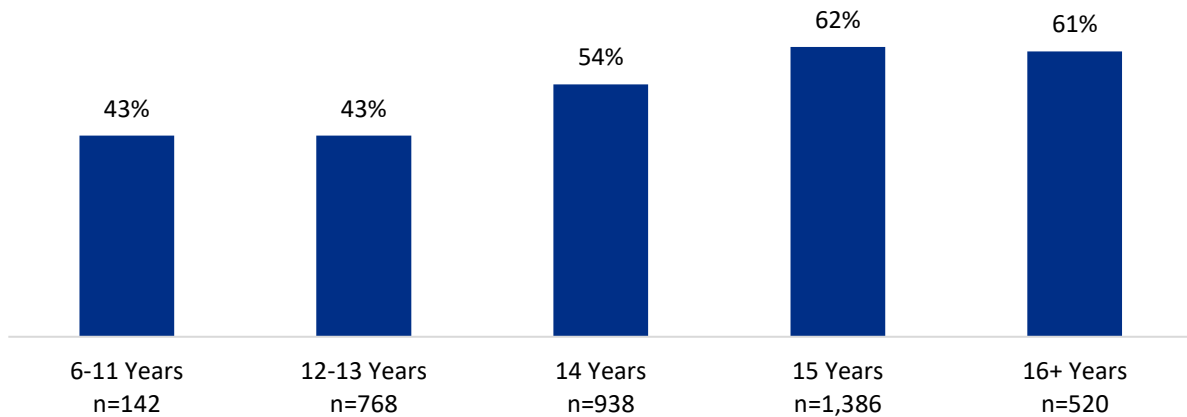
**Figure 4.1**  
**Prior Juvenile Justice Contacts**

Level 1 Probation n=2,822	Level 2 Probation n=733	Level 3 Commitment n=199	Total N=3,754
<ul style="list-style-type: none"> <li>• 49% prior complaint</li> <li>• 8% prior adjudication</li> <li>• 10% prior confinement</li> </ul>	<ul style="list-style-type: none"> <li>• 70% prior complaint</li> <li>• 42% prior adjudication</li> <li>• 45% prior confinement</li> </ul>	<ul style="list-style-type: none"> <li>• 94% prior complaint</li> <li>• 84% prior adjudication</li> <li>• 95% prior confinement</li> </ul>	<ul style="list-style-type: none"> <li>• 55% prior complaint</li> <li>• 19% prior adjudication</li> <li>• 21% prior confinement</li> </ul>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

To examine the relationship between age and prior juvenile justice contacts, Figure 4.2 shows the percentage of juveniles with at least one prior contact by age at juvenile justice entry (i.e., date of the dispositional hearing). Figure 4.2 also displays the marked differences of prior contact with the juvenile justice system by age at entry. Generally, the percentage of juveniles with at least one prior complaint increased as their age increased.

**Figure 4.2**  
**Prior Complaints by Age at Juvenile Justice Entry**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

### Adjudicated Offense

The court determines the sanctions, services, and conditions that will be ordered for the juvenile based on the offense classification of the adjudicated offense(s) and the juvenile’s delinquency history. Table 4.2 examines the differences 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 3% were *adjudicated* of a Violent offense. Of the Serious offenses (Class F through I felonies and Class A1 misdemeanors), 35% of the juveniles were *charged* with one, while 26% were *adjudicated* of a Serious offense. Finally, 60% of juveniles were *charged* with a Minor offense (Class 1 through 3 misdemeanors) compared to 71% of juveniles *adjudicated* of a Minor offense.

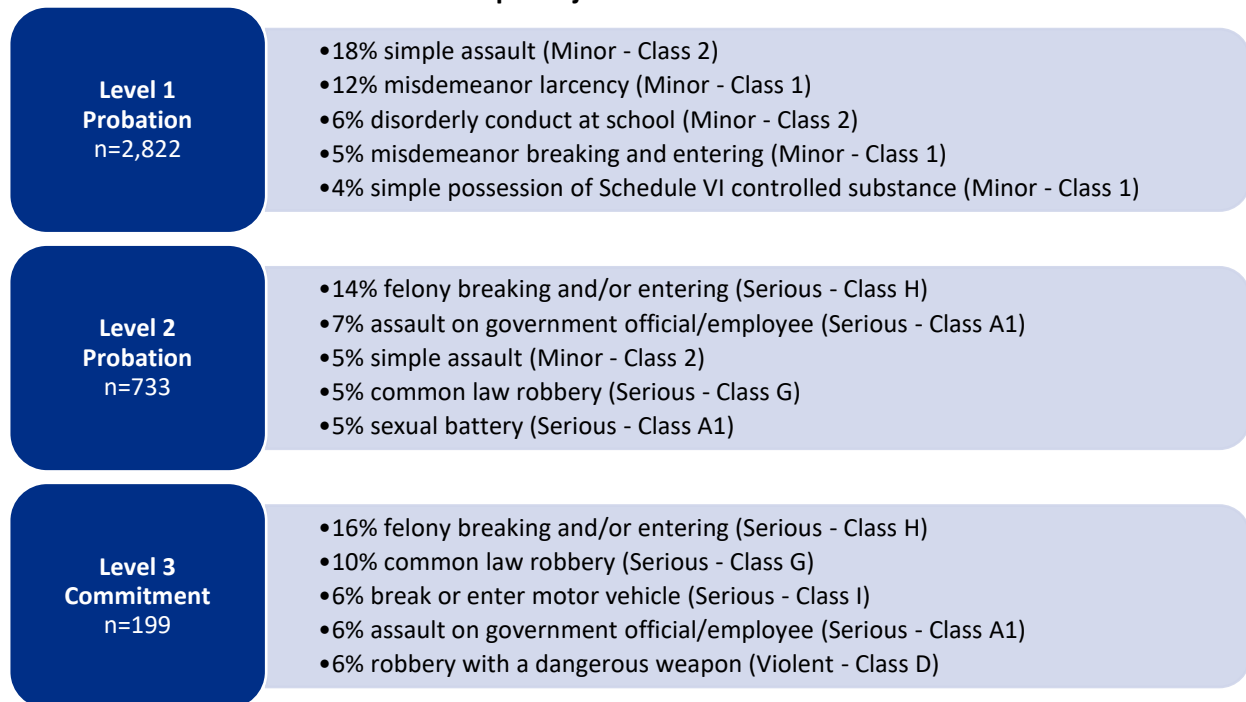
**Table 4.2**  
**Charged Offense by Adjudicated Offense**

Charged Offense Classification	N	Adjudicated Offense Classification			Total N=3,754 %
		Violent n=104 %	Serious n=978 %	Minor n=2,672 %	
Violent	205	51	39	10	5
Serious	1,306	--	69	31	35
Minor	2,243	--	--	100	60
<b>Total</b>	<b>3,754</b>	<b>3</b>	<b>26</b>	<b>71</b>	<b>100</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

Figure 4.3 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 most serious adjudications. Level 3 commitment juveniles were adjudicated primarily with felonies as their top 5 (which comprised 44% of their most serious adjudicated offenses), while the Level 2 probation group were adjudicated of a mix of both felonies and misdemeanors as their top 5 adjudications (36% of their total of most serious adjudicated offenses).

**Figure 4.3**  
**Top 5 Adjudicated Offenses**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

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 severe 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 severe disposition who were 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 (64% and 74% respectively) compared to the Level 1 probation group (13%).<sup>38</sup> 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.

**Table 4.3**  
**Adjudicated Offense**

<b>Adjudicated Offense</b>	<b>Level 1 Probation</b> n=2,822 %	<b>Level 2 Probation</b> n=733 %	<b>Level 3 Commitment</b> n=199 %	<b>Total</b> N=3,754 %
<b>Offense Type</b>				
Felony	6	53	77	19
Misdemeanor	94	47	23	81
<b>Offense Classification</b>				
<b>Violent</b>				
Class A-E Felonies	--	9	20	3
<b>Serious</b>				
Class F-I Felonies	13	64	74	26
Class A1 Misdemeanor				
<b>Minor</b>				
Class 1-3 Misdemeanors	87	27	6	71
<b>School-Based Charged Offense</b>				
No	45	69	86	52
Yes	55	31	14	48

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

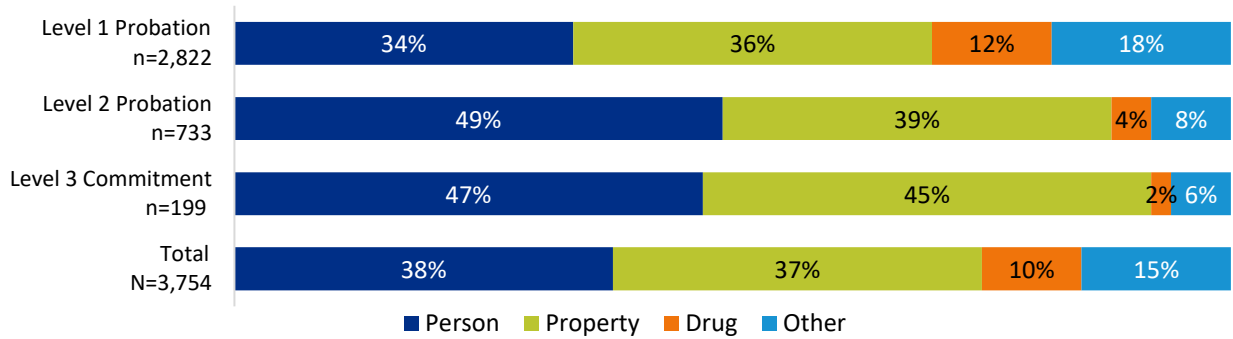
Juveniles' most serious adjudicated offenses were grouped into four crime categories: person, property, drug, and other.<sup>39</sup> Juveniles with a Level 2 or 3 disposition had a greater percentage of person offenses than the Level 1 probation group, while the Level 1 group had more drug and other types of offenses (see Figure 4.4). Of the adjudicated person offenses, only 16% of the 1,427 offenses were for a felony offense.<sup>40</sup> The Level 3 commitment group had more juveniles (45%) with a property offense as their most serious offense compared to juveniles who exited probation (36% for Level 1 and 39% for Level 2).

<sup>38</sup> See Chapter One and Appendix B for a discussion of offense classifications in the Juvenile Disposition Chart. Of the 360 adjudicated offenses classified as serious committed by juveniles in the Level 1 probation group, 180 (or 50%) were Class A1 misdemeanors.

<sup>39</sup> See Chapter Two for crime category definitions.

<sup>40</sup> Of the 230 felony person offenses, 146 were committed by Level 2 probation, 60 by Level 3 commitment, and 24 by Level 1 probation.

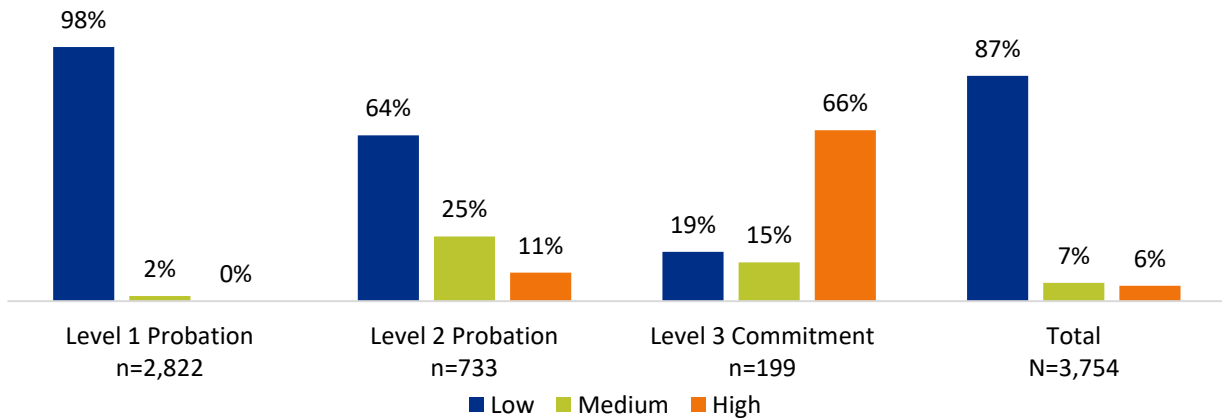
**Figure 4.4**  
**Crime Category of the Adjudicated Offense**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

Along with the adjudicated offense, judges use delinquency history to determine the appropriate disposition for the juvenile. Figure 4.5 shows that overall juveniles adjudicated and disposed had low delinquency history (87% at low); 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 more juveniles in the high delinquency history level (11% and 66% respectively) compared to the juveniles in the Level 1 group (less than 1%).

**Figure 4.5**  
**Delinquency History Level**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

## Risk and Needs Assessments

Court counselors administer a RNA to all juveniles to assess the risk of future delinquency and to determine the individual needs of the juvenile during the intake process.<sup>41</sup> Only 6 juveniles did not have

<sup>41</sup> 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 42 days and their



both a risk and needs assessment completed and are excluded from the RNA data provided. Table 4.4 lists select results of the assessments for the three groups.

**Table 4.4**  
**Select Risk and Needs Indicators**

<b>Risk and Needs Indicators</b>	<b>Level 1 Probation n=2,819</b>	<b>Level 2 Probation n=730</b>	<b>Level 3 Commitment n=199</b>	<b>Total N=3,748</b>
<b>Risk Assessment</b>	%	%	%	%
First Referral Before Age 12	12	18	23	14
Prior Intake Referrals	51	71	95	57
Prior Adjudications	17	49	90	27
Prior Assaults	20	39	63	26
Had Run Away	13	20	52	16
Had School Behavior Problems	92	90	94	92
Parents/Guardians Unwilling/Unable to Provide Parental Supervision	25	36	66	29
<b>Risk Score (0-30 points) Avg.</b>	<b>7</b>	<b>10</b>	<b>17</b>	<b>8</b>
<b>Needs Assessment</b>	%	%	%	%
Functioning Below Academic Grade Level	12	13	19	13
Juvenile Parent Status (i.e., is a parent)	1	1	3	1
History of Victimization	22	28	33	23
Risky Sexual Behavior	9	19	23	11
Need for Mental Health Care Indicated	84	92	97	86
Basic Needs Are Not Being Met	0	1	3	1
Impaired Functioning (i.e., medical, dental, health/hygiene)	1	0	2	1
Conflict in the Home	29	33	55	32
Parent, Guardian, or Custodian has Disabilities	5	6	7	5
One or More Members of Household have Substance Abuse Problems	12	15	25	13
Indication of Family Member's Involvement in Criminal Activity	47	51	67	49
<b>Needs Score (0-51 points) Avg.</b>	<b>13</b>	<b>15</b>	<b>20</b>	<b>14</b>
<b>Combined Risk and Needs Indicators</b>	%	%	%	%
Substance Abuse	43	47	76	45
Gang Affiliation	6	15	51	10
Negative Peer Relationships	79	81	97	81

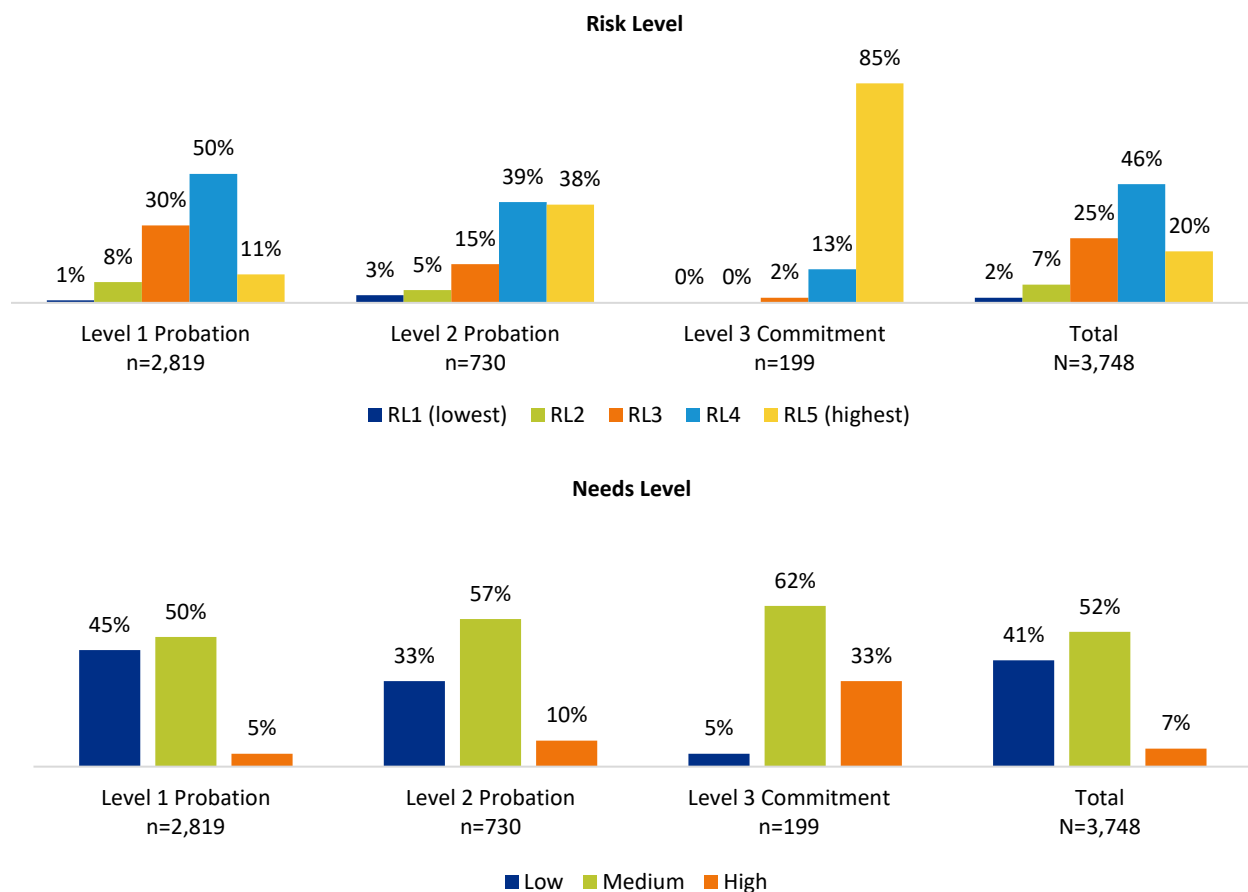
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

needs assessment within 16 days. For this report, the RNA were analyzed if the assessment was completed within a year of the date the complaint was received. The risk and needs findings in this report only include the juveniles who had both risk and needs assessments completed.

In general, as the severity of the disposition level increased so did the risk factors the juvenile had. As to be expected, juveniles in the Level 3 commitment group had the highest percentages of 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 (92% overall) had school behavior problems. As seen with the risk indicators, the Level 3 commitment group had more needs than the other two groups (e.g., functioning below academic grade level, conflict in the home). Juveniles with a Level 3 disposition had a greater percentage of needs indicators that involved family problems compared to the other two levels. Specifically, 55% had conflict in the home, 25% had one or more members in the household with substance abuse problems, and 67% of the juveniles 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 abuse, 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 severity of the disposition level increased (7 for Level 1 probation, 10 for Level 2 probation, and 17 for Level 3 commitment). Based on their individual score, 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 4.6 shows the risk levels for all three disposition groups and for the group as a

**Figure 4.6**  
**Risk and Needs Assessments**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

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 (61% for RL4 and RL5), while almost all juveniles with a Level 3 disposition (98%) were assessed at the highest levels of risk (e.g., RL4 and RL5). Figure 4.6 also provides the needs level distribution. The same stair-step progression was found -- more juveniles in the Level 3 commitment group were assessed with high needs (33%) compared to the Level 1 and Level 2 probation groups (5% and 10% respectively).

### Juvenile Justice Involvement Profile

Table 4.5 presents basic information about the adjudicated juveniles and their involvement with the juvenile system -- length of involvement for all three groups, detention admissions for the Levels 1 and 2 probation groups, and YDC entry and commitment types for the commitment group. On average, juveniles in the Level 2 probation group had the longest involvement with the juvenile justice system (14 months) compared to the Level 1 probation and the Level 3 commitment groups (12 and 13 months respectively). However, a larger percentage of juveniles with a Level 3 commitment spent 13 or more months in the system (49%) compared to Levels 1 and 2 probation (29% and 38% respectively).

**Table 4.5**  
**Juvenile Justice Involvement Profile**

	<b>Level 1 Probation</b> n=2,822	<b>Level 2 Probation</b> n=733	<b>Level 3 Commitment</b> n=199	<b>Total</b> N=3,754
<b>Avg. Length of JJ Involvement (%)</b>				
0-3 Months	1	1	1	1
4-6 Months	22	7	15	19
7-12 Months	48	54	35	48
13-24 Months	27	36	44	30
25+ Months	2	2	5	2
<b>Overall Avg. in Months</b>	<b>12</b>	<b>14</b>	<b>13</b>	<b>12</b>
<b>Levels 1 and 2 Probation (%)</b>				
<b>Any Detention Admission</b>	21	32	--	23
Detention Admission due to Intermittent Confinement	13	21	--	15
<b>Level 3 Commitment (%)</b>				
<b>YDC Entry Type</b>				
New Crime	--	--	43	--
Probation Violation	--	--	44	--
PRS Revocation	--	--	13	--
<b>YDC Commitment Type</b>				
New Commitment	--	--	85	--
Recommitment	--	--	2	--
PRS Revocation	--	--	13	--

Note: Totals for detention admissions only include juveniles with a Level 1 or 2 probation disposition.  
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

## Probation Supervision

Table 4.5 also examines additional information about the juveniles on probation. While on supervision, 23% of the 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 charge, failure to appear, among other reasons. However, a portion of them were due to intermittent confinement – a sanction available for non-compliance with the conditions of their probation.<sup>42</sup> Again, more juveniles with a Level 2 disposition had a detention admission due to intermittent confinement compared to juveniles with a Level 1 disposition.

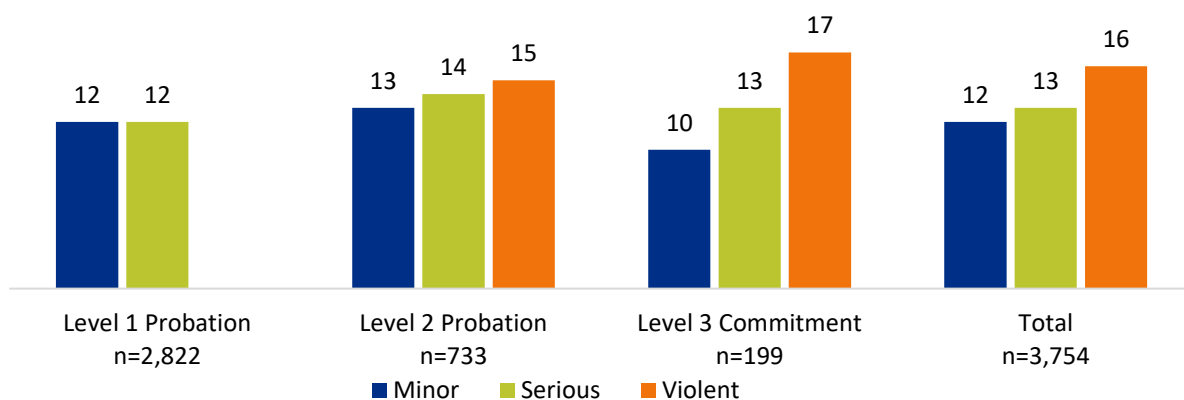
## YDC Commitment

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 a probation, or the revocation of PRS. For the FY 2016 YDC exits, juveniles entering due to a new crime or to a violation of their probation occurred equally (43% and 44% respectively), while few juveniles entered the YDC due to a revocation of their PRS (13%). (See Table 4.5.) For most of the Level 3 commitment group (85%), it was their first YDC commitment. Almost all Level 3 commitment juveniles (n=198) were placed on PRS upon release from a YDC.

## 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 (62% and 51% at 12 months or less respectively) (see Table 4.5). As shown in Figure 4.7, with the exception of juveniles with Level 1 probation, length of probation and commitment increased based on the seriousness of the adjudicated offense.

**Figure 4.7**  
Average Length of Juvenile Justice Involvement in Months by Adjudicated Offense Classification



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

<sup>42</sup> 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.

## 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 greater 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 the 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 a Level 2 probation had the highest recidivism rate at 36%, while 29% of juveniles with a Level 1 probation had either a juvenile complaint and/or an adult arrest. Not surprising, 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.

**Table 4.6**  
**Recidivism Rates: Juvenile Justice Involvement**

Disposition Level	N	Any Recidivism		Months to Recidivism Avg.	Most Serious Recidivist Offense:	
		#	%		Felony %	Misdemeanor %
<b>Level 1 Probation</b>	2,822	826	29	4	28	72
<b>Level 2 Probation</b>	733	263	36	5	48	52
<b>Level 3 Commitment</b>	199	15	8	4	53	47
<b>Total</b>	<b>3,754</b>	<b>1,104</b>	<b>29</b>	<b>4</b>	<b>33</b>	<b>67</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

Of the 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 probation and Level 3 commitment groups committed their first recidivist event at 4 months, while juveniles with a Level 2 probation committed their first recidivist event a bit later, at 5 months on average. Overall, 67% 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 (72%) compared to the other two groups (Level 2 probation with 52% and Level 3 commitment with 47%).

### Recidivism during Two-Year Follow-Up

Table 4.7 examines overall recidivism rates by disposition level for each year of the two-year follow-up period. Juveniles with a Level 3 commitment had higher recidivism rates each year of the follow-up period compared to Levels 1 and 2 in the probation group. There were no differences in the recidivism

rates for juveniles who exited probation by their disposition level (35% 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 1,367 juveniles with any recidivism accounted for a total of 3,113 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. Juvenile with a Level 1 or Level 2 probation had an average number 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**

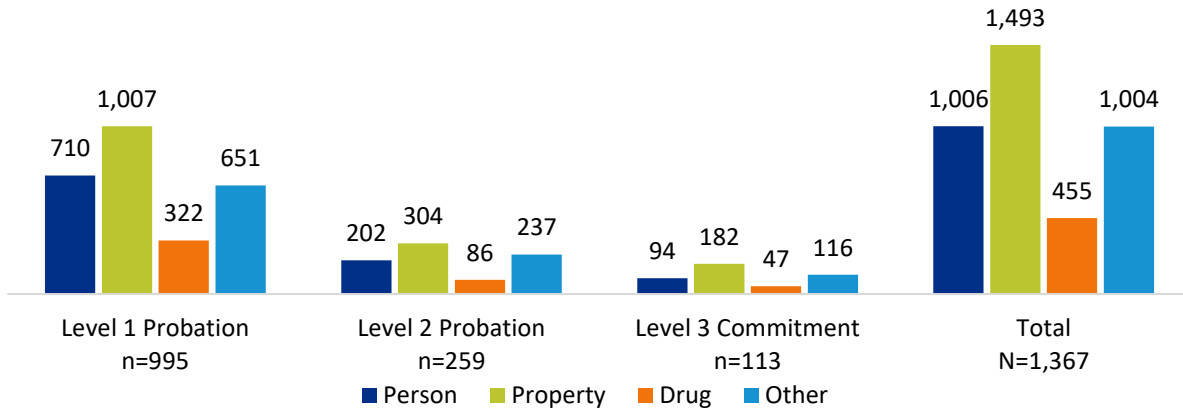
<b>Disposition Level</b>	<b>N</b>	<b>Months to Recidivism Avg.</b>	<b># with Any</b>	<b>Total # Recidivist Events</b>	<b>One-Year Follow-up %</b>	<b>Two-Year Follow-up %</b>
<b>Level 1 Probation</b>	2,822	8	995	2,148	24	35
<b>Level 2 Probation</b>	733	7	259	634	26	35
<b>Level 3 Commitment</b>	199	7	113	331	44	57
<b>Total</b>	<b>3,754</b>	<b>8</b>	<b>1,367</b>	<b>3,113</b>	<b>25</b>	<b>36</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 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 with a Level 2 or Level 3 disposition recidivated a month earlier at 7 months compared to juveniles in the Level 1 group at 8 months. Of the 1,367 juveniles with a recidivist event, 27% recidivated within 2 months, 49% within 6 months, and 77% within 13 months.

Figure 4.8 provides information on the volume of recidivist arrests by crime category. Juveniles in the Level 1 group were more likely to have a recidivist complaint/arrest for property and person offenses, while juveniles in the Level 2 and 3 groups were more likely to have a recidivist complaint/arrest for property and other offenses. Overall, 58% 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 (66% and 78% respectively).

**Figure 4.8**  
**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 2016 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 probation Level 1 or 2 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 Levels 1 and 2 probation, while recidivism rates were similar for black and white juveniles in the Level 3 commitment group. There was little variation in recidivism rates by age for juveniles with a Level 1 or 2 disposition for juveniles 14 years and older, while juveniles aged 12-13 in the Level 2 group had higher recidivism rates compared to the Level 1 group. Generally, older juveniles in the Level 3 commitment group had lower recidivism rates than younger juveniles in that group.

### Prior Juvenile Justice Contacts and Recidivism

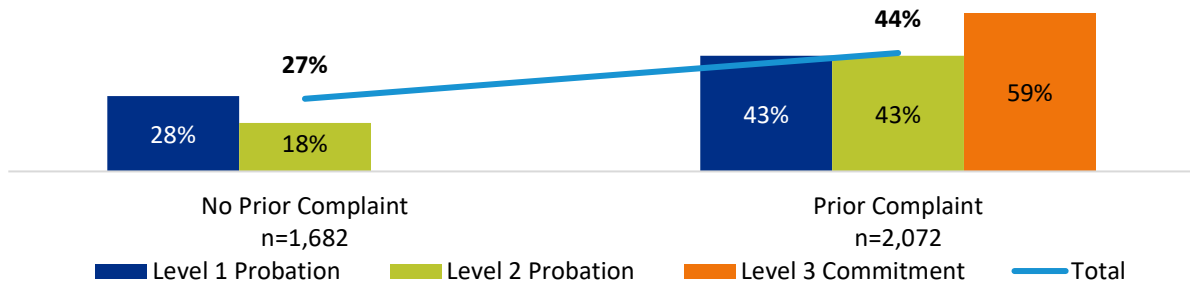
Overall, 55% of the adjudicated juveniles had at least one prior delinquent complaint before probation entry or YDC commitment. Figure 4.9 examines recidivism rates for juveniles with at least one prior complaint in comparison to juveniles with no prior complaint before probation entry or YDC admission. Overall, juveniles with a prior complaint had higher recidivism rates than those with no prior complaint (44% and 27% respectively). This pattern held when examining recidivism rates for the groups.

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

Personal Characteristics	N	Level 1 Probation n=2,822 %	Level 2 Probation n=733 %	Level 3 Commitment n=199 %	Total N=3,754 %
<b>Gender</b>					
Male	2,927	37	37	54	38
Female	827	29	26	--	30
<b>Race</b>					
Black	1,822	44	43	57	45
White	1,441	27	28	58	28
Hispanic	341	33	20	--	31
Other/Unknown	150	33	26	--	34
<b>Age at Offense</b>					
6-11 Years	215	37	26	--	35
12-13 Years	996	38	42	72	40
14 Years	1,091	34	35	50	35
15 Years	1,452	34	33	54	35
<b>Age at JJ Entry</b>					
6-11 Years	142	37	--	--	37
12-13 Years	768	39	46	--	41
14 Years	938	35	35	61	36
15 Years	1,386	34	34	50	35
16+ Years	520	33	28	57	35
<b>Age at JJ Exit</b>					
6-11 Years	57	35	--	--	33
12-13 Years	296	37	49	--	39
14 Years	540	38	36	--	39
15 Years	838	32	35	69	33
16+ Years	2,023	36	34	53	37
<b>Total</b>	<b>3,754</b>	<b>35</b>	<b>35</b>	<b>57</b>	<b>36</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

**Figure 4.9**  
**Recidivism Rates by Prior Complaints: Two-Year Follow-Up**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample



## Adjudicated Offense, Delinquency History, and Recidivism

In Table 4.9, recidivism rates were 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 all three groups. Overall, juveniles adjudicated of a Minor or Serious offense had higher recidivism rates than juveniles adjudicated of a Violent offense. The Level 2 probation and Level 3 commitment groups also followed this pattern. However, there were no differences by offense classification for juveniles in the Level 1 probation group. The 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 both types of offense classifications – hence, similar recidivism rates. The Level 3 commitment group had an average risk score of 15 points for those juveniles adjudicated of a Violent offense and 18 points for those juveniles with a Serious offense, reflecting the higher recidivism rates for the juveniles with a Serious offense. Juveniles in the remaining group, Level 2 probation, ranged from a low risk score of 6 for juveniles with a Violent offense to 10 points for a Serious offense to a higher risk score of 14 points for those juveniles with a Minor offense. For the Level 2 probation group, the recidivism rates increased as the average risk score associated with the adjudicated offense increased.

No clear pattern was found when comparing recidivism rates by crime category for the three groups. Juveniles in the Level 2 probation group and the Level 3 commitment 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.

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

<b>Adjudicated Offense</b>	<b>N</b>	<b>Level 1 Probation</b> n=2,822 %	<b>Level 2 Probation</b> n=733 %	<b>Level 3 Commitment</b> n=199 %	<b>Total</b> N=3,754 %
<b>Offense Type</b>					
Felony	721	33	28	51	34
Misdemeanor	3,033	35	44	76	37
<b>Offense Classification</b>					
<b>Violent</b>					
Class A-E Felonies	104	--	11	44	23
<b>Serious</b>					
Class F-I Felonies	978	34	34	59	38
Class A1 Misdemeanor					
<b>Minor</b>					
Class 1-3 Misdemeanors	2,672	35	46	--	36
<b>Crime Category</b>					
Person	1,427	32	33	57	34
Property	1,378	37	37	56	38
Drug	386	34	41	--	34
Other	563	39	38	--	39
<b>School-Based Charged Offense</b>					
No	1,940	36	33	55	37
Yes	1,814	35	41	70	36
<b>Total</b>	<b>3,754</b>	<b>35</b>	<b>35</b>	<b>57</b>	<b>36</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

Table 4.10 provides the recidivism rates by the intersection of adjudicated offense classification and delinquency history level.<sup>43</sup> In general, findings indicated that recidivism rates increased as delinquency history level increased. Recidivism rates were lowest for juveniles adjudicated of a Violent offense and who had a low delinquency history level (15%) and highest for juveniles adjudicated of a Minor offense and who had a high delinquency history (57%).

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

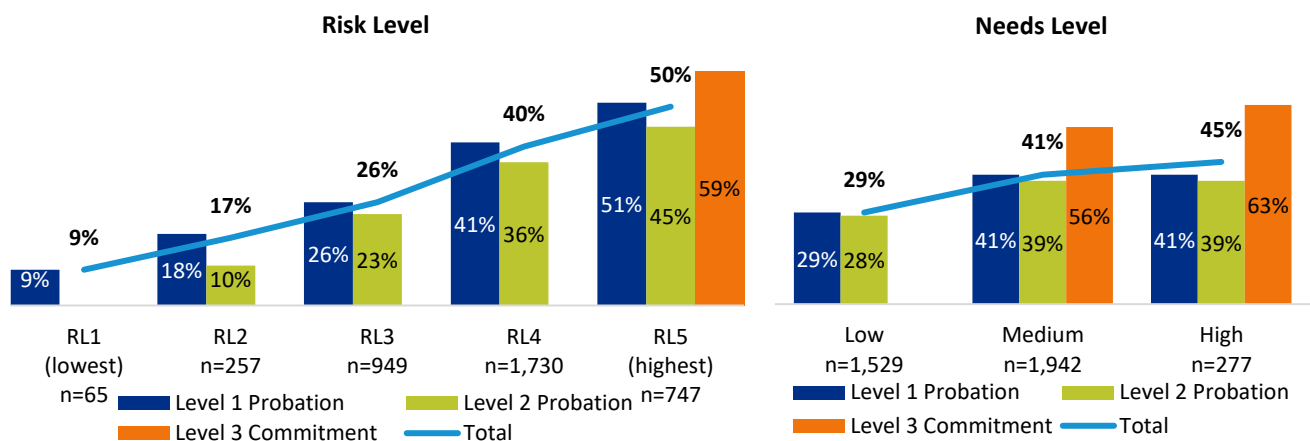
Adjudicated Offense Classification	N	Delinquency History Level			Total N=3,754 %
		Low n=3,269 %	Medium n=276 %	High n=209 %	
Violent	104	15	--	--	23
Serious	978	34	47	54	38
Minor	2,672	35	46	57	36
<b>Total</b>	<b>3,754</b>	<b>34</b>	<b>45</b>	<b>56</b>	<b>36</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

### Risk/Needs Levels and Recidivism

Figure 4.10 explores the relationship between the juvenile’s risk and needs levels and their 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 in-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 4.10**  
**Recidivism Rates by Risk and Needs Levels: Two-Year Follow-Up**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

<sup>43</sup> See Appendix E, Table E.2 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 abuse, 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 abuse, gang affiliation, and negative peer influence generally had higher recidivism rates compared to their counterparts (no substance abuse, no gang affiliation, and positive peer influence). Recidivism rates for juveniles with a Level 3 commitment were slightly higher for those with no gang affiliation (58%) than those with a gang affiliation (55%). Generally, similar recidivism rates were found for juveniles with a Level 1 or 2 probation disposition whose combined risk and need measures indicated substance abuse and negative peer relationships.

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

<b>Risk and Needs Indicators</b>	<b>N</b>	<b>Level 1 Probation</b> n=2,819 %	<b>Level 2 Probation</b> n=730 %	<b>Level 3 Commitment</b> n=199 %	<b>Total</b> N=3,748 %
<b>Substance Abuse</b>					
No	2,051	30	32	49	31
Yes	1,697	42	39	59	43
<b>Gang Affiliation</b>					
No	3,372	34	35	58	35
Yes	376	57	39	55	51
<b>Peer Relationships</b>					
Positive	3,017	28	22	--	27
Negative	731	37	38	56	39
<b>Total</b>	<b>3,748</b>	<b>35</b>	<b>35</b>	<b>57</b>	<b>36</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

### Juvenile Justice Involvement Profile and Recidivism

Tables 4.12 provides recidivism rates by characteristics of the juvenile’s involvement with the juvenile justice system, including, for example, 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.

For juveniles in the probation groups, recidivism rates were typically higher for those with longer lengths of probation supervision. Only slight differences were found in recidivism rates for juveniles with a Level 1 or Level 2 probation disposition when examining recidivism rates by length of probation supervision. Recidivism rates for juveniles with a Level 3 commitment generally declined as length of confinement increased.

Juveniles who had a detention admission during supervision had higher recidivism rates than those who did not have a detention admission; again, little difference was found in the recidivism rates for juveniles in the Level 1 and Level 2 probation groups. No difference in recidivism rates was found between juveniles who were committed to a YDC following adjudication for a new crime or following a probation violation (57% and 56% respectively). Since most of the Level 3 commitment juveniles were a

new YDC commitment (85%), differences in recidivism rates by YDC commitment type are not meaningful.

**Table 4.12**  
**Recidivism Rates by Juvenile Justice Involvement Profile: Two-Year Follow-Up**

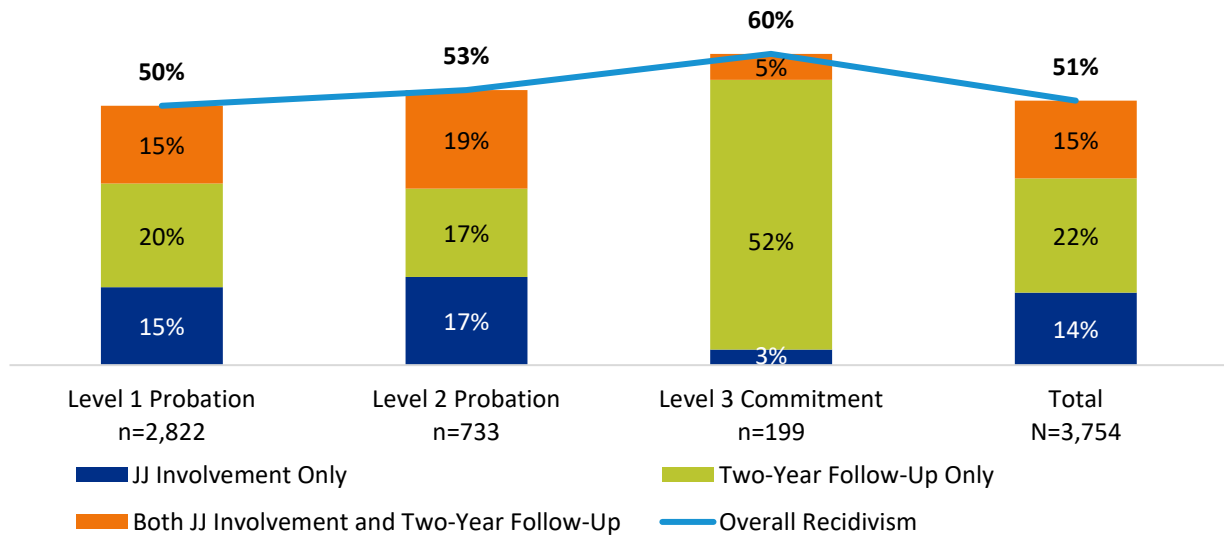
	<b>N</b>	<b>Level 1 Probation</b> n=2,822 %	<b>Level 2 Probation</b> n=733 %	<b>Level 3 Commitment</b> n=199 %	<b>Total</b> N=3,754 %
<b>Length of Involvement</b>					
0-3 Months	52	45	--	--	44
4-6 Months	706	33	37	70	35
7-12 Months	1,819	32	32	62	33
13-24 Months	1,107	42	39	48	42
25+ Months	70	52	--	--	53
<b>Detention Admission during JJ Involvement</b>					
No	2,743	31	29	--	31
Yes	812	51	49	--	50
<b>YDC Entry Type</b>					
New Crime	86	--	--	57	--
Probation Violation	88	--	--	56	--
PRS Revocation	25	--	--	--	--
<b>YDC Commitment Type</b>					
New Commitment	169	--	--	56	--
Recommitment	4	--	--	--	--
PRS Revocation	26	--	--	62	--
<b>Total</b>	<b>3,754</b>	<b>35</b>	<b>35</b>	<b>57</b>	<b>36</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

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

Figure 4.11 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 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 22% of the 51% overall recidivism rate. 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 groups recidivated primarily during the two-year follow-up (52% of the 60% 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.

**Figure 4.11**  
**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 2016 Juvenile Recidivism Exit Sample

## SUMMARY

Chapter Four examined the adjudicated juveniles who exited the juvenile justice system in FY 2016 with a Level 1 or 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 the personal characteristics and 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 severity of the juveniles’ disposition imposed increased (i.e., Level 1 probation [least restrictive] to Level 2 probation to Level 3 commitment [most restrictive]), the percentage of males, black juveniles, and older juveniles increased. These personal characteristics (i.e., 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. Recidivism rates were the highest at age 12-13 for all three groups.

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 severity 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 during the two-year follow-up for all three groups.

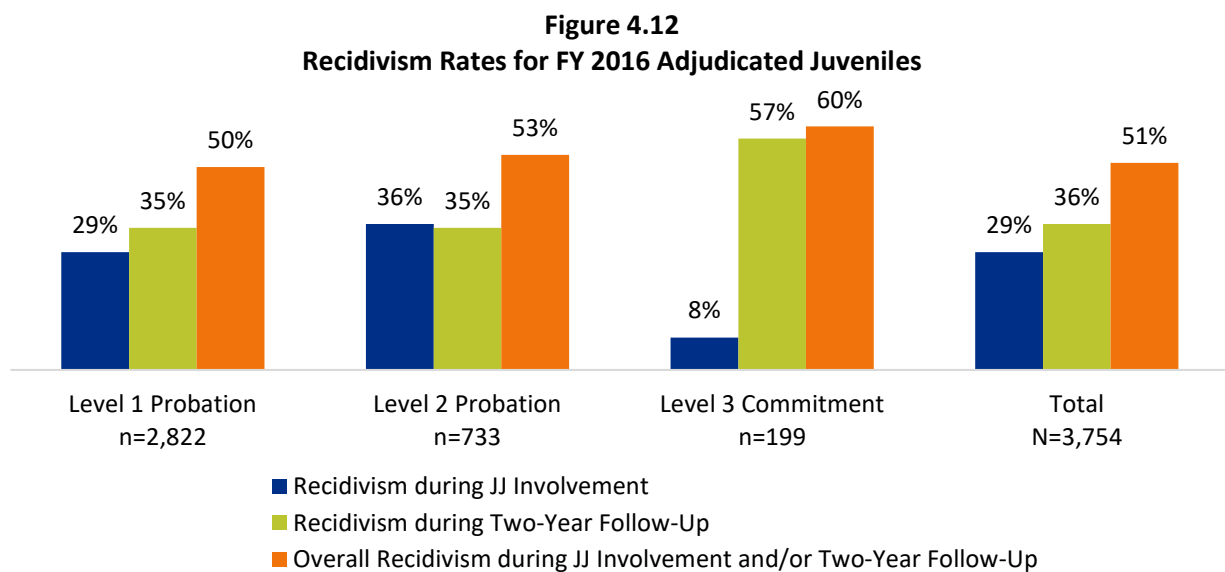
Most adjudicated juveniles (81%) had a misdemeanor as their most serious adjudicated offense, with the Level 3 commitment group having the highest percentage with a felony offense (77%). Of those juveniles adjudicated of a Violent offense, all were in Level 2 probation or Level 3 commitment groups.

While all three groups committed person and property offenses, juveniles in the Level 2 probation and Level 3 commitment groups committed more of these types of 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 for all three groups during the two-year follow-up.

As the severity 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 by risk level and needs level (from lowest to highest) were found for all three groups.

Data about the length of involvement, detention admission, and YDC entry and commitment types were available and provided more insight into the adjudicated juveniles. The Level 2 probation group spent the longest time in the juvenile justice system (an average of 14 months), followed by the Level 3 commitment group (13 months) and the Level 1 probation group (12 months). No clear recidivism pattern emerged by length of juvenile justice involvement during the two-year follow-up for the three groups. Juveniles with a Level 2 probation disposition had higher detention admission rates compared to those juveniles with a Level 1 probation disposition. In addition, juveniles with a detention admission during their supervision period had higher recidivism rates during the two-year follow-up. Most Level 3 commitment juveniles entered a YDC as their first commitment (85%) due equally to a new crime (43%) or a violation of their probation (44%).

Figure 4.12 summarizes the adjudicated juveniles’ recidivism rates for both time periods examined as well as the overall recidivism rates. Juveniles with Level 2 probation had the highest 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.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

As the severity of the disposition increases, the overall recidivism rates increased – juveniles with the least restrictive disposition had the lowest recidivism rates (50% for the Level 1 probation group and 53% for the Level 2 probation group), while juveniles with the most restrictive disposition had the highest overall recidivism rates (60% for the Level 3 commitment group).

A major 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 is needed to understand these groups. For those juveniles placed on supervised probation, additional information about the level of supervision (i.e., modified, standard, intensive), 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 the juvenile's core treatment and programming services received while confined in a YDC facility would contribute to the understanding of committed juveniles and their recidivism rates.

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## CHAPTER FIVE CONCLUSIONS

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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 seventh biennial report, submitted to the legislature on May 1, 2019. The study followed a sample of 7,822 juveniles who were brought to the attention of the court with a delinquent complaint and exited the juvenile justice system between July 1, 2015 and June 30, 2016 and tracked their subsequent contacts with the juvenile justice and criminal justice systems 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

The 2019 biennial report employed a different methodology than 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 presented in this report and previous reports cannot be made due to the differences in sample selection and time periods studied.

### SUMMARY

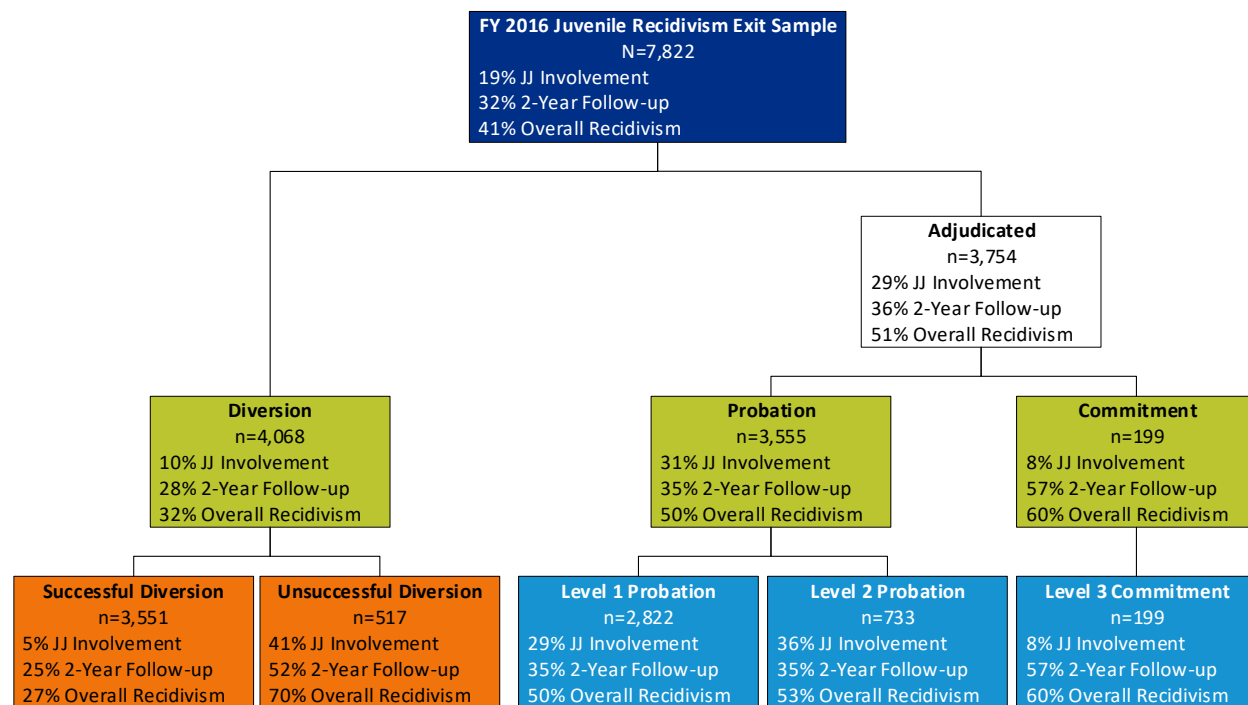
In line with the decisions made within the juvenile justice system, the 7,822 juveniles in the FY 2016 exit sample were categorized into one of three groups – diversion (52%), probation (45%), or commitment (3%). The legislative mandate specifies juveniles adjudicated delinquent be studied; the probation 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 (73%) was male and nearly one-half (48%) were black. At the time of their alleged delinquent act, the juveniles’ average age was 14 years. The events that brought the youths in the sample to the attention of the juvenile justice system were largely misdemeanors (84%); very few (only 3%) were charged with a violent delinquent act. Thirty-five percent of the juveniles had at least one prior delinquent complaint. On average, juveniles spent 8 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 due to their confinement in a YDC facility (8%), followed by the diversion group (10%). (See Figure 5.1.) Juveniles on probation had the highest recidivism rates during their juvenile justice involvement (31%). The findings from the sample 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. Again, level of involvement ranged from the least serious (diversion) to the most serious (commitment), paralleled by recidivism rates ranging from 28% for diverted juveniles and 35% for juveniles placed on probation to 57% for committed juveniles. Overall recidivism rates (i.e., recidivism during juvenile justice involvement and/or two-year follow-up) reflected similar findings 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 were just as likely recidivate during their juvenile justice involvement as they were during their two-year follow-up.

**Figure 5.1**  
**Recidivism Rates for North Carolina Juveniles**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 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 small in number (n=517) compared to the successful diversion group (n=3,551), juveniles with an unsuccessful diversion 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 the each of the follow-up periods examined. The higher recidivism rates for juveniles with an unsuccessful diversion are not unexpected due to their higher levels of risk and needs. In addition, it is possible that recidivism that occurred 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. A closer examination of juveniles with an unsuccessful diversion by their risk factors and needs identified and an 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 severity of the juvenile’s disposition increased, the percentage of juveniles who were male, black, adjudicated with a felony, 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. A major limitation in the examination of adjudicated juveniles by their disposition level is the lack of data about the supervision and YDC confinement periods. For those juveniles placed on supervised probation, additional information about the level of supervision (i.e., modified, standard, intensive), 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 (i.e., during juvenile justice involvement) 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 the juvenile’s core treatment and programming services received while confined in a YDC facility would contribute to the understanding of committed juveniles while confined and upon their release. Finally, the inclusion of these data may provide insight to the optimal length of juvenile justice involvement for adjudicated juveniles.

## 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 in this system. 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 youths 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 youths 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 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 2017 report, data from the juvenile recidivism studies indicate that the needs levels currently used by DACJJ may need to be revisited. A majority (61%) of the juveniles studied in this report were assessed as “low needs” – suggesting the levels may not be accurately reflecting the true level of needs of juveniles involved with the system. A refinement to the levels (similar to the re-norming risk level cutoffs in 2016) may assist DACJJ in better understanding the true level of needs for juveniles and tailoring appropriate system responses and interventions based on those needs. Additionally, with the new population of 16- and 17-year-olds moving to the juvenile justice system under the JJRA, the RNA may need to be re-validated and/or re-normed to take into account this older age group once the shift has occurred.

As noted in this report, a major 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 in North Carolina’s juveniles.

With passage of the 2017 JJRA which raises the age of juvenile jurisdiction, the number of youth in the juvenile justice system will increase 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. Empirical information on these juveniles will not be available until complaints are processed through the juvenile justice system under the new law and enough time has elapsed to study their recidivism. Once the JJRA is fully implemented, future reports will show any shifts in recidivism rates by age, due to the addition of this older population of juveniles. This 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 Sentencing Commission looks forward to working collaboratively with DACJJ to further understand the factors contributing to juvenile recidivism in North Carolina, and combining any lessons learned to make improvements to juvenile justice system in North Carolina.

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APPENDIX A  
RISK AND NEEDS

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## 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, <b>or</b> 1-3 unexcused absences/truancy)	1
c. Moderate problems (4 to 10 unexcused absences /truancy, <b>or</b> 1 or more in-school suspensions <b>or</b> 1 short-term suspension – up to 10 days)	2
d. Serious problems (more than 1 short-term suspension, <b>or</b> 1 or more long-term suspension, <b>or</b> more than 10 unexcused absences <b>or</b> 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 _____, <b>or</b> 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 _____ <b>or</b> 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.**

<b>TOTAL RISK SCORE</b>	
-------------------------	--

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**

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

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	%
<b>Diversion</b>	4,068	2	2	11	0	13	0	4	0	4,040	99
<b>Probation</b>	3,555	39	17	1	0	0	--	5	0	3,549	100
<b>Commitment</b>	199	86	13	0	--	0	--	0	--	199	100
<b>Total</b>	<b>7,822</b>	<b>21</b>	<b>9</b>	<b>12</b>	<b>0</b>	<b>13</b>	<b>0</b>	<b>9</b>	<b>0</b>	<b>7,788</b>	<b>100</b>

Note: 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 2016 Juvenile Recidivism Exit Sample

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APPENDIX B

JUVENILE DISPOSITION CHART

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**Juvenile Disposition Chart**

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

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APPENDIX C

DISPOSITIONAL OPTIONS

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### Dispositional Options

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



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APPENDIX D

FY 2016 CLOSED AND DISMISSED JUVENILES

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**Table D.1**  
**Profile of the FY 2016 Closed and Dismissed Juveniles**

		Closed N=2,536	Dismissed N=1,030
<b>Personal Characteristics</b>			
Male	%	66	72
Race			
Black	%	53	54
White	%	30	35
Hispanic	%	11	8
Other/Unknown	%	6	3
Age at Offense	Avg.	13	13
Age at JJ Entry	Avg.	13	14
Age at JJ Exit	Avg.	14	14
<b>Prior Juvenile Justice Contacts</b>			
Prior Complaint	%	19	31
Prior Adjudication	%	7	12
Prior Confinement	%	3	5
<b>Most Serious Charged Offense</b>			
Offense Type			
Misdemeanor	%	97	84
Offense Classification			
Violent (Class A - E Felony)	%	0	3
Serious (Class F - I Felony, Class A1 Misd.)	%	10	21
Minor (Class 1 - 3 Misdemeanor)	%	90	76
Crime Category			
Person	%	44	43
Property	%	26	35
Drug	%	7	6
Other	%	23	16
School-Based Offense	%	65	49
<b>Risk Assessment</b>			
Risk Assessment Completed	%	84	84
Risk Level			
RL1 (lowest)	%	13	7
RL2	%	29	20
RL3	%	37	32
RL4	%	16	33
RL5 (highest)	%	5	8
Risk Score (0-30 points)	Avg.	4	6
<b>Needs Assessment</b>			
Needs Assessment Completed	%	84	84
Needs Level			
Low	%	85	66
Medium	%	14	30
High	%	1	4
Needs Score (0-51 points)	Avg.	7	10
<b>Juvenile Justice Involvement</b>			
Length of JJ Involvement (months)	Avg.	0	5
Recidivism Rates during JJ Involvement	%	1	10

*continued*

**Table D.1**  
**Profile of the FY 2016 Closed and Dismissed Juveniles**

		<b>Closed</b> N=2,536	<b>Dismissed</b> N=1,030
<b>Recidivism Rates: Two-Year Follow-Up</b>			
One-Year Follow-Up	%	21	16
Two-Year Follow-up	%	30	27
Months to First Recidivist Event	Avg.	8	10
Number of Recidivist Events	Avg.	2	2
<b>By Personal Characteristics</b>			
Gender			
Male	%	33	29
Female	%	22	23
Race			
Black	%	35	33
White	%	22	18
Hispanic	%	25	24
Other	%	28	32
<b>By Prior Complaint</b>			
No Prior Complaint	%	23	22
Prior Complaint	%	57	38
<b>By Most Serious Charged Offense</b>			
Offense Type			
Felony	%	40	33
Misdemeanor	%	29	26
Offense Classification			
Violent (Class A - E Felony)	%	--	23
Serious (Class F - I Felony, Class A1 Misd.)	%	38	29
Minor (Class 1 - 3 Misdemeanor)	%	29	27
Crime Category			
Person	%	29	26
Property	%	33	29
Drug	%	34	25
Other	%	26	27
School-Based Offense	%		
No	%	33	30
Yes	%	28	24
<b>By Risk/Needs Assessments</b>			
Risk Level			
RL1 (lowest)	%	12	8
RL2	%	20	14
RL3	%	29	22
RL4	%	54	40
RL5 (highest)	%	69	41
Needs Level			
Low	%	25	22
Medium	%	61	38
High	%	81	26
<b>Summary of Recidivism Rates</b>			
During Juvenile Justice Involvement (JJI)	%	1	10
During Two-Year Follow-Up	%	30	27
Overall Recidivism: JJI and/or 2-Yr Follow-Up	%	30	33

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

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APPENDIX E

ADDITIONAL TABLES

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**Table E.1**  
**Recidivism Rates for Juvenile Adjudications and Adult Convictions: Two-Year Follow-Up**

<b>Level of Involvement</b>	<b>N</b>	<b>Months to Recidivism Avg.</b>	<b># with Any</b>	<b>Total # Recidivist Events</b>	<b>One-Year Follow-up %</b>	<b>Two-Year Follow-up %</b>
<b>Diversion</b>	<b>4,068</b>	<b>6</b>	<b>799</b>	<b>1,083</b>	<b>15</b>	<b>20</b>
Successful	3,551	10	411	549	7	12
Unsuccessful	517	2	388	534	72	75
<b>Probation</b>	<b>3,555</b>	<b>10</b>	<b>726</b>	<b>998</b>	<b>11</b>	<b>20</b>
Level 1 Probation	2,822	11	556	757	11	20
Level 2 Probation	733	10	170	241	13	23
<b>Commitment (Level 3)</b>	<b>199</b>	<b>11</b>	<b>66</b>	<b>104</b>	<b>21</b>	<b>33</b>
<b>Total</b>	<b>7,822</b>	<b>8</b>	<b>1,591</b>	<b>2,185</b>	<b>14</b>	<b>20</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample

**Table E.2**  
**Number of Adjudicated Juveniles by Adjudicated Offense Classification and Delinquency History Level**

<b>Adjudicated Offense Classification</b>	<b>Delinquency History Level</b>			<b>Total</b>
	<b>Low</b>	<b>Medium</b>	<b>High</b>	
<b>Violent</b> Class A-E Felonies	74	15	15	<b>104</b>
<b>Serious</b> Class F-I Felonies Class A1 Misdemeanor	738	106	134	<b>978</b>
<b>Minor</b> Class 1-3 Misdemeanors	2,457	155	60	<b>2,672</b>
<b>Total</b>	<b>3,269</b>	<b>276</b>	<b>209</b>	<b>3,754</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2016 Juvenile Recidivism Exit Sample