

*North Carolina
Sentencing and Policy Advisory Commission*

**JUVENILE RECIDIVISM
STUDY:
FY 2004/05 JUVENILE SAMPLE**

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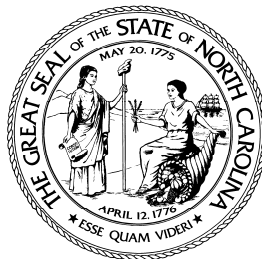
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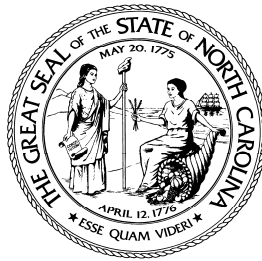
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North Carolina Sentencing and Policy Advisory Commission

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CHAPTER ONE
JUVENILE RECIDIVISM
STUDY DIRECTIVE AND METHODOLOGY

INTRODUCTION

In the 2005 Session of the 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. (Session Law 2005-276, Section 14.19)

§ 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.

Following the 2007 report, this is the Sentencing Commission's second biennial report on juvenile recidivism, submitted to the North Carolina General Assembly on May 1, 2009.

THE JUVENILE JUSTICE SYSTEM

The Juvenile Justice Reform Act of 1998, which became effective on July 1, 1999, brought about the first major changes to the juvenile justice system in twenty years. Notable changes included: the establishment of a consolidated Office of Juvenile Justice to coordinate and administer the juvenile justice system (which, in 2000, became the Department of Juvenile Justice and Delinquency Prevention – DJJDP), the creation of a dispositional chart for use with juveniles adjudicated delinquent, and the formation of local juvenile justice planning bodies (*i.e.*, Juvenile Crime Prevention Councils). Other changes were made which affected the processing of juveniles through the justice system.

In North Carolina, 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. 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.

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 particularly 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 will be 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 DJJDP 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 charged with one of the most serious, statutorily defined group of offenses (*i.e.*, non-divertible offenses¹) and/or whether a juvenile is confined in a detention center at the time that the complaint is submitted. During the intake phase, a court counselor conducts interviews with the juvenile, the person(s) legally responsible for the juvenile, and other individuals who might have relevant information about the juvenile. 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, counseling), 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

¹ Non-divertible offenses are defined in G.S. § 7B-1701 as murder, first- or second-degree rape, first- or second-degree sexual offense, arson, felony drug offense under Article 5 of G.S. Chapter 90, 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.

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 family. 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.

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 Hearing²

Probable cause hearings are held in all felony cases 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 proceeds 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 same sentencing options that would apply in any felony criminal case. 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 the complainant 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.

² 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.

Dispositional Hearing

Overview of the Process

The dispositional hearing, which may or may not occur on the same date as the adjudicatory hearing, marks the part of the process in which 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 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. A risk and needs assessment is also completed by a court counselor on all adjudicated juveniles³ and is attached to this report. This assessment contains information pertaining to the juvenile’s social, medical, psychiatric, psychological, and educational history, as well as any factors indicating the probability of the juvenile engaging in future delinquency. (See Appendix A.)

As shown in Table 1.1, 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.)

**Table 1.1
Juvenile Disposition Chart**

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

Once the court has determined the offense classification and the delinquency history level for the juvenile, the dispositional level can be ascertained. Each cell within the juvenile disposition chart authorizes one or more dispositional levels for a particular combination of

³ 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.

offense classification and delinquency history level. There are three different dispositional levels – Level 1, Level 2, and Level 3 – each of which offers its own list of dispositional alternatives from which a judge must select at least one.

Dispositional Alternatives

Level 1 (Community)

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, lower degrees of community service and restitution, and sanctions that place specific limitations on a juvenile (*e.g.*, curfew, no association with specified persons, not be in specified places). (*See* Appendix C for a complete list of dispositional alternatives for all three levels.) 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) grants.

Level 2 (Intermediate)

Level 2 or intermediate dispositions are generally more restrictive than Level 1 dispositions. 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 Level 2 dispositions, 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 which offer a more restrictive environment for adjudicated juveniles are available for Level 1 dispositions as well. Eckerd Wilderness Camps serve juveniles with behavioral problems in a year-round, residential therapeutic environment.⁴ These camps have a contractual agreement with the DJJDP to operate seven camps in North Carolina. 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 of the first two dispositional levels.

An even more restrictive option is available for Level 1 or 2 dispositions in the form of intermittent confinement in a detention center. Detention centers are facilities that are approved to provide secure, temporary confinement and care for juveniles who meet statutorily defined criteria.⁵ The court can impose intermittent confinement for no more than five 24-hour periods as part of a Level 1 disposition. When a Level 2 disposition is authorized, the court can impose confinement on an intermittent basis for up to fourteen 24-hour periods. Because of the short-term nature of detention, programs and services offered in these centers are limited.

⁴ The wilderness camps serve a diverse group of juveniles, including those displaying problematic behavior who are not court-involved.

⁵ 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.

Level 3 (Commitment)

A Level 3 or commitment disposition provides the most restrictive sanction available to a juvenile court judge, commitment to a Youth Development Center (YDC). A YDC, as defined in G.S. § 7B-1501(20), is “a secure residential facility authorized to provide long-term treatment, education, and rehabilitative services for delinquent juveniles committed by the court to the Department [DJJDP].” Unless a youth is under the age of 10, a court exercising jurisdiction over a juvenile for whom a Level 3 disposition is authorized must commit the juvenile to the DJJDP for placement in a YDC.⁶ However, G.S. § 7B-2513(e) states that the DJJDP, 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 commitment). 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.⁷ Upon completion of their term of commitment, juveniles are subject to a minimum of 90 days of post-release supervision. The DJJDP currently houses approximately 400 committed juveniles in nine YDCs, including four new facilities that opened in 2008.

JUVENILE RECIDIVISM RESEARCH DESIGN

The research design for the 2009 biennial juvenile recidivism study was first specified in the Sentencing Commission’s 2005 “Report on the Proposed Methodology for Measuring Juvenile Recidivism in North Carolina” to the General Assembly.⁸ Based on that blueprint, the research strategy for the current study included:

- The selection of a population of juveniles brought to court with a delinquent complaint during the sample period of July 1, 2004 through June 30, 2005.
- The tracking of all juveniles in the sample for a fixed three-year follow-up period from their first court involvement in the sample period.
- The definition of recidivism as all subsequent delinquent complaints and adult arrests within the three years following the first court event of the juveniles within the sample period.

⁶ Pursuant to G.S. § 7B-2508(d), a court may impose a Level 3 disposition (commitment to a Youth Development Center) 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.

⁷ G.S. § 7B-2513(a).

⁸ North Carolina Sentencing and Policy Advisory Commission, *Report on the Proposed Methodology for Measuring Juvenile Recidivism in North Carolina Pursuant to Session Law 2004-124, Section 16.5*, Raleigh, NC: North Carolina Sentencing and Policy Advisory Commission, 2005.

It should be noted that the current report expands the study beyond its legislatively mandated scope. Juveniles adjudicated delinquent are studied within the context of all juveniles brought to court with a delinquent complaint in FY 2004/05, and the sample is followed for a three-year period to capture their delinquent and criminal reinvolvement.

Data Sources

Information for this report was collected from three sources:

- North Carolina Juvenile Online Information Network (NC-JOIN) – the DJJDP’s management information system contains data on all juveniles brought to court with a complaint; their demographic and social history information; current offense and disposition; and subsequent involvement in the juvenile justice system.
- North Carolina Department of Justice (DOJ) automated database – the DOJ criminal history database includes information on fingerprinted adult arrests and convictions for the sample subjects.⁹
- DJJDP staff interviews – providing descriptive state level information regarding policies and practices in the juvenile system.

Sample

There were 20,236 juveniles identified in the DJJDP’s automated database who were brought to juvenile court and had their delinquent complaint either closed without further action, diverted, dismissed, or adjudicated between July 1, 2004 and June 30, 2005. The three-year fixed follow-up was calculated individually for each juvenile from the date of the event that prompted their inclusion in the sample. If a juvenile had more than one sample event during the sample period, his/her case was grouped based on the earliest of these events.¹⁰ If a juvenile had two or more court events on the same day, the most serious of these events was counted as the prompt for inclusion in the sample.

Applying these criteria, the 20,236 sample juveniles were divided into four groups based on their level of involvement for their first court event: juveniles with cases adjudicated, dismissed, diverted, or closed.

Independent Variables and Outcome Measures

Background information available for all cases was limited to basic demographic data and offense charges filed. A variety of additional background characteristics and juvenile justice factors were extracted from NC-JOIN for juveniles adjudicated and disposed.

⁹ Note that the age of majority in North Carolina for criminal matters is 16. Anyone 16 years of age or older at the time of committing an offense is charged and processed in adult court.

¹⁰ Note that this method of grouping sample juveniles represents a change from the method used in the North Carolina Sentencing Commission's 2007 Juvenile Recidivism Study. In that earlier study, “[if] a juvenile had more than one sample event during the sampling period, his/her case was grouped based on the most serious of these events, ranked from adjudicated to dismissed, diverted, and closed.”

The primary outcome measure of recidivism was defined as either a delinquent juvenile complaint or an adult arrest that occurred within the three-year follow-up subsequent to the initial event. Additional measures of recidivism included the offense severity of recidivistic events, as well as subsequent adjudications and convictions.

ANALYSIS AND REPORT OUTLINE

Chapter Two provides a basic statistical profile of the juveniles whose cases were closed (n=5,715), diverted (n=5,100), dismissed (n=2,409), or adjudicated (n=7,012) delinquent in North Carolina between July 1, 2004 and June 30, 2005. The chapter also describes the sample's subsequent (*i.e.*, recidivistic) involvement in the juvenile and criminal justice systems during the three-year follow-up period and introduces multivariate techniques to compare the outcome measures for the four groups.

Chapter Three presents a more complete statistical profile of the juveniles adjudicated and disposed (n=6,605), for whom the NC-JOIN database contained detailed court information, program assignments, and risk and needs assessments. The descriptive information is supplemented by an analysis of juvenile and adult recidivism of the adjudicated and disposed group and an exploration of the relationship between background and systemic factors and recidivistic outcomes.

Finally, Chapter Four summarizes the findings of the report and offers some conclusions.

CHAPTER TWO

STATISTICAL PROFILE AND RECIDIVISM OF THE JUVENILE SAMPLE

This chapter profiles a cohort of juveniles processed through North Carolina's juvenile justice system from July 1, 2004 through June 30, 2005. The first section describes the sample selection process and provides a statistical profile of the juvenile sample. The second section discusses the juveniles' recidivism in the juvenile justice and criminal justice systems. Finally, the last section utilizes multivariate analysis to explore the impact of a variety of factors on recidivism.

STATISTICAL PROFILE

Sample Selection

All of the 20,236 juveniles studied in the sample were brought to the attention of the juvenile justice system with at least one delinquent complaint. Based on the first decision that was made regarding their case in FY 2004/05, they were assigned to one of four levels of involvement – juveniles with complaints that were closed, diverted, dismissed, or adjudicated. If more than one decision or event occurred on the same day, the juvenile was assigned to a group based on the most serious event, as determined by the level of involvement in the system from a closed case (least serious) to diversion, dismissal, and adjudication (most serious).

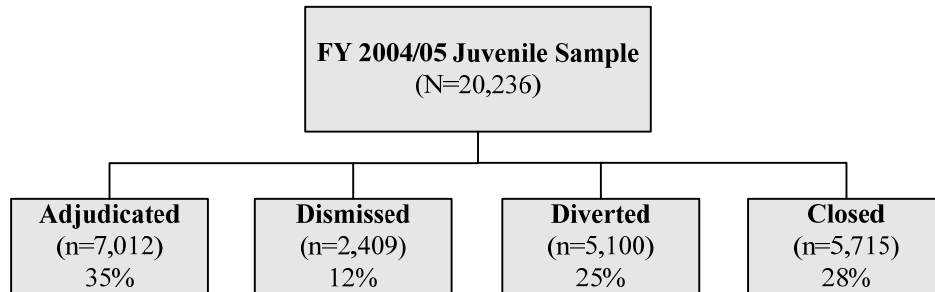
As shown in Figure 2.1, there were 5,715 juveniles in the sample whose cases were closed, 5,100 juveniles whose cases were diverted, 2,409 juveniles whose cases were dismissed, and 7,012 juveniles whose cases were adjudicated during the sample period. The information available for all four sample groups included basic demographic data, offense charges, confinement at juvenile facilities, and measures of recidivism.

Personal Characteristics

Table 2.1 presents the distribution of the demographic characteristics for the closed, diverted, dismissed, and adjudicated groups. At the time of their alleged offenses, the juveniles' mean age was 13.6 years, with a median of 14.0 years. The majority of juveniles (62.8%) were 14- or 15-years old when the offense occurred. The diverted and closed groups had a slightly higher proportion of juveniles nine years or younger; the adjudicated and dismissed groups had a higher proportion of juveniles 14 years and older.

Seventy percent of the sample juveniles were male. Adjudicated juveniles had the highest rate of males at 77.4% while the juveniles whose cases were closed had the lowest rate of males at 65.6%.

**Figure 2.1
Juvenile Recidivism Sample**



Definitions for the Juvenile Recidivism Sample Groups

All juveniles in the sample had at least one delinquent complaint. Their assignment to a group within the sample was based on the first decision that was made regarding the complaint in their case in FY 2004/05.

Closed: Complaint was closed at intake by a court counselor, with no further action required.

Diverted: Complaint was diverted from court by a court counselor who developed a plan or contract for the juvenile to comply with certain conditions. Non-compliance with the plan or contract could later result in the filing of the complaint as a petition in juvenile court.

Dismissed: Complaint was filed as a petition and dismissed by the court during the pre-adjudatory or adjudatory hearing.

Adjudicated: Complaint was filed as a petition and the juvenile was adjudicated delinquent by the court. The adjudication may or may not have had a disposition entered in the time frame of the study.

Almost 52% of the juveniles in the sample were black, 39.8% were white, 4.5% were Latino, and 4.2% were identified as other or unknown. The dismissed group had the highest percent of black juveniles (56.5%), while the diverted group had the lowest percent (46.6%).

Most Serious Sample Offense

A comparison of the groups with respect to their offense profile is provided in Table 2.2. The most serious offense charged in the complaint was used to compare juveniles whose cases were closed, diverted, or dismissed; information provided for the adjudicated group was based on the most serious offense at adjudication.¹¹

¹¹ For the purposes of this report, the term “sample offense” refers to the most serious offense charged in the complaint for the closed, diverted, or dismissed groups or the most serious adjudicated charge for the adjudicated group.

Table 2.1
Demographic Profile of Juveniles by Level of Involvement

Demographic Profile	Level of Involvement				All	
	Adjudicated n=7,012	Dismissed n=2,409	Diverted n=5,100	Closed n=5,715	N=20,236	
Age at Offense						
Mean	13.8	13.6	13.5	13.5	13.6	
Median	14	14	14	14	14	
Age at Offense	%	%	%	%	#	%
6-9 Years	1.1	2.4	2.5	3.4	456	2.2
10 Years	1.5	2.6	1.8	2.2	385	1.9
11 Years	3.8	5.2	4.8	4.8	909	4.5
12 Years	9.1	9.7	10.9	10.5	2,030	10.0
13 Years	18.6	17.6	19.6	17.9	3,754	18.6
14 Years	29.1	27.5	28.4	27.5	5,722	28.3
15 Years	36.8	35.0	32.0	33.7	6,980	34.5
Gender	%	%	%	%	#	%
Male	77.4	70.8	66.1	65.6	14,248	70.4
Female	22.6	29.2	33.9	34.4	5,988	29.6
Race	%	%	%	%	#	%
Black	53.8	56.5	46.6	50.9	10,420	51.5
White	37.4	34.1	46.4	39.2	8,054	39.8
Latino	4.4	4.6	3.3	5.5	901	4.5
Other/Unknown	4.4	4.8	3.7	4.4	861	4.2

Note: No race information was available for Latino juveniles. Due to low percentages, American Indian, Asian, and multi-racial juveniles were combined with other/unknown into one category.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Eighty-nine percent of the 20,236 juveniles had a misdemeanor as their most serious sample offense. Felonies comprised 22.4% and 19.2% respectively of the offenses for the adjudicated and dismissed groups, but only 3.2% and 2.1% respectively of the offenses for the diverted and closed groups. Overall, 1.4% of the sample were charged with violent offenses (felony offense classes A through E), 17.1% were charged with serious offenses (felony offense classes F through I and misdemeanor class A1), and 81.5% were charged with minor offenses (misdemeanor classes 1 through 3).¹² None of the juveniles with closed or diverted cases were charged with violent offenses and only a small percentage were charged with serious offenses.

¹² See Chapter One for a discussion of offense classifications in the Juvenile Disposition Chart.

These findings reflect both legal and court counselor considerations such as continued court processing for non-divertible and other serious felonies, and closing the case or seeking diversion for those juveniles with less serious offenses (especially those charged with misdemeanors).

It should be noted that the seriousness of the adjudicated juveniles' offense conduct might be somewhat underrepresented, due to the practice of plea negotiation and charge reduction in some judicial districts.

Table 2.2
Most Serious Sample Offense by Level of Involvement

Most Serious Sample Offense	Level of Involvement				All	
	Adjudicated n=7,012	Dismissed n=2,409	Diverted n=5,100	Closed n=5,715	N=20,236	
	%	%	%	%	#	%
Offense Type						
Felony	22.4	19.2	3.2	2.1	2,312	11.4
Misdemeanor	77.6	80.8	96.8	97.9	17,924	88.6
Offense Classification						
Violent	2.7	3.7	0.0	0.0	279	1.4
Serious	29.1	25.3	8.2	6.9	3,464	17.1
Minor	68.2	71.0	91.8	93.1	16,493	81.5

Note: For the adjudicated group, offense information is based on the most serious offense at adjudication. For the other groups, offense information is based on the most serious alleged offense at time of complaint.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

RECIDIVISM IN THE JUVENILE JUSTICE AND CRIMINAL JUSTICE SYSTEMS

Juveniles in the FY 2004/05 sample were tracked in the juvenile justice system and/or the adult criminal justice system to determine whether they re-offended during the three-year follow-up period. The primary measures of recidivism for this study were delinquent juvenile complaints and adult arrests that occurred subsequent to the FY 2004/05 event placing the juvenile in the sample.¹³

Follow-up Period and Time at Risk

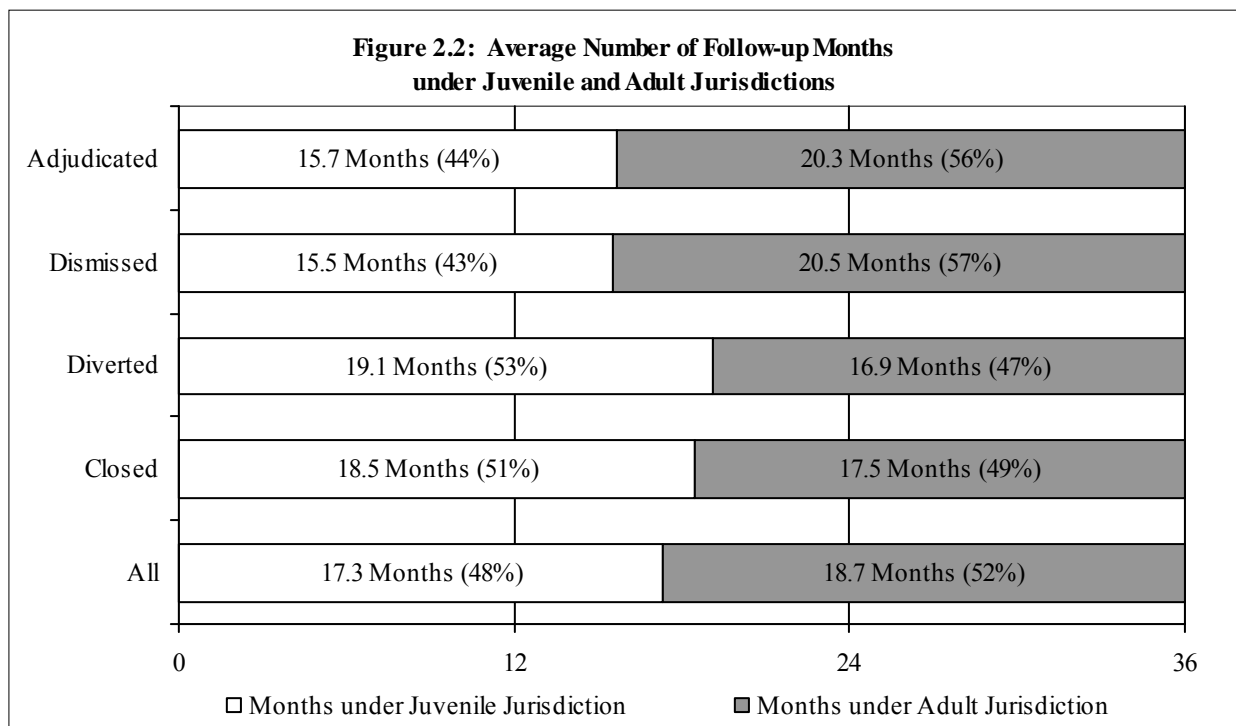
Each juvenile in the sample was followed for a period of three years to determine whether subsequent involvement with the juvenile justice or adult criminal justice systems

¹³ DJJDP's NC-JOIN database was used to determine subsequent juvenile complaints, while DOJ's criminal history database was used to determine adult arrests.

occurred. The follow-up period was calculated individually by using the date a decision (*e.g.*, diversion, adjudication) was reached in the juvenile’s case as the starting point.

Given that the age of adult jurisdiction in North Carolina is 16 years, a large number of juveniles in the FY 2004/05 sample reached the age of criminal responsibility during the three-year follow-up. Most juveniles (76.8%) spent at least a portion of the three-year follow-up under both juvenile and adult jurisdiction. Almost 16% of the juveniles remained under the jurisdiction of the juvenile justice system for their entire three-year period and were never under adult jurisdiction. A smaller proportion of the juveniles (7.3%) had already turned 16 years old at sample entry and were under adult jurisdiction for their entire three-year follow-up. In examining recidivism in either system, this study tracked subsequent delinquent complaints for the 18,754 who were under juvenile jurisdiction at least some of the time, and tracked adult arrests for the 17,011 who were under adult jurisdiction at least some of the time.

Figure 2.2 provides information on the time at risk of recidivating spent as a juvenile and as an adult during the three-year follow-up. The sample as a whole was at risk to be processed in the juvenile justice system for 17.3 months, or 48% of the 36 follow-up months and was at risk to be charged as an adult in the criminal justice system for an average of 18.7 months, or 52% of the total follow-up months. Based on their age distribution (*see* Table 2.1.), juveniles whose cases were diverted or closed were younger and had a shorter average time at risk as adults (16.9 and 17.5 months respectively) than juveniles whose cases were adjudicated or dismissed (20.3 and 20.5 months respectively).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

A fixed follow-up period was used in an attempt to obtain the same “window of opportunity” for each juvenile to re-offend. However, in actuality the window of opportunity was not necessarily similar for each sample subject – some may have been committed to a YDC or admitted to a detention center in the juvenile justice system, while others may have been incarcerated in local jails or in prison in the adult criminal justice system.

Juvenile and Adult Recidivism

Subsequent delinquent complaints (also referred to as “subsequent complaints”) were used as the primary measure for juvenile recidivism, supplemented with information on subsequent adjudications that resulted from those recidivistic complaints. A subsequent delinquent complaint had to occur after the start date of the three-year follow-up period and the juvenile had to have committed the alleged offense before age 16 in order for the complaint to be considered recidivism.¹⁴ Subsequent adjudications resulting from those complaints also had to conform to those time constraints in the follow-up.¹⁵ In addition, juveniles had to be at risk in the juvenile justice system; therefore, 1,482 juveniles were excluded from the juvenile recidivism analysis because they had already aged out of the juvenile justice system at the start of the follow-up.

Arrests were used as the primary measure for adult recidivism, supplemented with information on convictions. Adult arrests had to occur within the three-year follow-up and the date of arrest had to occur after the juvenile turned 16 years old in order to be counted as recidivism.¹⁶ Convictions were defined similarly, and the arrest leading to the conviction also must have occurred in the follow-up period. In addition, juveniles had to be at risk in the adult criminal justice system; therefore, 3,225 juveniles were excluded from the adult recidivism analysis because they were under juvenile jurisdiction for the entire follow-up period.

Finally, a combined measure of subsequent juvenile complaints and/or adult arrests was compiled to indicate any recidivistic involvement in either system, which was supplemented by a similar measure for subsequent juvenile adjudications and/or adult convictions.¹⁷ All 20,236 sample juveniles were included in analyzing overall recidivism.

¹⁴ Although the subsequent delinquent complaint had to occur within the three-year follow-up, the date that the alleged offense occurred could have been prior to the follow-up period.

¹⁵ Throughout the report, the term “subsequent adjudications” is used. This term refers to adjudications during the three-year follow-up for juveniles who have no prior adjudications, as well as for those who have prior adjudications.

¹⁶ Although the adult arrest had to occur within the three-year follow-up, the date that the alleged offense occurred could have been prior to the follow-up period.

¹⁷ Tables referring to only juvenile recidivism, or only adult recidivism, state so specifically. Otherwise, the terms “recidivism” or “overall recidivism” in this report refer to having either a subsequent delinquent juvenile complaint, an adult arrest, or both.

Subsequent Juvenile Complaints and Adult Arrests

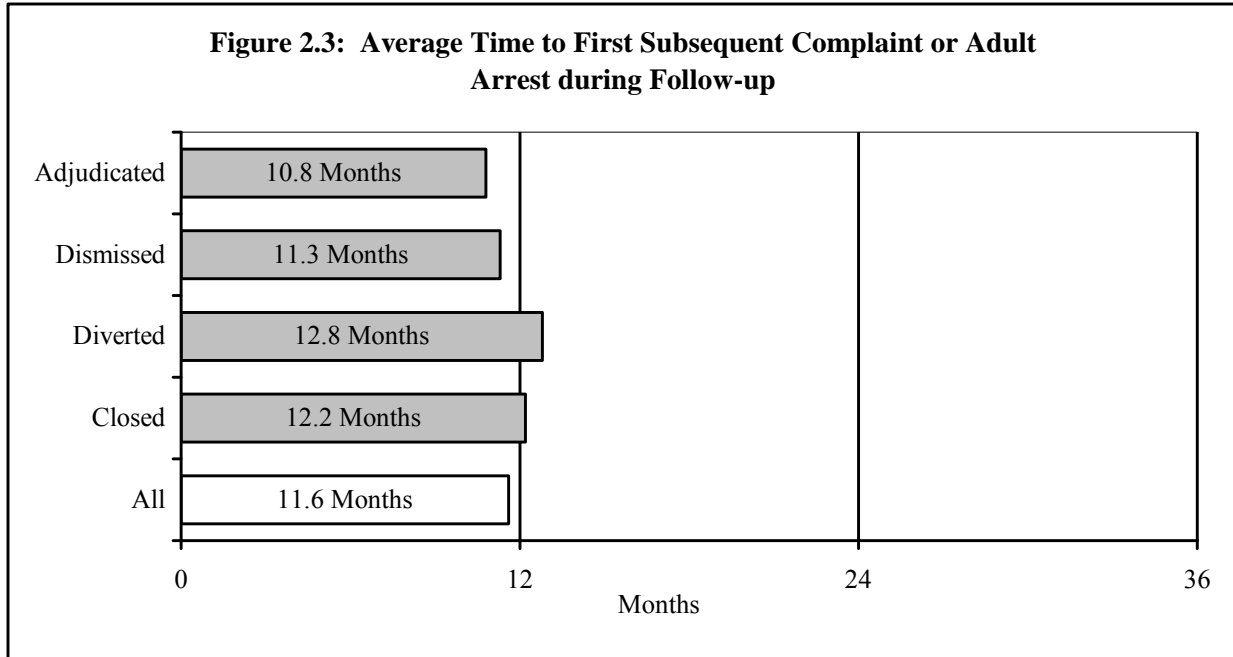
Table 2.3 presents the three primary measures of recidivism for the entire sample and the four groups. Of the 20,236 juveniles in the sample, 44.8% had a subsequent juvenile complaint and/or adult arrest (“overall recidivism”). Of those juveniles under juvenile jurisdiction during follow-up (n=18,754), 36.7% had a subsequent delinquent complaint. Of those juveniles under adult jurisdiction during follow-up (n=17,011), 21.4% had an adult arrest. Level of involvement was closely correlated with recidivism: the further a juvenile was processed in the juvenile justice system, the more likely that juvenile was to recidivate, with the overall recidivism rate ranging from 35.5% for the group with a closed complaint to 55.7% for the adjudicated group.

Table 2.3
Recidivism Rates for Juvenile Complaints and Adult Arrests
by Level of Involvement

Level of Involvement	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	N	%
Adjudicated	6,304	45.7	6,175	28.1	7,012	55.7
Dismissed	2,050	40.8	2,057	25.5	2,409	48.0
Diverted	4,951	31.9	4,157	15.3	5,100	38.7
Closed	5,449	29.0	4,622	15.9	5,715	35.5
TOTAL	18,754	36.7	17,011	21.4	20,236	44.8

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

For those juveniles with at least one subsequent delinquent complaint or arrest during the three-year follow-up, the first recidivistic event occurred an average of 11.6 months after the beginning of their follow-up. (See Figure 2.3.) Adjudicated and dismissed juveniles tended to recidivate somewhat earlier than the juveniles whose cases were diverted or closed. It should be noted that a number of juveniles spent some portion of that “time to failure” under some form of supervision in the community or in confinement.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Table 2.4 provides information on the total number of recidivistic events for those juveniles who had a subsequent juvenile complaint, an adult arrest, or both during the follow-up period. The 9,064 juveniles who had at least one subsequent delinquent complaint or adult arrest accounted for a total of 22,026 recidivistic events. The adjudicated group accounted for the highest volume of subsequent complaints and/or adult arrests at 10,133. Table 2.4 also includes information on the mean number of recidivistic events. The average number of overall subsequent complaints and/or adult arrests for those juveniles who re-offended was 2.4 for the three-year follow-up. The adjudicated and dismissed juveniles had a higher average number of recidivistic events (at 2.6 each) than the diverted or closed juveniles (2.2 and 2.3 respectively) during follow-up.

Subsequent Juvenile Adjudications and Adult Convictions

Table 2.5 details subsequent adjudication and conviction rates for the four sample groups. As expected, adjudication/conviction rates were lower than complaint/arrest rates for two reasons: due to cases being closed, dismissed, or acquitted, and due to a time lag between initial processing and court action, possibly falling outside the follow-up period. Adjudication/conviction rates indicated patterns similar to complaint/arrest rates – the more serious the level of involvement in the juvenile justice system, the higher the rate of subsequent adjudications/convictions. Of those juveniles under juvenile jurisdiction during follow-up (n=18,754), 24.1% had a subsequent adjudication. Of those juveniles under adult jurisdiction during follow-up (n=17,011), 11.0% had an adult conviction. The combined recidivistic adjudication/conviction rate for the sample was 29.2%, with 40.4% for the adjudicated group compared to 19.8% for the group with closed complaints.

Table 2.4
Recidivistic Events by Level of Involvement

Level of Involvement	Total Number and Average Number of Recidivistic Events During the Three-Year Follow-Up Period								
	Subsequent Complaints n=18,754			Adult Arrests n=17,011			Overall Recidivism N=20,236		
	# of Juveniles with Any Complaint	# of Complaints	Average # of Complaints	# of Juveniles with Any Arrest	# of Arrests	Average # of Arrests	# of Juveniles with Any Complaint or Arrest	# of Complaints and/or Arrests	Average # of Complaints and/or Arrests
Adjudicated	2,879	6,598	2.3	1,737	3,516	2.0	3,904	10,133	2.6
Dismissed	837	1,821	2.2	525	1,142	2.2	1,156	2,972	2.6
Diverted	1,579	3,211	2.0	635	1,041	1.6	1,973	4,257	2.2
Closed	1,580	3,330	2.1	735	1,328	1.8	2,031	4,664	2.3
All	6,875	14,960	2.2	3,632	7,027	1.9	9,064	22,026	2.4

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Table 2.5
Recidivism Rates for Juvenile Adjudications and Adult Convictions
by Level of Involvement

Level of Involvement	Subsequent Adjudications		Convictions		Adjudications and/or Convictions	
	n	%	n	%	N	%
Adjudicated	6,304	33.7	6,175	15.9	7,012	40.4
Dismissed	2,050	25.5	2,057	14.6	2,409	31.1
Diverted	4,951	20.0	4,157	6.5	5,100	23.3
Closed	5,449	16.2	4,622	7.0	5,715	19.8
TOTAL	18,754	24.1	17,011	11.0	20,236	29.2

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Sample Offense and Recidivism

While the most serious sample offense for the majority of juveniles at all levels of involvement was a misdemeanor, the relative percentage of felony offenses was significantly higher for the dismissed and adjudicated cases (19% and 22% respectively) than for the diverted and closed cases (3% and 2% respectively). (See Table 2.2.) Juveniles charged with a felony as their most serious sample offense were more likely to recidivate than those charged with a misdemeanor – 51% and 44% respectively. (See Table 2.6.) However, this finding did not hold true for each of the specific groups. Juveniles with adjudicated, diverted, and closed complaints were more likely to recidivate if their sample adjudication or complaint was a misdemeanor. Dismissed juveniles were more likely to recidivate if their sample complaint was a felony.

The relationship between the sample offense and subsequent recidivistic offense is explored in Table 2.7 for the 8,945 juveniles with any recidivism. Within the three-year follow-up, juveniles with a sample felony offense were more likely (65.7%) to have a felony offense as their most serious subsequent offense. Similarly, juveniles who had a sample misdemeanor offense were more likely (54.9%) to have a misdemeanor offense as their most serious subsequent offense.

As expected, adjudicated and dismissed juveniles were more likely to have a subsequent felony complaint or adult arrest (55.3% and 52.9% respectively) than juveniles whose cases were diverted or closed (39.5% and 38.7% respectively).

Table 2.6
Recidivism Rates by
Sample Offense and Level of Involvement

Level of Involvement	Recidivism Rates for Juveniles with a:				Overall Recidivism	
	Felony		Misdemeanor		N	%
	n	%	n	%		
Adjudicated	1,568	54.3	5,444	56.1	7,012	55.7
Dismissed	463	51.0	1,946	47.3	2,409	48.0
Diverted	162	32.1	4,938	38.9	5,100	38.7
Closed	119	32.8	5,596	35.6	5,715	35.5
All	2,312	51.0	17,924	44.0	20,236	44.8

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Table 2.7
Most Serious Recidivistic Offense by Most Serious Sample Offense

Sample Offense	N	Most Serious Recidivistic Offense	
		Felony n=4,276	Misdemeanor n=4,669
		%	%
Felony	1,156	65.7	34.3
Misdemeanor	7,789	45.1	54.9
Total	8,945	47.8	52.2

Note: There were 119 offenses missing due to the type of offense (felony or misdemeanor) being unknown for the most serious recidivistic offense.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Age at Sample Offense and Recidivism

Table 2.8 provides recidivism rates by the juvenile's age at the time of the sample offense and by level of involvement in the juvenile justice system. As expected, the youngest juveniles had the lowest recidivism rates at 22.6% for 6- to 9-year-olds. The rate of recidivism increased to its highest levels for juveniles aged 12 and 13 (54.0% and 52.9% respectively), and declined again considerably for the 14- and 15-year-olds (to 47.0% and 37.3% respectively).

Table 2.8
Recidivism Rates for Juveniles by Age at Sample Offense and Level of Involvement

Age at Sample Offense	N	% Adjudicated n=7,012	% Dismissed n=2,409	% Diverted n=5,100	% Closed n=5,715	% All N=20,236
6-9 years	456	33.8	25.9	26.2	15.2	22.6
10 years	385	54.4	40.3	43.6	26.2	40.3
11 years	909	55.5	59.5	42.7	38.6	47.5
12 years	2,030	67.4	63.7	46.1	43.2	54.0
13 years	3,754	65.2	52.0	45.7	44.8	52.9
14 years	5,722	58.4	50.2	40.4	37.1	47.0
15 years	6,980	46.5	40.3	30.5	29.3	37.3
All	20,236	55.7	48.0	38.7	35.5	44.8

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Additional Juvenile Justice Involvement

One of the more consistent research findings links juvenile confinement to an increased probability of adult criminality. To examine this assertion, information was collected for each juvenile on commitment to a YDC and admission to a detention center any time between the sample entry and the end of their follow-up period. In the following sections, adult arrest rates are examined for juveniles who were committed to a YDC, admitted to a detention center, or transferred to adult court during follow-up.

Juvenile Commitment and Adult Arrests

Table 2.9 describes commitment rates for the four groups while under juvenile jurisdiction during the three-year follow-up. Commitment to a YDC is the most severe sanction available for juveniles who are adjudicated delinquent. A YDC commitment is not necessarily linked to the sample event for the four groups and could have resulted either from a delinquent complaint prior to the follow-up period or from a delinquent complaint that occurred during the follow-up period. Of the entire sample, 4.2% had one or more commitments to a YDC, with the highest rate of 9.2% for those in the adjudicated group.

Table 2.9
Commitment to Youth Development Center by Level of Involvement

Level of Involvement	N	YDC Commitment		No YDC Commitment	
		n	%	n	%
Adjudicated	7,012	642	9.2	6,370	90.8
Dismissed	2,409	81	3.4	2,328	96.6
Diverted	5,100	63	1.2	5,037	98.8
Closed	5,715	69	1.2	5,646	98.8
All	20,236	855	4.2	19,381	95.8

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Table 2.10 compares adult arrest rates for juveniles in the sample who had no YDC commitments with those who had one or more YDC commitments. Thirty-five percent of those with a YDC commitment had at least one subsequent adult arrest compared to 20.7% of those with no YDC commitments. This differential in adult recidivism rates held true for all four groups.

Table 2.10
Adult Arrests by Commitment to Youth Development Center and Level of Involvement

Level of Involvement	Adult Arrests for Juveniles with:				Adult Arrests	
	YDC Commitment		No YDC Commitment			
	n	%	n	%	n	%
Adjudicated	585	36.4	5,590	27.3	6,175	28.1
Dismissed	67	41.8	1,990	25.0	2,057	25.5
Diverted	50	28.0	4,107	15.1	4,157	15.3
Closed	52	17.3	4,570	15.9	4,622	15.9
All	754	35.0	16,257	20.7	17,011	21.4

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Juvenile Detention Center Admission and Adult Arrests

Admission to a detention center can occur while a juvenile awaits adjudication and disposition, or as a condition of probation. Table 2.11 provides the detention center admission rates for the four groups. Of the entire sample, 22.8% had at least one admission to a detention center. The rate ranged from a high of 42.1% for the adjudicated group to a low of 10.4% for the group with a closed case.

Table 2.11
Admission to Detention Center
by Level of Involvement

Level of Involvement	N	Detention Center Admission		No Detention Center Admission	
		n	%	n	%
Adjudicated	7,012	2,955	42.1	4,057	57.9
Dismissed	2,409	456	18.9	1,953	81.1
Diverted	5,100	609	11.9	4,491	88.1
Closed	5,715	594	10.4	5,121	89.6
All	20,236	4,614	22.8	15,622	77.2

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Similar to commitment to a YDC, a history of admissions to detention centers was in direct relationship with an increased probability of adult arrest. (See Table 2.12.) Almost 34% of those with at least one juvenile detention center admission had one or more adult arrests, compared to 17.7% of those with no juvenile detention center admissions – again, a difference in recidivism rates found in all four levels of involvement.

Overall, experiencing some form of confinement during their juvenile years increased the sample's rate of adult arrests between 14% and 16%.

Juvenile Transfers to Superior Court

As mentioned in Chapter One, juveniles alleged to be delinquent may be transferred to the Superior Court for trial as adults. There were 57 juveniles who, after selection into the study sample, 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. However, 42.6% of the juveniles transferred to adult court had at least one or more adult arrest during follow-up compared to 21.3% of those juveniles who were not transferred to adult court during follow-up.

Table 2.12
Adult Arrests by Admission to Detention Center and
Level of Involvement

Level of Involvement	Adult Arrests for Juveniles with:				Adult Arrests	
	Detention Center Admission		No Detention Center Admission			
	n	%	n	%	n	%
Adjudicated	2,602	34.5	3,573	23.5	6,175	28.1
Dismissed	378	37.3	1,679	22.9	2,057	25.5
Diverted	466	26.8	3,691	13.8	4,157	15.3
Closed	450	31.6	4,172	14.2	4,622	15.9
All	3,896	33.5	13,115	17.7	17,011	21.4

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

MULTIVARIATE ANALYSIS

Logistic Regression Models

A regression model is a statistical tool used to estimate the association of a set of independent variables (*e.g.*, age, sex, offense seriousness) with a dependent variable (*e.g.*, subsequent delinquent complaint, adult arrest), while also quantifying the singular contribution of each of the variables in the model. This type of analysis allows for a determination of whether level of involvement in the juvenile justice system, for example, has any relationship with a juvenile’s probability of recidivating while controlling for other factors such as age, gender, and race. It also indicates the relative importance of the independent variables in relation to recidivism.

Using logistic regression,¹⁸ several models were tested to determine how a set of independent variables was related to the probability of overall recidivism for the entire sample of juveniles (n=20,236) and to the probability of adult arrest for those juveniles who aged into the adult criminal justice system during the three-year follow-up (n=17,011). It should be noted that while the effects reported in this analysis may reveal the existence of a *relationship* between an independent variable such as age and a dependent (outcome) variable such as adult arrest, such effects do not necessarily imply a *causal* relationship between age and arrest.¹⁹

¹⁸ Logistic regression involves regression using the logit (*i.e.*, the logarithm of the odds) of an outcome occurring. This type of analysis is most appropriate for regression models with a dichotomous dependent variable such as being rearrested or not.

¹⁹ The effects were converted from logistic model coefficients and indicate the estimated increase or decrease in the probability of an outcome occurring which is associated with each independent variable for the average offender. See Aldrich and Nelson (1984; 41-44) for further information on converting logistic coefficients to “effects.”

Dependent Variables (Outcome Measures) Modeled

The regression analyses in this section modeled two dependent variables:

- ▶ *Overall Recidivism* – any subsequent delinquent complaint, adult arrest, or both
- ▶ *Adult Arrest* – subsequent adult arrest only

Independent Variables Used in the Regression Models

Variables available for the entire sample included gender, race, age at sample event, seriousness level of sample offense, level of involvement in the juvenile justice system for sample offense, whether a juvenile had any YDC commitments or detention center admissions during the three-year follow-up period, and the amount of time (in months) the juvenile was at risk to be charged as an adult in the criminal justice system.

Logistic Regression Analyses

Table 2.13 displays the estimated effect of the independent variables in each model on the outcome measure modeled. The effects listed should be interpreted based on the following criteria: whether the effect of the variable is statistically significant (*i.e.*, with a relationship unlikely to be the result of random chance) and, if so, the direction and magnitude of the variable's effect on the outcome. In general, only estimated effects that are statistically significant are reviewed.

Model 1 contains the estimated effects of each independent variable on a juvenile's probability of having a delinquent complaint or an arrest during the three-year follow-up period. All juveniles in the FY 2004/05 juvenile recidivism sample were included in the analysis of overall recidivism presented in Model 1.

The average probability of recidivism for the FY 2004/05 sample was 44.8%, and this outcome was related to a number of personal, offense-related, and court involvement factors. The values presented for Model 1 indicate the approximate change in the probability of delinquent complaint or arrest associated with each independent variable relative to a reference category. Being a male, for example, enhanced the probability of subsequent complaint or arrest by 17.8% over that of being a female. Black juveniles had an increased probability (of 15.5%) of subsequent complaint or arrest compared to non-black juveniles. With each additional year of age (based on the juvenile's age at sample event), the probability of complaint or arrest decreased 1.3%.

Table 2.13
Effect of Personal and Juvenile Justice Factors on Recidivism

Independent Variables	Model 1: Overall Recidivism n=20,236 (44.8%)	Model 2: Adult Arrest n=17,011 (21.4%)
<i>Personal Characteristics</i>		
Black	15.5%	16.9%
Male	17.8%	25.5%
Age at Event	-1.3%	NS
<i>Offense Classification</i>		
Violent	Reference	Reference
Serious	14.1%	10.6%
Minor	15.9%	10.3%
<i>Level of Involvement</i>		
Adjudicated	Reference	Reference
Dismissed	-7.1%	NS
Diverted	-15.0%	-3.6%
Closed	-18.4%	-3.9%
Commitment to YDC or Detention Center	n/a	18.1%
Adult Months	n/a	1.1%

Note: For the adjudicated group, offense information is based on the most serious offense at adjudication. For the other groups, offense information is based on the most serious offense at time of complaint.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Those juveniles with a serious or minor offense had an increased likelihood of complaint or arrest (14.1% and 15.9% respectively) compared with those juveniles with a violent offense. However, this finding may be related to YDC commitment during the follow-up period.²⁰ In FY 2004/05, the average YDC length of stay for juveniles adjudicated delinquent was 12.9 months.²¹ Almost 26% of juveniles with a violent offense were committed to a YDC during follow-up compared to only 9.7% of juveniles with a serious offense classification and 2.7% of juveniles

²⁰ The length of a juvenile's commitment must be at least six months; however, there are statutory provisions for extended jurisdiction for committed youth. G.S. § 7B-2513.

²¹ North Carolina Sentencing and Policy Advisory Commission's *Juvenile Delinquent Population Projections Fiscal Year 2008/09 to Fiscal Year 2012/13*, 2008.

with a minor offense classification. Thus, the proportion of time within the three-year follow-up period in which a juvenile could potentially recidivate was greater for juveniles with a serious or minor offense. Finally, all levels of court involvement that did not result in adjudication also significantly reduced the probability of subsequent delinquent complaint or arrest, ranging from an 18.4% reduction for juveniles whose cases were closed, to a 15.0% reduction for juveniles whose cases were diverted, and a 7.1% reduction for juveniles whose cases were dismissed.

For those juveniles who aged into the adult criminal justice system during the three-year follow-up period (n=17,011), Model 2 examined the estimated effects of each independent variable on having an adult arrest during follow-up (an average probability of 21.4%). A systemic variable was added to this model: commitment to either a YDC or to a detention center any time between sample entry and the end of the follow-up period. In addition, the amount of time (in months) the juvenile was an adult (16 years or older) during the three-year follow-up period was included as a control variable.

The independent variables had similar effects to those in Model 1. Black juveniles and male juveniles had an increased probability of having an adult arrest compared to non-black juveniles and female juveniles. Juveniles who had a serious or minor offense were more likely (10.6% and 10.3% respectively) to be arrested than those with a violent offense. Juveniles whose cases were diverted or closed had a significantly reduced probability of arrest compared to those juveniles who were adjudicated (3.6% and 3.9% respectively). Juveniles whose cases were dismissed did not significantly differ from the adjudicated group. Commitment to either a YDC or a detention center increased the likelihood of arrest by 18.1%. Finally, for each additional month spent as an adult in the follow-up period, the probability of having an adult arrest increased 1.1%.

SUMMARY

The following section presents a summary of the major findings in Chapter Two:

Sample Profile

- The 20,236 juveniles comprising the FY 2004/05 sample were grouped based on their level of involvement in the juvenile justice system. The four levels, ranked from least to most serious, included juveniles whose cases were either closed (n=5,715), diverted (n=5,100), dismissed (n=2,409), or adjudicated (n=7,012).
- Of the sample juveniles, 70.4% were male, 51.5% were black, and the mean age was 13.6 years. The majority of the juveniles (88.6%) had a misdemeanor as their most serious sample offense.

Outcome Measures

- Three primary recidivism measures were used: subsequent delinquent juvenile complaint, adult arrest, and a combined measure of complaint and/or arrest (*i.e.*, overall recidivism) – with a fixed three-year follow-up period for each juvenile.

- The overall recidivism rate for the sample was 44.8%. The rate of subsequent delinquent complaint was 36.7%; the rate of adult arrest was 21.4%.

Key Findings

- A stair-step progression of recidivism was observed among the sample subgroups: the adjudicated group recidivated at the highest rate, and the closed group recidivated at the lowest rate.
- The type of sample offense (*i.e.*, felony or misdemeanor) was related to both the rate of recidivism and to the type of recidivistic offense.
- There was a complex relationship between juvenile age and rate of recidivism. Juveniles aged 6-9 had the lowest rate of recidivism; juveniles aged 10-12 showed a gradually increasing rate, with recidivism peaking at ages 12-13; and those aged 14-15 showed considerably decreasing rates.
- Multivariate statistics examined the net effect of personal characteristics and systemic factors on two outcomes: overall recidivism and adult arrest. The following factors increased the likelihood of recidivism: being male, black and having a serious or minor sample offense (relative to violent). The following factors decreased the likelihood of recidivism: being younger and having a closed, diverted, or dismissed case (as opposed to an adjudicated case). Further, juvenile confinement increased the probability of adult arrest, as did the amount of time juveniles spent under adult jurisdiction.

The next chapter provides a more in-depth look at adjudicated and disposed juveniles, a subgroup of the adjudicated juveniles discussed in this chapter. For this subgroup, more extensive information was available about their assessed risk and needs, their delinquent profile, and their dispositional sanctions.

CHAPTER THREE

STATISTICAL PROFILE AND RECIDIVISM OF JUVENILES ADJUDICATED DELINQUENT AND DISPOSED

This chapter examines in more detail a subgroup of the juveniles adjudicated delinquent from July 1, 2004 through June 30, 2005 discussed in Chapter Two. Specifically, it examines those adjudicated juveniles who had a disposition entered in DJJDP's NC-JOIN database (hereinafter referred to as juveniles adjudicated and disposed). The first section provides a statistical profile that includes detailed court information, risk and needs assessments, and court-ordered sanctions for the subgroup. The second section examines the recidivism of adjudicated and disposed juveniles in both the juvenile justice and criminal justice systems. Finally, the last section provides a multivariate analysis of the impact of a variety of pre-existing factors on the juveniles' recidivism.

STATISTICAL PROFILE

Of the 7,012 juveniles adjudicated during FY 2004/05, 6,605 juveniles (or 94%) also had a disposition entered into the NC-JOIN database.²² As detailed in the following sections, there is considerably more information available for this subgroup, including risk and needs assessments, offense classification, delinquency history level, disposition imposed, and sanctions ordered at disposition.

Personal Characteristics

There were no differences in the demographic profile of the adjudicated and disposed subgroup when compared to the 7,012 adjudicated juveniles or to the 407 adjudicated juveniles who did not have a disposition. The majority of the juveniles in this subgroup were male (77.6%) and black (54.1%), with a mean age of 13.8 years at sample offense. (See Table 2.1 in Chapter Two for further details regarding the demographic profile of adjudicated juveniles and the other sample groups.)

Risk and Needs Assessments

Prior to disposition, DJJDP staff administer instruments to assess the risk of future delinquency and the individual needs of all adjudicated juveniles; Table 3.1 lists select results of the assessments for this subgroup.²³ Most notable among the risk factors, 89.2% of the juveniles had school behavior problems, 50.4% had at least one prior intake referral, 34.1% had at least one prior adjudication, and 35.7% had parents/guardians who were unwilling or unable to provide parental supervision.

²² In the juvenile justice system, the dispositional hearing often occurs at a later date than the adjudicatory hearing in order for a pre-disposition report to be completed. As a result, disposition may not have occurred during FY 2004/05 for the adjudicated juveniles in the sample.

²³ 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.

Table 3.1
Select Risk and Needs Indicators
Juveniles Adjudicated and Disposed

Risk Assessment (n=6,291)	%
First Referral Before Age 12	13.4
Prior Intake Referrals	50.4
Prior Adjudications	34.1
Prior Assaults	24.1
Had Run Away	17.9
Had School Behavior Problems	89.2
Parents/Guardians Unwilling/Unable to Provide Parental Supervision	35.7
High Risk	12.1
Needs Assessment (n=6,301)	%
Functioning Below Academic Grade Level	19.3
Juvenile Parent Status (<i>i.e.</i> , is a parent)	1.7
History of Victimization	20.4
Risky Sexual Behavior	9.3
Mental Health Needs Are Being Addressed	71.3
Basic Needs Are Not Being Met	0.8
Impaired Functioning (<i>i.e.</i> , medical, dental, health/hygiene)	0.8
Conflict in the Home	28.1
Parent, Guardian or Custodian has Disabilities	5.9
One or More Members of Household Have Substance Abuse Problems	14.6
Indication of Family Members Involvement in Criminal Activity	40.0
High Needs	7.4
Combined Risk and Needs Measures (n=6,605)	%
Substance Use	38.7
Gang Affiliation	6.1
Negative Peer Relationships	77.1

Note: Of the 6,605 juveniles adjudicated and disposed, there were 314 cases with missing values for risk variables and 304 cases with missing values for needs variables.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

The needs assessment revealed that very few juveniles were having unmet basic needs (0.8%). Most juveniles identified with mental health needs were having those needs addressed (71.3%). Problems related to home-life were also evident, with 40% of the juveniles having criminality in their family, 28.1% experiencing conflict in the home, and 20.4% having some history of victimization. Combining risk and needs indicators, 38.7% of the juveniles adjudicated and disposed had substance abuse problems, while 77.1% had negative peer relationships and 6.1% reported some type of gang affiliation.

Using the assessment instruments, DJJDP staff computes a separate risk and needs score for each adjudicated juvenile, placing the juvenile in a low, medium, or high level for both risk and needs. Just over one-third of the juveniles scored in the lowest levels of both needs and risk (36.3%), and only a small group (3.5%) demonstrated both a high level of needs and risk. (See Table 3.2.) Sixty-three percent of the adjudicated and disposed juveniles placed in the same level of needs and risk (as highlighted in the shaded diagonal cells of Table 3.2).

Table 3.2
Risk Level by Needs Level
Juveniles Adjudicated and Disposed

Risk Level	N	Needs Level			% Total n=6,235
		% Low n=3,065	% Medium n=2,707	% High n=463	
Low	3,068	36.3	12.3	0.6	49.2
Medium	2,406	12.0	23.3	3.4	38.6
High	761	0.9	7.8	3.5	12.2
Total	6,235	49.2	43.4	7.4	100.0

Note: Of the 6,605 juveniles adjudicated and disposed, there were 370 cases with missing values for both risk and needs variables.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Sample Offense, Delinquency History, and Dispositions

Felonies constituted the most serious adjudicated offense for 23.1% of the juveniles adjudicated and disposed. Table 3.3 shows that only 2.8% of this subgroup was adjudicated for a violent offense, with 29.8% adjudicated for a serious offense, and 67.4% for a minor offense. Seventy-nine percent were in the low delinquency history level, 12.2% were in the medium delinquency history level, and 8.8% were in the high delinquency history level. The single largest group of juveniles had little or no delinquency history and was adjudicated for non-violent misdemeanors. The more serious the adjudicated offense, the higher the delinquency history level – 17.2% of the juveniles adjudicated for a violent offense were in the highest delinquency history level, compared to 11.3% of those adjudicated for a serious offense and 7.3% of those adjudicated for a minor offense.

Table 3.3
Offense Classification by Delinquency History Level
Juveniles Adjudicated and Disposed

Offense Classification	N	Delinquency History Level			% Total n=6,605
		% Low 0 – 1 point n=5,220	% Medium 2 – 3 points n=803	% High 4+ points n=582	
Violent (Class A – Class E)	186	72.0	10.8	17.2	2.8
Serious (Class F – Class A1)	1,966	71.7	17.0	11.3	29.8
Minor (Class 1 – Class 3)	4,453	82.6	10.1	7.3	67.4
Total	6,605	79.0	12.2	8.8	100.0

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Table 3.4 describes the dispositions imposed for the subgroup by offense classification and delinquency history level.²⁴ Overall, 71.1% of the juveniles received a Level 1 (or community) disposition, 26.1% received a Level 2 (or intermediate) disposition, and 2.8% received a Level 3 disposition (or commitment to a YDC). The rate of Level 1 dispositions was highest for juveniles adjudicated for a minor offense and lowest for those adjudicated for a violent offense (85.3% and 8.1% respectively). Conversely, the rate of Level 3 dispositions was highest for juveniles adjudicated for a violent offense and lowest for those adjudicated for a minor offense (25.9% and 1.0% respectively).

Risk and Needs Levels and Dispositions

Figure 3.1 explores the relationship between the juvenile’s risk and needs levels and the disposition level imposed. As expected, there was a stepwise progression with the juvenile’s risk level increasing as the disposition level increased.²⁵ Overall, 57.4% of juveniles with a Level 1 disposition were low risk compared to 31.0% of juveniles with a Level 2 disposition and 11.2% of juveniles with a Level 3 disposition. Of juveniles with a Level 3 disposition, 64.2% were identified as high risk – much higher than juveniles with Level 2 or Level 1 dispositions at 24.1% and 5.7% respectively.

²⁴ For a description of the three disposition levels, see Chapter One and Appendix B.

²⁵ It should be noted that prior adjudications increase not only a juvenile’s risk score, but also his/her placement in the Juvenile Disposition Chart.

Table 3.4
Disposition Levels by Offense Classification and Delinquency History Level
Juveniles Adjudicated and Disposed

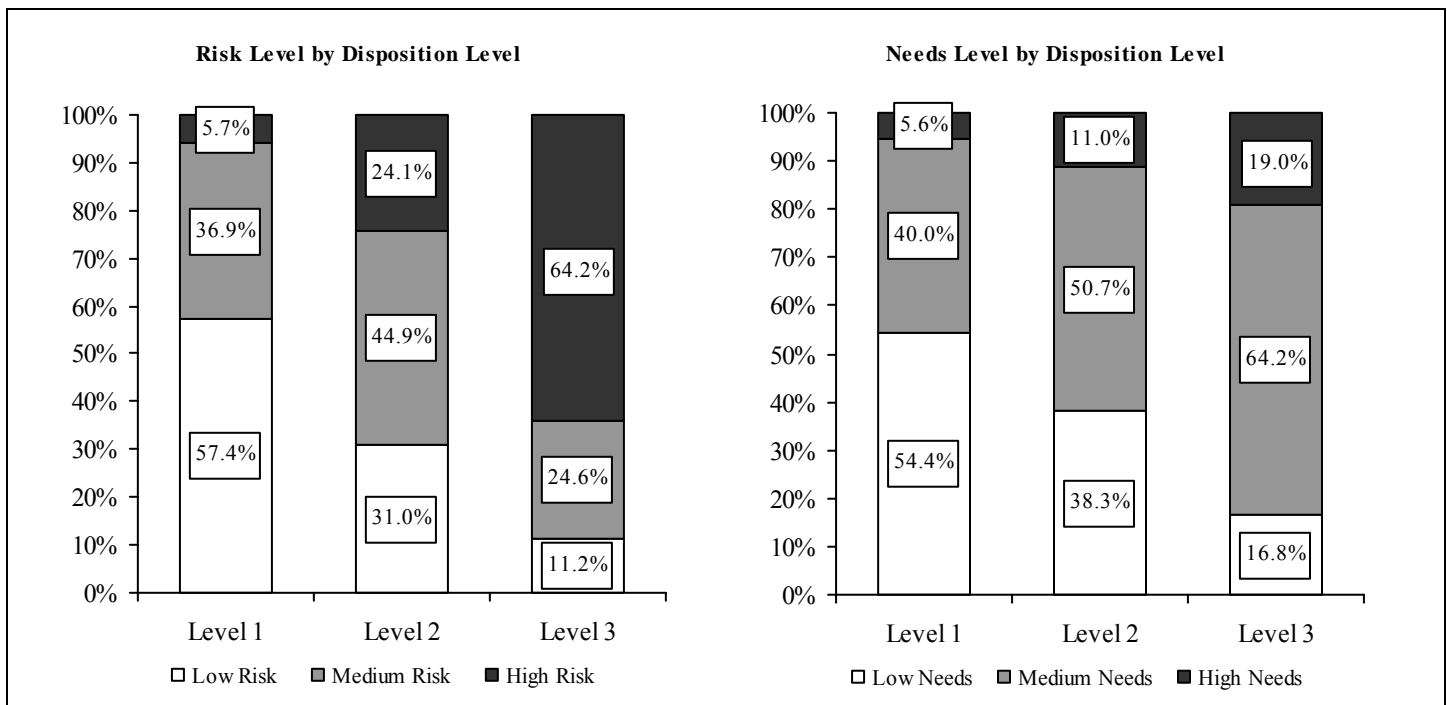
Offense Classification	Delinquency History Level			TOTAL
	Low 0 – 1 Point	Medium 2 – 3 Points	High 4+ Points	
Violent (Class A – Class E)	<u>Level 2/Level 3</u> Level 1: 14 (10.5%) Level 2: 102 (76.1%) Level 3: 18 (13.4%) n = 134	<u>Level 3</u> Level 1: 1 (5.0%) Level 2: 14 (70.0%) Level 3: 5 (25.0%) n = 20	<u>Level 3</u> Level 1: 0 (0.0%) Level 2: 6 (19.3%) Level 3: 25 (80.7%) n = 31	Level 1: 15 (8.1%) Level 2: 122 (66.0%) Level 3: 48 (25.9%) n = 185
Serious (Class F – Class A1)	<u>Level 1/Level 2</u> Level 1: 809 (57.4%) Level 2: 598 (42.5%) Level 3: 1 (0.1%) n = 1,408	<u>Level 2</u> Level 1: 68 (20.4%) Level 2: 262 (78.4%) Level 3: 4 (1.2%) n = 334	<u>Level 2/Level 3</u> Level 1: 7 (3.1%) Level 2: 128 (57.4%) Level 3: 88 (39.5%) n = 223	Level 1: 884 (45.0%) Level 2: 988 (50.3%) Level 3: 93 (4.7%) n = 1,965
Minor (Class 1 – Class 3)	<u>Level 1</u> Level 1: 3,592 (98.0%) Level 2: 70 (1.9%) Level 3: 2 (0.1%) n = 3,664	<u>Level 1/Level 2</u> Level 1: 170 (37.8%) Level 2: 276 (61.5%) Level 3: 3 (0.7%) n = 449	<u>Level 2</u> Level 1: 23 (7.1%) Level 2: 261 (80.3%) Level 3: 41 (12.6%) n = 325	Level 1: 3,785 (85.3%) Level 2: 607 (13.7%) Level 3: 46 (1.0%) n = 4,438
TOTAL	Level 1: 4,415 (84.8%) Level 2: 770 (14.8%) Level 3: 21 (0.4%) n = 5,206	Level 1: 239 (29.8%) Level 2: 552 (68.7%) Level 3: 12 (1.5%) n = 803	Level 1: 30 (5.2%) Level 2: 395 (68.2%) Level 3: 154 (26.6%) n = 579	Level 1: 4,684 (71.1%) Level 2: 1,717 (26.1%) Level 3: 187 (2.8%) n = 6,588

Note: In FY 2004/05, there were 254 cases (or 3.9%) involving a disposition not specified by the dispositional chart. However, it must be noted that certain provisions of the juvenile code allow a judge to impose a disposition other than those specified by the chart. Under G.S. 7B-2508(e), judges may find “extraordinary needs” and impose a lower level disposition. Under G.S. 7B-2508(g), juveniles adjudicated delinquent for a minor offense with four or more prior adjudications may be committed to a YDC. Finally, under G.S. 7B-2508(d), juveniles adjudicated for a minor offense with a previous Level 3 disposition may be committed to a YDC. In addition, 17 juveniles with missing disposition levels were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

A similar stair-step progression was found in the relationship between the needs level and the disposition level of juveniles. Fifty-four percent of juveniles with a Level 1 disposition were low needs compared to 38.3% of juveniles with a Level 2 disposition and 16.8% of juveniles with a Level 3 disposition. Conversely, 19.0% of the juveniles with a Level 3 disposition were high needs while a much lower percentage of juveniles with a Level 2 or a Level 1 disposition were high needs (11.0% and 5.6% respectively). (See Figure 3.1.)

Figure 3.1
Risk Level and Needs Level by Disposition Level
Juveniles Adjudicated and Disposed



Note: Of the 6,605 juveniles adjudicated and disposed, there were 311 cases with missing values for risk level, 303 cases with missing values for needs level, and 17 cases with missing values for disposition level.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Court-Ordered Sanctions

Based on the Juvenile Justice Reform Act of 1998, the dispositional alternatives available to the court for juveniles who have been adjudicated delinquent are dependent primarily on the classification of the adjudicated offense (*i.e.*, minor, serious, violent) and the delinquency history level of the juvenile (*i.e.*, low, medium, high).²⁶ Once these categories are determined, the juvenile is assigned to one of three dispositional levels from which the court can select sanctions that are available under each level. Level 1 dispositional alternatives are the least restrictive, while Level 3 alternatives are the most restrictive. (See Appendix C.)

²⁶ See Chapter One for more information.

In addition to the disposition level imposed by the court, NC-JOIN also contains information on sanctions ordered at the dispositional hearing. This information is limited in that it only indicates that a particular sanction was ordered – it does not indicate whether the juvenile complied with the sanction, the length of participation, or whether the juvenile successfully completed the sanction. Specific sanctions were selected for further analysis. These sanctions were categorized as follows: 1) treatment/placement; 2) restorative justice; 3) school- or work-related; 4) other restrictive conditions; and 5) parental responsibility.

The sanctions in the treatment/placement category are from both Levels 1 and 2 and offer a broad range in their degree of restrictiveness. Sanctions in this category include: specified programs that address substance abuse or treatment issues; out-of home placement options (*i.e.*, group home, regimented training program, wilderness camp); programs that are community-based but have more limitations (*i.e.*, supervised day program, intensive probation, house arrest); and intermittent confinement in a detention center.²⁷ The restorative justice category is comprised of sanctions that offer opportunities for the juvenile offender to actively make reparations for his/her delinquent behavior through community service, financial restitution or fines, and victim-offender reconciliation.²⁸ The sanctions within the school/work-related category pertain to the juvenile either complying with school attendance and/or maintaining passing grades, or being regularly employed (if excused from school attendance). Other restrictive conditions are those sanctions that limit the juvenile's activities and peer associations, such as obeying a set curfew, not associating with specific persons, not being in specific places, cooperating with drug testing, and not possessing alcohol or drugs. Finally, the parental responsibility category relates to parental support of and involvement in sanctions set forth by the court.

Table 3.5 provides information on selected sanctions imposed for the 6,605 juveniles in the FY 2004/05 sample who were adjudicated and disposed. It is important to note that juveniles are often ordered to comply with more than one sanction and, therefore, are likely to be represented in multiple categories in Table 3.5 and Table 3.6. Of the 6,605 juveniles who were adjudicated and disposed, 96.0% were ordered to comply with more than one of the sanctions selected for further analysis.

The majority of juveniles were ordered to comply with other restrictive conditions (80.4%) and school- or work-related conditions (76.3%). Sanctions falling within these two categories also represented the largest groups of specific sanctions ordered, with 75.6% of juveniles ordered to comply with school-related sanctions and 69.8% of juveniles ordered to comply with drug testing and/or not use alcohol or controlled substances.

Overall, 64.7% of juveniles were ordered to comply with a treatment/placement sanction, with 47.9% ordered to cooperate with a specified program, 28.3% ordered to intermittent detention confinement, and 11.8% ordered to a wilderness program. Nearly one-half of the

²⁷ For juveniles receiving a Level 1 sanction, intermittent confinement can be up to five days. A Level 2 sanction allows for intermittent confinement up to fourteen days.

²⁸ Community service up to 100 hours and restitution less than \$500 are considered Level 1 sanctions, while community service more than 100 hours and restitution greater than \$500 are considered Level 2 sanctions.

Table 3.5
Specific Sanctions Ordered at Disposition by Offense Classification and Disposition Level
Juveniles Adjudicated and Disposed

Type of Sanction Ordered	N	%	Offense Classification			Disposition Level		
			Violent	Serious	Minor	1	2	3
Treatment/Placement	4,275	64.7	2.8	29.3	67.9	70.2	29.7	0.2
Cooperate with Specified Program	3,164	47.9	3.0	28.0	69.0	73.7	26.1	0.2
Group Home	95	1.4	0.0	52.6	47.4	20.0	80.0	0.0
Regimented Training Program	55	0.8	3.6	60.0	36.4	10.9	89.1	0.0
Supervised Day Program	106	1.6	2.8	68.9	28.3	6.6	93.4	0.0
Wilderness Program	778	11.8	1.9	31.5	66.6	62.0	38.0	0.0
Intensive Probation	108	1.6	13.0	51.9	35.2	17.6	81.5	0.9
House Arrest	120	1.8	9.2	50.0	40.8	14.2	85.0	0.8
Intermittent Detention Confinement	1,869	28.3	2.8	30.3	66.9	64.0	35.9	0.1
Restorative Justice	3,285	49.7	1.5	32.8	65.7	74.0	25.9	0.1
Community Service	2,444	37.0	1.6	30.7	67.8	75.2	24.8	0.1
Restitution/Fine	1,390	21.0	1.3	40.4	58.3	69.3	30.6	0.1
Victim-Offender Reconciliation	109	1.7	0.0	39.5	60.6	86.2	13.8	0.0
School/Work-Related	5,036	76.3	2.3	29.2	68.5	76.2	23.7	0.1
School-Related	4,993	75.6	2.3	29.2	68.5	76.2	23.7	0.1
Work-Related	693	10.5	1.7	32.5	65.8	71.1	28.7	0.1
Other Restrictive Conditions	5,309	80.4	2.3	29.2	68.5	75.6	24.3	0.1
Curfew	3,947	59.8	2.2	28.7	69.1	74.9	24.9	0.2
No Assoc with Specific Person/Not be in Specific Places	3,690	55.9	2.6	30.5	66.9	75.0	24.9	0.1
Drug Testing/No Alcohol/No Contr Subst	4,607	69.8	2.3	28.5	69.3	75.7	24.2	0.1
Parental Responsibility	3,011	45.6	2.2	28.4	69.4	73.9	25.7	0.4

Note: Juveniles may be represented in multiple sanction categories. Of the 6,605 juveniles adjudicated and disposed, there were 17 cases with missing values for disposition level. Percentages may not add to 100.0% due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

juveniles (49.7%) were ordered to comply with restorative justice conditions, while slightly less (45.6%) received dispositional orders relating to the court's authority over parents of adjudicated delinquent juveniles. The least frequently ordered sanctions included assignment to a group home (1.4%), a regimented training program (0.8%), a supervised day program (1.6%), intensive probation (1.6%), house arrest (1.8%), and victim-offender reconciliation (1.7%).

Table 3.5 also provides information on the offense classification and disposition level of juveniles ordered to comply with a specific sanction or a category of sanctions. The distribution by offense classification was very similar for each of the five major sanction categories, with 1.5% to 2.8% of juveniles adjudicated delinquent for a violent offense, 28.4% to 32.8% for a serious offense, and 65.7% to 69.4% for a minor offense. The distribution for these categories was also consistent with the overall distribution of offense classification for the adjudicated and disposed group (2.8% had a violent offense, 29.8% had a serious offense, and 67.4% had a minor offense as their sample offense). The specific sanctions under the categories of school/work-related, other restrictive conditions, and parental responsibility generally followed the offense classification pattern of the overall group, while more variation was found for specific sanctions in the treatment/placement category and the restorative justice category. For example, of the 108 juveniles who were ordered to comply with intensive probation, 13.0% had a violent offense, 51.9% had a serious offense, and 35.2% had a minor offense as their most serious sample offense. For the specific sanctions, variations were primarily found between the percentages of juveniles with a serious offense and with a minor offense given the low percentage of juveniles with a violent offense.

Looking at disposition level, the majority of variations were found between Level 1 and Level 2 since so few juveniles received a Level 3 disposition. Juveniles who were ordered to comply with a treatment/placement sanction were slightly more likely to have received a Level 2 disposition than those in the other overall sanction categories. Similar to the finding for offense classification, more variation was found between the specific sanctions with respect to the disposition level of juveniles ordered to comply with such sanctions. Juveniles ordered to comply with a wilderness camp program, cooperate with a specified program, perform community service, pay restitution or a fine, or to reconcile with the victim were more likely to have received a Level 1 disposition. Juveniles ordered to comply with a regimented training program or a supervised day program were more likely to have received a Level 2 disposition (89.1% and 93.4% respectively).

Table 3.6 provides information on the risk and needs levels of juveniles ordered to comply with the sanctions examined for this study. The type of sanction ordered varied considerably based on risk and needs levels of juveniles. Juveniles who were ordered to comply with a treatment/placement sanction or whose parents were ordered to cooperate with the court's disposition had higher risk and needs levels than juveniles ordered to comply with the other sanction categories. For example, 29.7% of juveniles ordered to a supervised day program were high risk and 14.0% were high needs; 26.9% of juveniles ordered to a group home were high risk and 18.3% were high needs. On the opposite end of the spectrum, only 3.7% of juveniles ordered to reconcile with their victim were high risk and 7.3% were high needs; 7.9% of juveniles ordered to perform community service were high risk and 6.1% were high needs.

Table 3.6
Specific Sanctions Ordered at Disposition by Risk Level and Needs Level
Juveniles Adjudicated and Disposed

Type of Sanction Ordered	N	%	Risk Level			Needs Level		
			Low	Med	High	Low	Med	High
Treatment/Placement	4,275	64.7	47.7	40.7	11.6	46.0	46.3	7.7
Cooperate with Specified Program	3,164	47.9	48.5	40.5	11.0	45.1	46.7	8.2
Group Home	95	1.4	21.5	51.6	26.9	24.7	57.0	18.3
Regimented Training Program	55	0.8	22.6	52.8	24.5	30.2	62.3	7.6
Supervised Day Program	106	1.6	25.7	44.6	29.7	22.0	64.0	14.0
Wilderness Program	778	11.8	41.4	43.5	15.1	41.0	50.7	8.4
Intensive Probation	108	1.6	24.8	49.5	25.7	28.0	61.7	10.3
House Arrest	120	1.8	19.8	53.5	26.7	32.5	55.6	12.0
Intermittent Detention Confinement	1,869	28.3	46.4	41.8	11.8	47.8	45.1	7.1
Restorative Justice	3,285	49.7	54.6	37.0	8.4	54.3	39.9	5.8
Community Service	2,444	37.0	53.7	38.4	7.9	53.9	40.0	6.1
Restitution/Fine	1,390	21.0	56.6	34.4	8.9	57.3	37.3	5.4
Victim-Offender Reconciliation	109	1.7	56.9	39.5	3.7	54.1	38.5	7.3
School/Work-Related	5,036	76.3	52.7	38.6	8.7	50.9	42.4	6.7
School-Related	4,993	75.6	52.8	38.5	8.7	51.0	42.4	6.7
Work-Related	693	10.5	45.7	43.9	10.5	46.1	44.9	9.0
Other Restrictive Conditions	5,309	80.4	52.0	38.9	9.1	50.4	42.7	6.9
Curfew	3,947	59.8	50.1	40.5	9.4	48.0	44.7	7.3
No Assoc with Specific Person/Not be in Specific Places	3,690	55.9	53.3	37.8	8.9	50.6	42.5	6.9
Drug Testing/No Alcohol/No Contr Subst	4,607	69.8	51.0	39.8	9.2	48.6	44.2	7.2
Parental Responsibility	3,011	45.6	48.1	41.4	10.5	44.4	46.8	8.8

Note: Juveniles may be represented in multiple sanction categories. Of the 6,605 juveniles adjudicated and disposed, there were 370 cases with missing values for both risk and needs variables. Percentages may not add to 100.0% due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

RECIDIVISM IN THE JUVENILE JUSTICE AND CRIMINAL JUSTICE SYSTEMS

As discussed in Chapter Two, juveniles in the FY 2004/05 sample were tracked for three years to determine whether they re-offended during that period. For the adjudicated and disposed group (n=6,605), the follow-up started at their adjudication date and, as with the other sample groups, the primary measures of recidivism were subsequent delinquent juvenile complaints and adult arrests.²⁹

For most juveniles who were adjudicated and disposed, the time at risk to recidivate was divided between the juvenile and adult systems as juveniles, turning 16, moved from juvenile to adult legal jurisdiction. Similar to the entire group of adjudicated juveniles (described in Chapter Two), the majority of the adjudicated and disposed subgroup (79%) spent at least a portion of the three-year follow-up in both systems. Overall, the subgroup was under juvenile jurisdiction for 15.7 months (or 44% of the 36-month follow-up) and under adult jurisdiction for 20.3 months (or 56% of the remaining follow-up months).

It is important to note that time at risk, while initially equal for all juveniles in the FY 2004/05 sample through the use of a fixed three-year follow-up period, was shortened for some juveniles due to confinement in a YDC or detention center in the juvenile justice system and/or jail or prison in the adult system.

Juvenile and Adult Recidivism

Subsequent delinquent complaints³⁰ (also referred to as subsequent complaints) were used as the primary measure for juvenile recidivism, supplemented with information on subsequent adjudications that resulted from those recidivistic complaints. Juveniles had to be at risk in the juvenile justice system; therefore, 627 juveniles were excluded from the juvenile recidivism analysis because they had already aged out of the juvenile justice system at the start of the follow-up.

Arrests³¹ were used as the primary measure for adult recidivism, supplemented with information on convictions. Juveniles had to be at risk in the adult criminal justice system; therefore, 770 juveniles were excluded from the adult recidivism analysis because they were under juvenile jurisdiction for the entire follow-up period.

Finally, a combined measure of subsequent juvenile complaints and/or adult arrests was compiled to indicate any recidivistic involvement in either system, which was supplemented by a

²⁹ DJJDP's NC-JOIN database was used to determine subsequent delinquent complaints and adjudications, while DOJ's criminal history database was used to determine adult arrests and convictions.

³⁰ Although the subsequent complaint had to occur within the three-year follow-up, the date that the alleged offense occurred could have been prior to the follow-up period.

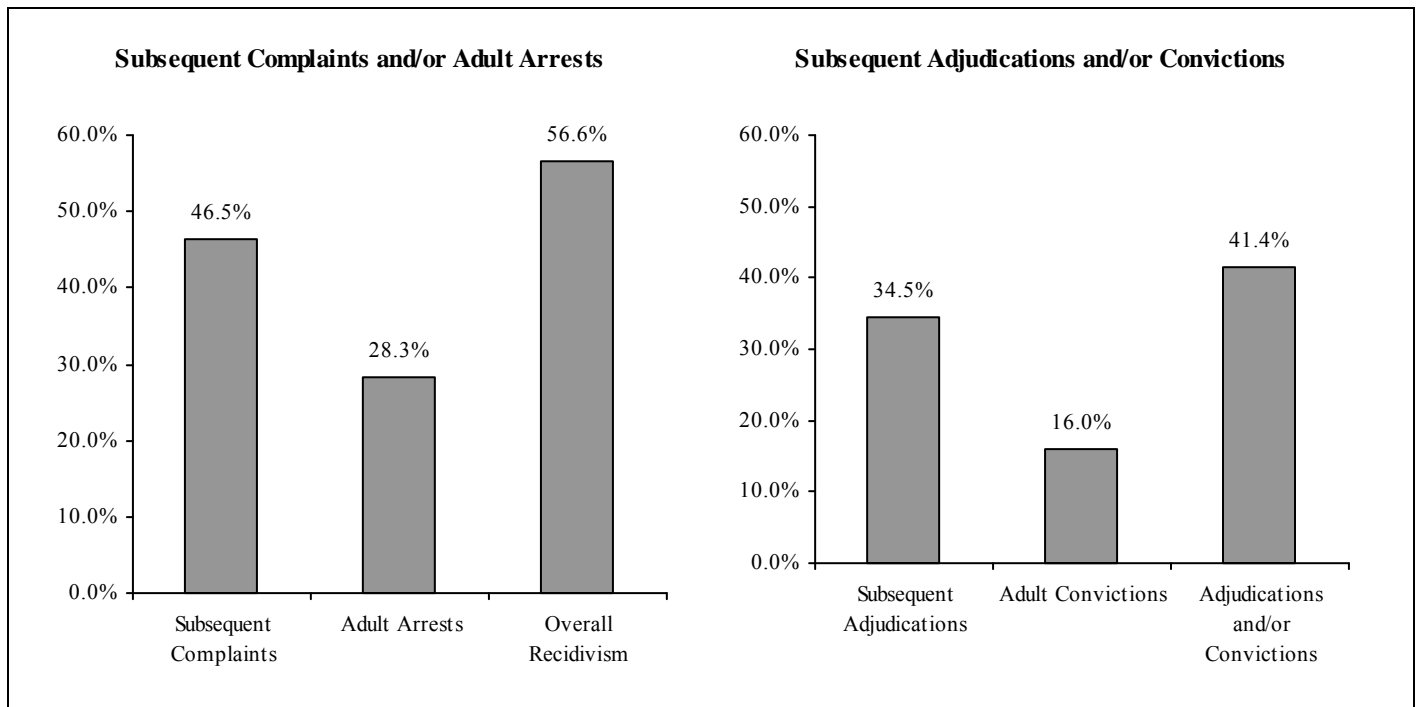
³¹ Although the adult arrest had to occur within the three-year follow-up, the date that the alleged offense occurred could have been prior to the follow-up period.

similar measure for subsequent juvenile adjudications and/or adult convictions.³² All 6,605 adjudicated and disposed juveniles were included in analyzing overall recidivism.

Subsequent Juvenile Complaints/Adjudications and Adult Arrests/Convictions

Figure 3.2 presents the three measures of recidivism for the subgroup. Of the 6,605 juveniles adjudicated and disposed, 3,738 (or 56.6%) had a subsequent juvenile complaint and/or an adult arrest (“overall recidivism”). Of the 5,978 juveniles under juvenile jurisdiction during the follow-up, 2,780 (or 46.5%) had a subsequent delinquent complaint. Of the 5,835 juveniles under adult jurisdiction during the follow-up, 1,650 (or 28.3%) had an adult arrest. Figure 3.2 also details subsequent adjudication and conviction rates for the subgroup. The overall adjudication or conviction rate was 41.4%. Of the juveniles under juvenile jurisdiction during follow-up, 34.5% had a subsequent adjudication. Of those juveniles under adult jurisdiction during follow-up, 16.0% had an adult conviction.

**Figure 3.2
Recidivism Rates
Juveniles Adjudicated and Disposed**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

For those adjudicated and disposed juveniles with at least one subsequent juvenile complaint or adult arrest during follow-up, their first recidivistic event occurred an average of

³² Tables referring to only juvenile recidivism, or only adult recidivism, state so specifically. Otherwise, in this report the terms “recidivism” or “overall recidivism” refer to having a subsequent juvenile complaint, an adult arrest, or both.

10.7 months after the start of the follow-up period. During the three-year follow-up period, 3,738 juveniles had a total of 9,721 subsequent juvenile complaints and/or adult arrests with an average of 2.6 recidivistic events.

Sample Offense and Recidivism

Table 3.7 presents the three primary recidivism measures for adjudicated and disposed juveniles by the offense classification of their most serious adjudicated sample offense. Juveniles adjudicated for a violent offense had a considerably lower recidivism rate – 39.8% – than either the juveniles adjudicated for a serious or a minor offense – 57.5% and 56.9% respectively. A difference in the “window of opportunity” to commit additional acts of delinquency might explain this difference. Confinement in a YDC, averaging over 12 months,³³ reduced the time at risk for recidivism, especially during the juvenile portion of the follow-up for juveniles adjudicated of a violent offense. Overall, 35.5% of the juveniles adjudicated for a violent offense were committed to a YDC sometime during the follow-up period, compared to 15.1% of those with a serious offense and 6.0% of those with a minor offense.

Table 3.7
Recidivism Rates by Sample Offense Classification
Juveniles Adjudicated and Disposed

Offense Classification	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	N	%
Violent (Class A – Class E)	161	27.3	168	23.2	186	39.8
Serious (Class F – Class A1)	1,758	45.7	1,759	30.8	1,966	57.5
Minor (Class 1 – Class 3)	4,059	47.6	3,908	27.4	4,453	56.9
Total	5,978	46.5	5,835	28.3	6,605	56.6

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Tables 3.8 and 3.9 highlight comparable patterns of increased recidivism rates based on the severity of prior delinquency and disposition level at sample entry. As the severity of prior delinquency history increased, rates increased for all three measures of recidivism. Similarly, as the severity of dispositions increased, so did the overall rate of recidivism. A notable break in this pattern was the significantly lower rate of subsequent juvenile complaints for those committed to a YDC. One explanation for this finding is related to the juvenile’s window of opportunity to recidivate. Of the adjudicated juveniles who received a Level 3 YDC commitment at disposition, the majority (82.9%) were 14- and 15-year-olds and had aged out of

³³ North Carolina Sentencing and Policy Advisory Commission’s *Juvenile Delinquent Population Projections Fiscal Year 2008/09 to Fiscal Year 2012/13*, 2008.

the juvenile system while in confinement. They re-offended at an accelerated pace upon release as adults, as indicated by their much higher adult arrest rate.

Table 3.8
Recidivism Rates by Delinquency History Level
Juveniles Adjudicated and Disposed

Delinquency History Level	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	n	%
Low	4,781	45.1	4,551	25.5	5,220	54.2
Medium	707	50.1	732	31.7	803	61.0
High	490	54.9	552	46.7	582	72.3
Total	5,978	46.5	5,835	28.3	6,605	56.6

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Table 3.9
Recidivism Rates by Disposition Level
Juveniles Adjudicated and Disposed

Disposition Level	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	n	%
Level 1 (Community)	4,294	45.2	4,070	25.5	4,684	54.2
Level 2 (Intermediate)	1,520	51.6	1,566	33.0	1,717	62.4
Level 3 (Commitment)	152	34.2	184	50.5	187	64.7
Total	5,966	46.5	5,820	28.3	6,588	56.7

Note: Of the 6,605 juveniles adjudicated and disposed, there were 17 cases with missing values for disposition level.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Risk and Needs Levels and Recidivism

Recidivism rates were also found to vary by risk and needs scores. (See Tables 3.10 and 3.11.) For both measures, the differences in recidivism rates were greater between low and medium levels of risk or needs than between medium and high levels. Overall recidivism increased from

46.4% for low risk to 71.5% for high risk juveniles, and from 50.2% for low needs to 60.8% for high needs juveniles.

Table 3.10
Recidivism Rates by Risk Level
Juveniles Adjudicated and Disposed

Risk Level	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	n	%
Low	2,853	38.2	2,676	20.9	3,104	46.4
Medium	2,187	54.1	2,169	32.1	2,426	64.6
High	664	53.6	731	44.7	764	71.5
Total	5,704	46.1	5,576	28.4	6,294	56.4

Note: Of the 6,605 juveniles adjudicated and disposed, there were 311 cases with missing values for risk level.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Table 3.11
Recidivism Rates by Needs Level
Juveniles Adjudicated and Disposed

Needs Level	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	n	%
Low	2,818	41.3	2,675	24.6	3,097	50.2
Medium	2,484	51.5	2,461	31.7	2,738	62.8
High	410	47.1	445	32.8	467	60.8
Total	5,712	46.2	5,581	28.4	6,302	56.5

Note: Of the 6,605 juveniles adjudicated and disposed, there were 303 cases with missing values for needs level.

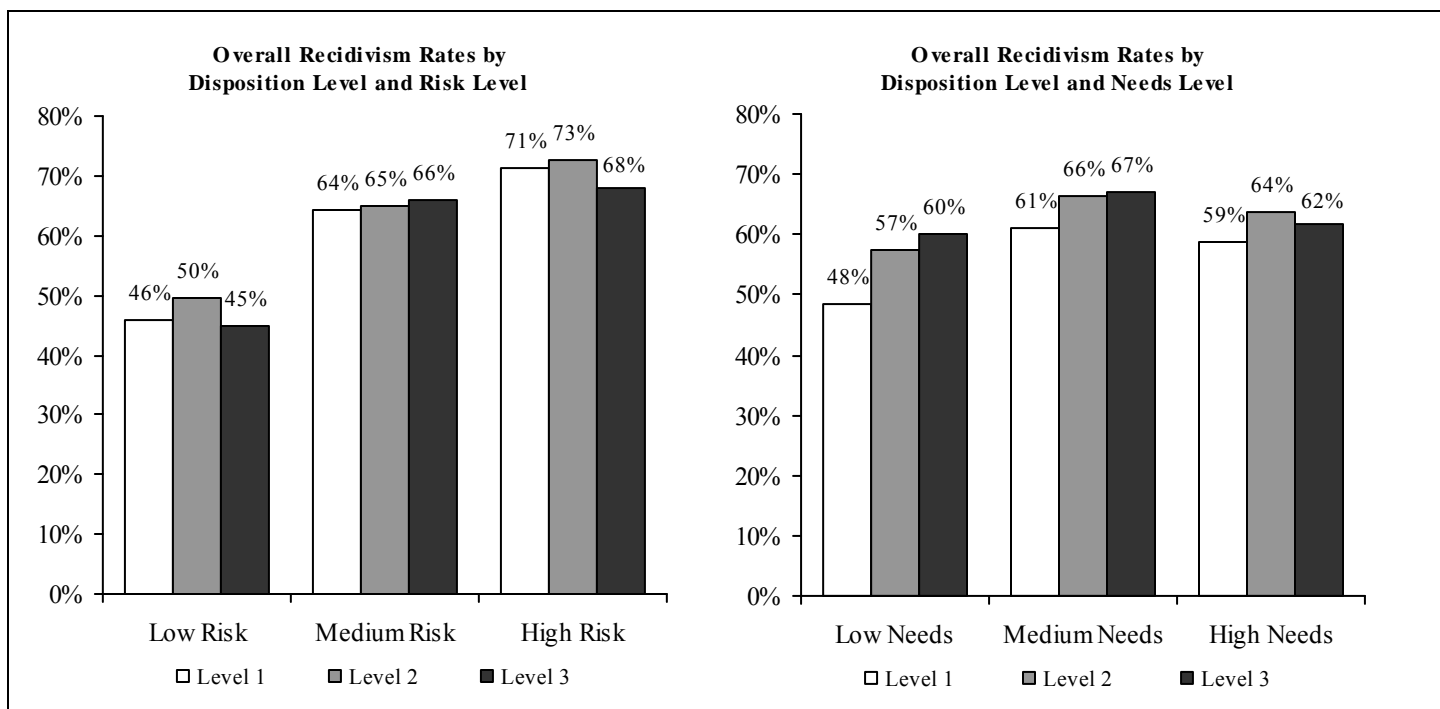
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

The stair-step pattern in overall recidivism rates found by the disposition level and by the risk level for juveniles (*see* Tables 3.9 and 3.10) was also found when examining recidivism rates by disposition level and controlling for risk level. Figure 3.3 illustrates the relationship between disposition level and overall recidivism (*i.e.*, juvenile complaints and/or adult arrests) during the three-year follow-up when controlling for risk level. Once risk level is controlled, the differences in recidivism rates between the juveniles in the different disposition levels are

diminished. For the three-year follow-up period, recidivism rates for low risk juveniles ranged from 45% to 50%, while recidivism rates for high risk juveniles ranged from 68% to 73%.

A slightly different pattern is evident when examining recidivism rates by disposition level and controlling for needs level. Once needs level is controlled, the differences in recidivism rates between the juveniles in the different disposition levels are somewhat diminished; however, the recidivism rates are slightly higher for medium needs juveniles than for high needs juveniles in all three disposition levels. For the three-year follow-up period, recidivism rates for low needs juveniles ranged from 48% to 60%, while recidivism rates for high needs juveniles ranged from 59% to 64%.

Figure 3.3
Overall Recidivism Rates by Disposition Level and by Risk and Needs Levels
Juveniles Adjudicated and Disposed



Note: Of the 6,605 juveniles adjudicated and disposed, there were 311 cases with missing values for risk level, 303 cases with missing values for needs level, and 17 cases with missing values for disposition level.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Court-Ordered Sanctions and Recidivism

Table 3.12 examines the overall recidivism rate for juveniles ordered to comply with specific sanctions ordered at disposition. Recidivism rates varied only slightly – from 55.1% to 56.9% – for the overall sanction categories, with more variation found for specific sanctions. Juveniles ordered to a group home and/or to house arrest had the highest recidivism rates (72.6%

Table 3.12
Overall Recidivism Rates by Specific Sanctions Ordered at Disposition
Juveniles Adjudicated and Disposed

Type of Sanction Ordered	N	%	% Overall Recidivism
Treatment/Placement	4,275	64.7	56.9
Cooperate with Specified Program	3,164	47.9	56.5
Group Home	95	1.4	72.6
Regimented Training Program	55	0.8	58.2
Supervised Day Program	106	1.6	60.4
Wilderness Program	778	11.8	62.5
Intensive Probation	108	1.6	63.9
House Arrest	120	1.8	69.2
Intermittent Detention Confinement	1,869	28.3	57.6
Restorative Justice	3,285	49.7	55.2
Community Service	2,444	37.0	55.0
Restitution/Fine	1,390	21.0	55.4
Victim-Offender Reconciliation	109	1.7	48.6
School/Work-Related	5,036	76.3	55.7
School-Related	4,993	75.6	55.7
Work-Related	693	10.5	55.0
Other Restrictive Conditions	5,309	80.4	56.0
Curfew	3,947	59.8	56.9
No Assoc with Specific Person/Not be in Specific Places	3,690	55.9	54.3
Drug Testing/No Alcohol/No Contr Subst	4,607	69.8	56.0
Parental Responsibility	3,011	45.6	55.1

Note: Juveniles may be represented in multiple sanction categories.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

and 69.2% respectively), while juveniles ordered to reconcile with the victim had the lowest recidivism rates (48.6%). When examining recidivism rates for specific sanctions, the offense classification, disposition level, risk level, and needs level of juveniles assigned to such sanctions should be considered. For example, a higher percentage of juveniles ordered to a group home and/or to house arrest had a serious offense as their sample offense, received a Level 2 disposition, and had higher risk and needs levels when compared to juveniles ordered to comply with other sanctions (such as victim-offender reconciliation).

The multivariate analysis that follows further examines the recidivism of juveniles adjudicated and disposed, while controlling for factors such as personal characteristics, offense classification, and risk and needs levels.

MULTIVARIATE ANALYSIS

Logistic Regression Models

Using logistic regression,³⁴ several models were tested to determine how a set of independent variables was related to the probability of overall recidivism (subsequent delinquent complaint and/or arrest) for the subset of juveniles who were adjudicated and disposed (n=6,605) and to the probability of adult arrest for those juveniles who aged into the adult criminal justice system during the three-year follow-up period (n=5,835). As previously noted, while the effects reported in this analysis may reveal the existence of a *relationship* between an independent variable and a dependent (outcome) variable, such effects do not necessarily imply a *causal* relationship between those variables.

Dependent Variables (Outcome Measures) Modeled

The regression analyses in this section model two dependent variables:

- ▶ *Overall Recidivism* – any subsequent delinquent complaint, arrest, or both
- ▶ *Adult Arrest* – subsequent adult arrest only

Independent Variables Used in the Regression Models

The regression analyses in this section include the following independent variables:

- ▶ *Personal Characteristics* – race, gender, and age
- ▶ *Offense Classification* – violent, serious, and minor
- ▶ *Delinquency History Level* – low, medium, and high
- ▶ *Risk Level* – low, medium, and high as assessed by DJJDP’s risk instrument
- ▶ *Needs Level* – low, medium, and high as assessed by DJJDP’s needs instrument
- ▶ *Several individual items from the risk assessment* – whether or not the juvenile had prior referral(s), was delinquent under the age of 12, is supervised adequately by parent, has positive peer relationships, and has substance abuse problems
- ▶ *Commitment to YDC or Detention Center* – whether or not the juvenile was committed to either a YDC or a detention center between sample entry and the end of the follow-up period
- ▶ *Adult months* – the amount of time in months the juvenile has been under adult jurisdiction (age 16 or older)

³⁴ See Chapter Two for further discussion of the logistic regression statistical tool.

Logistic Regression Analyses

Table 3.13 displays the estimated effects of the independent variables in each model on the outcome measure modeled. As previously mentioned, the effects listed should be interpreted based on the following criteria: whether the effect of the variable is statistically significant (*i.e.*, with a relationship unlikely to be the result of random chance) and, if so, the direction and magnitude of the variable's effect on the outcome. In general, only estimated effects that are statistically significant are reviewed.

Model 3 contains the estimated effects of each independent variable on an adjudicated and disposed juvenile's probability of having a subsequent delinquent complaint and/or arrest (overall recidivism) during the three-year follow-up period. The average probability of overall recidivism for the adjudicated and disposed group was 56.5% and this outcome was related to a number of personal, offense-related, and court involvement factors. The values presented for Model 3 indicate the approximate change in the probability of complaint or arrest associated with each independent variable relative to a reference category. Being a male, for example, enhanced the probability of subsequent complaint or arrest by 17.4% over that of being a female. Black juveniles had an increased probability (of 17.0%) of subsequent complaint or arrest compared to non-black juveniles. With each additional year of age based on the juvenile's age at sample entry, the probability of complaint or arrest decreased 7.7%.

Juveniles with a serious or minor offense classification had an increased likelihood of subsequent complaint or arrest (17.0% and 18.5% respectively) compared with those juveniles with a violent offense classification. As previously noted, this finding may be related to YDC commitment during the follow-up period for those juveniles with a violent offense level.³⁵ There were no statistical differences between the probability of subsequent complaint or arrest for juveniles who had low and medium delinquency history levels; however, those juveniles with a high delinquency history level were 7.4% more likely to recidivate than the low delinquency history group.

No statistical differences were found among juveniles who received a Level 1 (community), Level 2 (intermediate) or Level 3 (YDC) disposition. Juveniles who were assessed as having a medium or high risk of re-offending were more likely to have a subsequent complaint or arrest (10.6% and 15.4% respectively) than juveniles in the low risk group. There were no statistical differences in overall recidivism for juveniles with low, medium, and high levels of needs.

³⁵ See Chapter Two for further discussion.

Table 3.13
Effect of Personal and Juvenile Justice Factors on Recidivism:
Adjudicated and Disposed Juveniles

Independent Variables	Model 3: Overall Recidivism n=6,217 (56.5%)	Model 4: Adult Arrest n=5,524 (28.4%)
<i>Personal Characteristics</i>		
Black	17.0%	19.0%
Male	17.4%	28.4%
Age at Event	-7.7%	-6.0%
<i>Offense Classification</i>		
Violent	Reference	Reference
Serious	17.0%	12.7%
Minor	18.5%	13.0%
<i>Delinquency History Level</i>		
Low	Reference	Reference
Medium	NS	NS
High	7.4%	NS
<i>Disposition Level</i>		
Level 1	Reference	n/a
Level 2	NS	n/a
Level 3	NS	n/a
<i>Risk Level</i>		
Low	Reference	Reference
Medium	10.6%	7.3%
High	15.4%	14.2%
<i>Needs Level</i>		
Low	Reference	Reference
Medium	NS	NS
High	NS	NS
<i>Individual Risk Variables</i>		
Prior Referral	9.1%	NS
Delinquent under 12	-10.8%	NS
Adequate Supervision by Parent	NS	5.8%
Positive Peer Relations	-6.1%	-3.9%
Substance Abuse	4.4%	NS
School Problems		
None	Reference	Reference
Low	10.5%	NS
Medium	8.8%	NS
High	12.1%	NS
Commitment (YDC or Detention)	n/a	10.5%
Adult Months	n/a	1.7%

Note: Model 3 – Of the 6,605 juveniles that comprise the adjudicated and disposed group, 388 were excluded from analysis due to missing data for one or more of the variables. Model 4 – Of the 5,835 juveniles who aged into the adult criminal justice system during follow-up, 311 were excluded from analysis due to missing data.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Because the risk levels were significant predictors of overall recidivism, several individual risk variables of interest were also included to see if they predicted the likelihood of complaint or arrest over and above the risk level itself.³⁶ Juveniles who had a prior juvenile justice referral were 9.1% more likely to have a subsequent complaint or arrest than those juveniles who did not have a prior referral. Being 12 years or less at the time of first delinquent complaint decreased the likelihood of overall recidivism by 10.8%. Having adequate parental supervision was not significantly related to the likelihood of recidivism. Juveniles who had positive peer relationships were 6.1% less likely to have a subsequent complaint or arrest than juveniles who did not have positive peer relationships; juveniles who had substance abuse problems were 4.4% more likely to recidivate than those with no substance abuse problems. Juveniles with low, medium, or high levels of school problems were all more likely to recidivate (10.5%, 8.8% and 12.1% respectively) than juveniles with no school problems.

For those adjudicated and disposed juveniles who aged into the adult criminal justice system during the three-year follow-up period (n=5,835), Model 4 was tested to examine the estimated effects of having an adult arrest during follow-up (an average probability of 28.4%). A systemic variable was added to this model: commitment to either a YDC or to a detention center any time between sample entry and the end of the follow-up period. In addition, the amount of time (in months) the juvenile was an adult (16 years or older) during the three-year follow-up period was included as a control variable.

As in Model 3, black juveniles and male juveniles had an increased probability of having an adult arrest compared to non-black juveniles and female juveniles. With each additional year of age for the juvenile's age at event, the probability of complaint or arrest decreased 6.0%. Juveniles who had a serious or minor offense were more likely (12.7% and 13.0% respectively) to be arrested than those with a violent offense.

Juveniles who were assessed as medium or high risk were more likely to be arrested than those with a low risk level (7.3% and 14.2% respectively). Over and above the risk level, several risk assessment items significantly predicted recidivism. Juveniles with adequate parental supervision were 5.8% more likely to be arrested than those without adequate parental supervision. Juveniles who had positive peer relationships were 3.9% less likely to be arrested than those who did not have positive peer relationships.

Commitment to either a YDC or to a detention center increased the likelihood of an adult arrest by 10.5%. Finally, for each additional month spent as an adult in the follow-up period, the probability of having an adult arrest increased 1.7%.

³⁶ A preliminary logistic regression model including all the individual risk assessment items and risk level was conducted. Individual items that were statistically significant ($p < .05$) over and above the contribution of risk level were included in Models 3 and 4.

SUMMARY

The following section presents a summary of the major findings in Chapter Three:

Subgroup Profile

- A subgroup of 6,605 juveniles (32.6% of sample) were adjudicated and disposed within the study's time frame. A wealth of additional information was available for this subgroup, including their personal needs and risk to re-offend, their adjudicated sample offense, delinquency history, level of disposition, and specific sanctions ordered by the court.
- Close to half of the adjudicated and disposed juveniles had both low needs and low risk levels; only 7.4% had high needs and 12.2% had high risk levels.
- The majority (67.4%) of the subgroup were adjudicated for minor (misdemeanor) offenses; had very little or no delinquency history (79.0%), and received a Level 1 community-based disposition (71.9%). Only a small fraction (2.7%) was adjudicated for violent offenses; had a significant delinquency history (8.8%); or were committed to a YDC (2.5%).

Key Findings

- The level of disposition was closely related to both the adjudicated juveniles' risk and needs and to the seriousness of their offense and prior delinquency. There was also a direct relationship, in the expected direction, between the seriousness of the offense, the prior delinquency, and the type of disposition imposed by the court.
- Recidivism rates for adjudicated and disposed juveniles were higher than those for the entire sample: 46.5% of the subgroup had a subsequent delinquent complaint, 28.3% had an adult arrest, and 56.6% had either or both measures of recidivism. Rates generally increased with higher levels of risk, needs, delinquency history, and disposition type. Juveniles adjudicated for serious or minor offenses had higher recidivism rates than those adjudicated for violent offenses, most likely due to the reduced time at risk for those committed to a YDC.
- Recidivism rates varied by dispositional sanctions, with the highest rates for juveniles ordered to group home or house arrest sanctions and the lowest for juveniles ordered into victim-offender reconciliation programs.
- Multivariate statistical analyses examined the net effect of personal characteristics and systemic factors on recidivism. The majority of available factors increased a juvenile's probability of both overall recidivism and adult arrests including being male, black, adjudicated for a serious or minor offense, having higher risk levels, and commitment to a YDC or detention center. The few factors that reduced the probability of recidivism were related to the juvenile's age and the influence of positive peer relations.

CHAPTER FOUR

SUMMARY AND CONCLUSIONS

During the 2005 Session, the North Carolina General Assembly expanded the Sentencing and Policy Advisory Commission's mandate to include the preparation of biennial reports on statewide rates of juvenile recidivism. (Session Law 2005-276, Section 14.19.) This marks the second biennial report, submitted to the legislature on May 1, 2009. The study followed a sample of 20,236 juveniles who had a delinquent complaint processed in the juvenile justice system between July 1, 2004 and June 30, 2005 and tracked their subsequent contacts with the juvenile justice and criminal justice systems over the next three years. Juveniles with undisciplined complaints were omitted from the sample. Data on the sample were obtained from the automated databases of the North Carolina Department of Juvenile Justice and Delinquency Prevention and the Department of Justice. Additionally, interviews with DJJDP staff provided a descriptive context for the study.

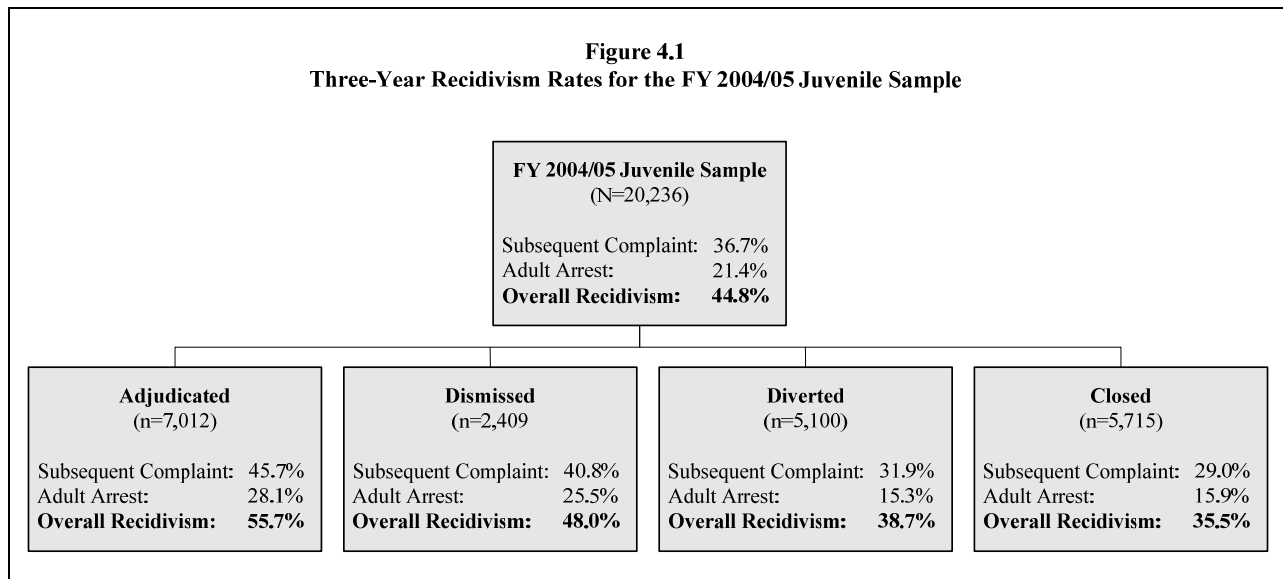
In line with the decisions made within the juvenile justice system, the 20,236 juveniles in the sample were categorized into one of four groups – juveniles with closed, diverted, dismissed, or adjudicated cases. Altogether, the mean age of the sample was 13.6 years; the adjudicated juveniles were the oldest of the four groups. The sample was largely comprised of male juveniles (70%), and 52% of the juveniles were black. The events that brought the youths to the attention of the juvenile justice system in FY 2004/05 were largely misdemeanors (89%); the 11% of juveniles with felonies were predominantly in the adjudicated and dismissed groups.

Three measures of juvenile recidivism were utilized in the study: subsequent juvenile delinquent complaints, adult arrests, and a combination measure that captured recidivism in both the juvenile and adult systems (*i.e.*, overall recidivism). A three-year follow-up period was calculated for each juvenile, so as to standardize the length of time in which recidivism could be measured in either the juvenile or adult systems. It is important to note, however, that while it was possible to standardize the follow-up period with regard to time, there remained differences in the juveniles' availability to recidivate. Confinements in either or both systems during the three-year follow-up period may have reduced the time at risk of some juveniles and, thereby, diminished the potential for recidivistic activity.

The rate of subsequent delinquent complaint was 37%, the rate of adult arrest was 21%, and the overall recidivism rate was 45%. (*See* Figure 4.1.) The highest rate of all three measures of recidivism was observed in the adjudicated group.

The findings from the overall sample indicated that juvenile recidivism was related to several factors. First, a clear relationship emerged between the level of involvement with the juvenile justice system and juveniles' likelihood of recidivating. Level of involvement ranged from the least serious (a closed case) to the most serious (an adjudicated case). In a number of ways, the data demonstrated that the deeper the involvement of the youth in the juvenile justice system, the more likely s/he was to have subsequent recidivism. A similar pattern was also found in the average amount of time to a first subsequent complaint or arrest. The adjudicated

and dismissed groups had, on average, a shorter amount of time until their first recidivistic event (10.8 months and 11.3 months respectively) than the diverted and closed groups (12.8 months and 12.2 months respectively).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2004/05 Juvenile Recidivism Sample

Although the stair-step increase in recidivism by level of involvement held true for the sample in general, some divergence was observed between the diverted and closed groups, reversing their order in relation to their respective rates of recidivism. There could be a number of plausible reasons for this finding. While juveniles with a diverted case had deeper involvement in the juvenile justice system than those with a closed case, the majority of diverted juveniles had the benefit of referral to a community-based program through a diversion plan or contract, which was monitored by a court counselor for as long as six months. As noted in Chapter One, juveniles whose cases were closed had no follow-up by a court counselor. In addition, the fact that juveniles in the diverted group had a shorter time at risk as adults (*i.e.*, 16 years and older) than the closed group (16.9 months and 17.5 months respectively) may account for their better track record in the adult criminal justice system.

A second finding concerned the type of sample offense and its relationship with recidivistic events in the three-year follow-up period. Juveniles whose sample offense was a felony had a significantly higher recidivism rate than those with a misdemeanor sample offense (51% and 44% respectively). Furthermore, juveniles who entered the FY 2004/05 sample with a felony were also more likely to recidivate with a felony as their most serious new offense, while those who entered the sample with a misdemeanor were most likely to recidivate with a misdemeanor as their most serious new offense.

A third finding from these data demonstrated a complex relationship between age and recidivism for juveniles in the sample. Juveniles between the ages of 6 and 9 had very low recidivism rates, those aged 10-12 showed gradually increasing rates with the highest recidivism observed for 12-13 year-olds, while ages 14-15 showed considerably decreasing rates. A possible explanation for this finding might be in the dynamic between a child's age, delinquency

history, and the capacity of the juvenile justice system to exercise discretion. Presumably, the youngest children in the sample entered the juvenile justice system with what was their first referral, and were more likely to benefit from a discretionary action by the court counselor, possibly coupled with needed community-based services. The majority of this age group (77% in the sample) was successfully kept out of the system for at least the next three years. The next age group, of 10 to 13 year olds, by definition would have an increasing number of youth with some delinquency history, comprised of those for whom earlier interventions had failed. This cohort, while possibly being processed deeper into the juvenile justice system, was still likely to benefit from a discretionary decision short of adjudication or, if adjudicated, receive a less restrictive (community) disposition. This could explain why recidivism rates rapidly rose in this age group, peaking at 12.

There are several possible explanations for the lower recidivism rates of the oldest juveniles (*i.e.*, ages 14 and 15). One possibility is that the increased probability of longer delinquency histories and more serious charges for the older youth might lead to less diversionary decisions, more adjudications, and more restrictive dispositions (*e.g.*, confinement) for that group. This, in turn, would effectively limit their time at risk and explain their rapidly declining recidivism rates, especially during the juvenile portion of their three-year follow-up. Another possible explanation is that the increased number of school drop-outs at these ages may result in fewer delinquent complaints because many complaints originate from the school.

Next, two logistic regression models were presented that estimated the effect of a variety of background factors on the recidivistic outcomes. The first outcome estimated the probability of overall recidivism; the second outcome estimated, for those juveniles who had aged into the adult criminal justice system, the probability of adult arrest. According to these analyses, the following factors *increased* the likelihood of overall recidivism: being male, black, and having a serious or minor sample offense (relative to violent offenses). The following factors *decreased* the likelihood of overall recidivism: being younger, and having a closed, diverted, or dismissed case rather than an adjudicated case. The results regarding the effect of the factors modeled on adult arrest were similar (at least in direction if not in magnitude), with the additional findings that juvenile confinement increased the probability of adult arrest, as did the amount of time juveniles spent under the jurisdiction of the adult system.

The report also includes additional information for a subset of juveniles that had the deepest involvement in the juvenile justice system – those adjudicated and disposed. Almost all of the 7,012 juveniles who were adjudicated also had a disposition entered into the NC-JOIN database (n=6,605; 94.2%); thus, the demographic profile and recidivism rates for the adjudicated and delinquent subgroup were very similar to those of the adjudicated juveniles. As a whole, the adjudicated and disposed juveniles differed from the other comparison groups in that they spent considerably more time under the jurisdiction of the adult criminal justice system during the three-year follow-up.

One advantage of examining this group in detail was the availability of more information on juveniles who were adjudicated and disposed. Because the DJJDP completes standardized risk and needs assessments on all adjudicated juveniles, these assessments, as well as court-ordered sanctions, were examined as factors affecting recidivism. Juveniles' scores on the risk

and needs instruments were categorized into three levels – low, medium, or high. Additionally, the NC-JOIN data for juveniles adjudicated and disposed offered descriptive information on sanctions imposed by the court. For the purposes of this study, the sanctions were collapsed into five categories: treatment/placement, restorative justice, school/work-related, other restrictive conditions, and court orders regarding parental responsibility.

Overall, the recidivism rate (*i.e.*, subsequent complaint and/or adult arrest) for the adjudicated and disposed juveniles was 56.6%, compared to 44.8% for the entire sample. Several factors affected this rate. Generally, the rate of overall recidivism increased with both increases in the juvenile's prior delinquency history (*i.e.*, low, medium, or high) and dispositional level (*i.e.*, Level 1, Level 2, or Level 3). A notable exception to this pattern was the lower rate of subsequent complaints for juveniles with a Level 3 disposition (commitment to a YDC). One possible explanation for this lower rate is that these juveniles were unavailable to re-offend due to their period of confinement. Those juveniles committed to a YDC (the majority of whom were 14 and 15 years old) also had a significantly higher rate of adult arrests. Because of their age, many of these juveniles aged into the adult criminal justice system by the time of their YDC release and began to recidivate with adult arrests more rapidly than the other groups.

A direct relationship was also observed between the risk and needs assessments and recidivism rates. Generally, as risk and needs levels increased, so did the recidivism rates. Particularly large increases in recidivism rates were noted between the juveniles with low and medium levels of risk and needs. Further, juveniles' risk levels appeared to be driving differences in the recidivism rates more than their needs levels. The data on needs levels were complex – juveniles with a medium level of needs recidivated at a higher rate than either their low or high needs counterparts.

For the first time, data were available on the court-ordered sanctions imposed on juveniles. These data are informative as an initial look at the link between court sanctions and juvenile recidivism. It should be noted, however, that data on the juveniles' *compliance or completion* of the sanctions were not available. These data indicated small differences in the recidivism rates between the categories. However, a good deal of variation in recidivism rates was observed within the specific sanctions in each category. There are several possible explanations for these findings. First, risk and needs levels, as well as disposition levels, were not evenly dispersed across programs; this disproportionate distribution increases within-category variability and reduces between-category variability. In other words, the risk and needs levels are possibly masking the effects of the court-ordered sanctions on recidivism. Another factor that could explain the high within-category variability is that there is more judicial discretion in the juvenile justice system than in the adult criminal justice system; a related possible reason is the availability of sanctions in the judicial districts from which the judge can choose. Finally, there are differences in the attributes of the sanctions (*i.e.*, length, composition of the program, and successful completion) which may affect the recidivism rates, but which are currently unavailable in the NC-JOIN database.

Two multivariate models were presented that estimated the effect of the factors discussed above on the recidivistic outcomes for the adjudicated and disposed subgroup. The first outcome estimated the probability of overall recidivism; the second outcome estimated, for those juveniles

who had aged into the adult criminal justice system, the probability of adult arrest. According to these analyses, the following factors *increased* the likelihood of overall recidivism: being male, black, having a serious or minor sample offense (relative to violent offenses), having a high delinquency history level (relative to low or medium levels, which were not different from one another), having medium or high risk levels (relative to low risk level) as assessed by DJJDP's risk instrument, having a prior referral to juvenile justice, having substance abuse problems, and having low, medium, or high levels of school problems (relative to no school problems). The following factors *decreased* the likelihood of overall recidivism: being older, being adjudicated under the age of 12, and having positive peer relationships.

The effects of the factors modeled on adult arrest were similar (in direction) to those for overall recidivism, with several additional findings. Having adequate supervision by a parent increased the probability of adult arrest, as did confinement of the juvenile and the amount of time juveniles spent under the jurisdiction of the adult system. It should be noted that several factors that significantly predicted overall recidivism were not significant in the adult model.

In conclusion, 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 recidivism was lower when the systemic response of the juvenile justice system was less invasive, either by processing and intervening with youths short of adjudication or, if adjudicated, providing dispositions short of the most restrictive option of confinement. It is important to recognize that there are several possible explanations for this finding – the relationship is a correlation and thus precludes any determination of causality. It is possible that the depth of the system's response may contribute to a juvenile's probability of re-offending. Another possibility is that the most troubled youths elicit an increasingly invasive, restrictive response from the system; factors that accompany a juvenile when s/he enters the juvenile justice system, such as family dynamics, psychological issues, and school problems could also contribute to recidivistic behavior. It is plausible that the explanation for the increased recidivism 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, the point remains that sufficient resources are needed in the community that are available at the front-end of the juvenile justice system, easily accessible to juveniles and their families, and with a proven track record of successfully intervening with the complex issues associated with delinquent youth. Another finding which indicated a relationship between recidivism and age has a related message for policy makers. If appropriate resources were targeted at the age-group with the highest overall recidivism rate (juveniles aged 10-13) at the earliest possible point of their contact with the juvenile justice system, it might affect their rate of re-offending.

While there will be youths for whom the juvenile system will have no recourse but the most restrictive sanction of a commitment to a youth development center, there will be abundantly more youths who will need rehabilitative resources of a less restrictive nature. Meeting this need for community-based alternatives, especially during times of serious budgetary constraints, will continue to be a challenge for policy makers, juvenile justice professionals, and youth services providers.

APPENDIX A.1

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. Check 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. R8-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.

- | | | Score |
|-----|--|-------|
| R1. | Age when first delinquent offense alleged in a complaint: Check appropriate score and enter the actual age
a. Age 12 or over or no delinquent complaint 0 <input type="checkbox"/>
b. Under age 12 2 <input type="checkbox"/>
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 <input type="checkbox"/>
b. 1 Prior referral 1 <input type="checkbox"/>
c. 2-3 Prior referrals 2 <input type="checkbox"/>
d. 4+ Prior referrals 3 <input type="checkbox"/> | _____ |
| R3. | Most serious prior adjudication(s). Enter the actual number of prior adjudications for each class of offense shown in b through e then check the score for <u>only</u> 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 <input type="checkbox"/>
b. Prior Undisciplined # of adjudications: 1 <input type="checkbox"/>
c. Prior Class 1-3 misdemeanors # of adjudications: 2 <input type="checkbox"/>
d. Prior Class F-I felonies or A1 misdemeanors # of adjudications: 3 <input type="checkbox"/>
e. Prior Class A-E felonies # of adjudications: 4 <input type="checkbox"/> | _____ |
| 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 check the score for the assault category with the highest numerical score. The maximum possible score for this item is 5.
a. No assaults 0 <input type="checkbox"/>
b. Involvement in an affray # of complaints: 1 <input type="checkbox"/>
c. Yes, without a weapon # of complaints: 2 <input type="checkbox"/>
d. Yes, without a weapon, inflicting serious injury # of complaints: 3 <input type="checkbox"/>
e. Yes, with a weapon # of complaints: 4 <input type="checkbox"/>
f. Yes, with a weapon inflicting serious injury # of complaints: 5 <input type="checkbox"/> | _____ |
| 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. Check appropriate score.
a. No 0 <input type="checkbox"/>
b. Yes 2 <input type="checkbox"/>
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. Check appropriate score.
a. No known substance use 0 <input type="checkbox"/>
b. Some substance use, need for further assessment 1 <input type="checkbox"/>
c. Substance abuse, assessment and/or treatment needed 3 <input type="checkbox"/> | _____ |

- R7. School behavior problems during the prior 12 months:** Check appropriate score.
- a. No problems (Enrolled, attending regularly) 0
 - b. Minor problems (attending with problems handled by teacher/school personnel, or 1-3 unexcused absences/truancy) 1
 - c. Moderate problems (4 to 10 unexcused absences /truancy, or 1 or more in-school suspensions or 1 short-term suspension – up to 10 days) 2
 - d. Serious problems (more than 1 short-term suspension, or 1 or more long-term suspension, or more than 10 unexcused absences or expelled/dropped out.) 3
- R8. Peer relationships:** Check appropriate score. Put check in the line following appropriate information
- a. Peers usually provide good support and influence 0
 - b. Youth is rejected by pro-social peers , or youth sometimes associates with others who have been involved in delinquent/criminal activity but is not primary peer group 1
 - c. Youth regularly associates with others who are involved in delinquent/criminal activity 3
 - d. Youth is a gang member or associates with a gang 5
- R9. Parental supervision:** (Score the current responsible parental authority) Check appropriate score.
- a. Parent, guardian or custodian willing and able to supervise 0
 - b. Parent, guardian or custodian willing but unable to supervise 2
 - c. Parent, guardian or custodian unwilling to supervise 3

R10.	TOTAL RISK SCORE	0
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Check Risk Level: Low risk (0-7) Medium Risk (8-14) High Risk (15+)

R11. Completed before or after adjudication: (check) before after
 Most serious offense alleged /adjudicated in current complaint/petition:

Statute number: _____

Class offense: A-E Felony F-I Felony, A1 Misdemeanor Class 1-3 Misdemeanor
 Undisciplined

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

COMMENTS:

APPENDIX A.2

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. Check 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 (Y8 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 unmet .

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 <input type="checkbox"/> | Self mutilation <input type="checkbox"/> | Sad <input type="checkbox"/> | Runs away <input type="checkbox"/> |
| Confused <input type="checkbox"/> | Hallucinations <input type="checkbox"/> | Anxious <input type="checkbox"/> | Fights <input type="checkbox"/> |
| Sleep problems <input type="checkbox"/> | Eating problems <input type="checkbox"/> | Angry <input type="checkbox"/> | Restless <input type="checkbox"/> |
| Risk-taking/impulsive <input type="checkbox"/> | 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 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 .

0	Total Needs Score
----------	--------------------------

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

Sources of information: Check all that apply

- | | | | |
|-----------------------------------|--|---------------------------------|--|
| Juvenile <input type="checkbox"/> | Mother <input type="checkbox"/> | Father <input type="checkbox"/> | Other Caregiver <input type="checkbox"/> |
| Sibling <input type="checkbox"/> | Other relative <input type="checkbox"/> | School <input type="checkbox"/> | Victim <input type="checkbox"/> |
| Neighbor <input type="checkbox"/> | Law Enforcement <input type="checkbox"/> | DSS <input type="checkbox"/> | Mental Health <input type="checkbox"/> |
| Others _____ | | | |

ASSESSMENT OF NEEDS COMMENTS:

**ASSESSMENT OF JUVENILE RISK OF FUTURE OFFENDING and
ASSESSMENT OF JUVENILE NEEDS**

SUMMARY AND RECOMMENDATION

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

Total Risk Score _____ Low Risk (0-7) Medium Risk (8-14) High Risk (15+)
 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:

APPENDIX B

Juvenile Disposition Chart

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

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

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

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

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

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

Points

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

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

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

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

Levels

Low – No more than 1 point.

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

High – At least 4 points.

APPENDIX C

Dispositional Options

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