

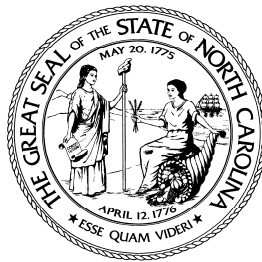
*North Carolina  
Sentencing and Policy Advisory Commission*

**JUVENILE RECIDIVISM  
STUDY:  
FY 2006/07 JUVENILE SAMPLE**

*Prepared By*

*Tamara Flinchum*

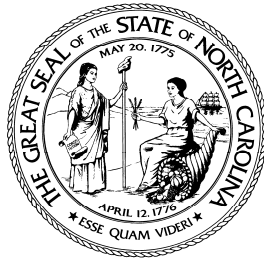
*Ginny Hevener*



*Submitted Pursuant to G.S. § 164-48  
May 1, 2011*



# **JUVENILE RECIDIVISM STUDY: FY 2006/07 JUVENILE SAMPLE**



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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 (G.S. § 164-48):

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

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

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

This is the Sentencing Commission's third biennial report on juvenile recidivism, submitted to the North Carolina General Assembly on May 1, 2011.

**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 offenses<sup>1</sup>) and/or whether a juvenile is confined in a detention center. During the intake phase, a court counselor conducts interviews with the juvenile, the parent, guardian, or custodian legally responsible for the juvenile, and other individuals who might have relevant information about the juvenile. 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 juvenile's

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<sup>1</sup> 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.

responsible party enter into a diversion contract. Both the plan and the contract are in effect for up to six months, during which time a court counselor conducts periodic reviews to ensure the compliance of the juvenile and his/her parent, guardian, or custodian. Compliance with the recommendations of the plan or contract results in the finalization of the juvenile's diversion. If the parties fail to comply, the counselor may re-evaluate the decision to divert and subsequently file the complaint as a petition in juvenile court.

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

### ***Pre-Dispositional Hearings***

#### Probable Cause Hearing<sup>2</sup>

Probable cause hearings are held for all felony petitions in which the juvenile was at least 13 years old at the time of the alleged offense. During these hearings, the district attorney's office must present sufficient evidence to the court that shows there is probable cause to believe that the alleged offense was committed by the juvenile in question. If probable cause is not found, the court may either dismiss the proceeding or find probable cause that the juvenile committed a lesser included offense (e.g., a misdemeanor) and proceed to the adjudicatory hearing, which can immediately follow the probable cause hearing or be set for another date. If probable cause is found and transfer to superior court is not statutorily required (i.e., non-Class A felonies), the court 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 their witnesses in order to make a determination of whether or not the juvenile committed the act(s) alleged in the petition(s). If the court finds that the allegations in the petition have not been proven "beyond a reasonable doubt," the petition is dismissed and the matter is closed. If the court finds that the allegations have been proven, the juvenile is adjudicated delinquent and the court proceeds to the dispositional hearing.

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<sup>2</sup> Prior to a probable cause hearing, juveniles with a felony petition are scheduled for a first appearance hearing during which a judge determines whether the juvenile has an attorney and provides the juvenile and parent or responsible party with information pertaining to the allegation and future hearings.

## ***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. Risk and needs assessments are also completed by a court counselor on all adjudicated juveniles<sup>3</sup> and are attached to this report. These assessments contain 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**

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

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

<sup>3</sup> 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.

### 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) allocations.

#### *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 that offer a more restrictive environment for adjudicated juveniles are available for Level 1 dispositions as well. Wilderness programs serve juveniles with behavioral problems in a year-round, residential therapeutic environment.<sup>4</sup> Supervised day programs, which allow a juvenile to remain in the community through a highly structured program of services, also represent an alternative that is available at both Level 1 and Level 2 dispositional levels.

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.<sup>5</sup> 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.

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

<sup>5</sup> 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 the DJJDP for placement in 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.<sup>6</sup> 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 placement). Another exception gives the court discretion to impose a Level 2 disposition rather than a Level 3 disposition if the court makes written findings that substantiate extraordinary needs on the part of the juvenile in question.

The length of a juvenile’s commitment must be at least six months; however, there are statutory provisions for extended jurisdiction for committed youth.<sup>7</sup> 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 seven YDCs.

## **JUVENILE RECIDIVISM RESEARCH DESIGN**

The research design for the 2011 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.<sup>8</sup> 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 closed, diverted, dismissed, or adjudicated during the sample period of July 1, 2006 through June 30, 2007.
- 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 event date that placed the juvenile in the sample.

It should be noted that this methodology expands the study beyond its legislatively mandated scope. Juveniles adjudicated delinquent are studied within the context of all juveniles

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<sup>6</sup> Pursuant to G.S. § 7B-2508(d), a court may impose a Level 3 disposition (commitment to a YDC) in lieu of a Level 2 disposition if the juvenile has previously received a Level 3 disposition in a prior juvenile action. Additionally, G.S. § 7B-2508(g) allows for juveniles who have been adjudicated of a Minor offense to be committed to a YDC if the juvenile has been adjudicated of four or more prior offenses.

<sup>7</sup> G.S. § 7B-2513(a).

<sup>8</sup> 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.

who were the subject of a delinquent complaint in FY 2006/07, and the sample is followed for a three-year period to capture their delinquent and criminal re-involvement.

### ***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 delinquent and undisciplined complaints received in a juvenile court counselor office; 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.<sup>9</sup>
- DJJDP staff interviews – providing descriptive state level information regarding policies and practices in the juvenile system.

### ***Sample***

There were 20,364 juveniles identified in the DJJDP’s automated database who had their delinquent complaint either closed without further action, diverted, dismissed, or adjudicated between July 1, 2006 and June 30, 2007. 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. 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 20,364 sample juveniles were divided into four groups based on their level of involvement for their first court event: juveniles with cases closed (n=5,929), diverted (n=5,383), dismissed (n=2,413), or adjudicated (n=6,639).

### ***Independent Variables and Outcome Measures***

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

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.

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<sup>9</sup> 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.

## **ANALYSIS AND REPORT OUTLINE**

Chapter Two provides a basic statistical profile of the juveniles whose cases were closed, diverted, dismissed, or adjudicated delinquent in North Carolina between July 1, 2006 and June 30, 2007. 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.

Chapter Three presents a more complete statistical profile of the juveniles adjudicated and disposed, for whom the NC-JOIN database contained detailed court information 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 background and systemic factors with recidivistic outcomes.

Finally, Chapter Four summarizes the findings of the report and offers some policy implications and 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, 2006 through June 30, 2007. 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.

#### STATISTICAL PROFILE

##### *Sample Selection*

All of the 20,364 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 2006/07, 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).

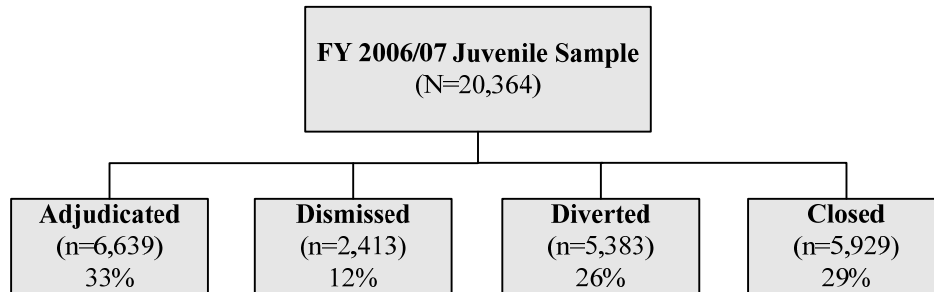
As shown in Figure 2.1, there were 5,929 juveniles in the sample whose cases were closed, 5,383 juveniles whose cases were diverted, 2,413 juveniles whose cases were dismissed, and 6,639 juveniles whose cases were adjudicated during the sample period. The information available for all four sample groups 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 (64.0%) were 14- or 15-years old when the offense occurred. The closed group 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.

Almost 72% of the sample juveniles were male. Adjudicated juveniles had the highest rate of males at 78.9% while the juveniles whose cases were closed had the lowest rate of males at 66.9%.

**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 2006/07.

**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.

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

**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.

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

Almost 51% of the juveniles in the sample were black, 39.7% were white, 5.3% were Latino, and 4.1% were identified as other or unknown. The dismissed group had the highest percent of black juveniles (55.6%), while the diverted group had the lowest percent (45.2%).

***Most Serious Sample Offense***

A comparison of the groups with respect to their offense profile is provided in Table 2.2. The most serious delinquent activity alleged in the complaint was used to compare juveniles whose cases were closed, diverted, dismissed, or adjudicated.<sup>10</sup>

<sup>10</sup> For the purposes of this report, the term “sample offense” refers to the most serious delinquent activity alleged in the complaint for the closed, diverted, dismissed, or adjudicated groups.

**Table 2.1**  
**Demographic Profile of Juveniles by Level of Involvement**

Demographic Profile	Level of Involvement				All	
	Adjudicated n=6,639	Dismissed n=2,413	Diverted n=5,383	Closed n=5,929	N=20,364	
<b>Age at Offense</b>						
Mean	13.9	13.6	13.5	13.5	13.6	
Median	14.0	14.0	14.0	14.0	14.0	
<b>Age at Offense</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>#</b>	<b>%</b>
6-9 Years	1.2	2.9	2.7	3.4	498	2.4
10 Years	1.1	2.4	2.0	2.5	388	1.9
11 Years	3.0	4.0	5.0	4.9	851	4.2
12 Years	8.1	10.1	11.0	10.5	2,005	9.8
13 Years	17.1	16.3	19.8	17.0	3,595	17.7
14 Years	29.5	27.3	26.9	25.9	5,604	27.5
15 Years	40.0	37.0	32.6	35.8	7,423	36.5
<b>Gender</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>#</b>	<b>%</b>
Male	78.9	74.8	67.3	66.9	14,633	71.9
Female	21.1	25.2	32.7	33.1	5,731	28.1
<b>Race</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>#</b>	<b>%</b>
Black	52.3	55.6	45.2	52.4	10,356	50.9
White	37.8	35.5	46.2	37.6	8,083	39.7
Latino	5.1	4.5	5.1	6.1	1,081	5.3
Other/Unknown	4.8	4.4	3.5	3.9	844	4.1

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 2006/07 Juvenile Recidivism Sample

Almost 87% of the 20,364 juveniles had a misdemeanor as their most serious sample offense. Felonies comprised 29.3% and 19.5% respectively of the offenses for the adjudicated and dismissed groups, but only 3.8% and 2.0% respectively of the offenses for the diverted and closed groups. Overall, 1.9% of the sample were charged with violent offenses (felony offense classes A through E), 18.1% were charged with serious offenses (felony offense classes F through I and misdemeanor class A1), and 80.0% were charged with minor offenses (misdemeanor classes 1 through 3).<sup>11</sup> None of the juveniles with closed or diverted cases were charged with violent offenses and only a small percentage were charged with serious offenses.

<sup>11</sup> 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 involvement for non-divertible and other serious felonies with further penetration in the juvenile justice system, and closing the case or seeking diversion for those juveniles with less serious offenses (especially those charged with misdemeanors).

**Table 2.2**  
**Most Serious Sample Offense by Level of Involvement**

Most Serious Sample Offense	Level of Involvement				All	
	Adjudicated n=6,639	Dismissed n=2,413	Diverted n=5,383	Closed n=5,929	#	%
<b>Offense Type</b>						
Felony	29.3	19.5	3.8	2.0	2,740	13.5
Misdemeanor	70.7	80.5	96.2	98.0	17,624	86.5
<b>Offense Classification</b>						
Violent	4.9	2.9	0.0	0.0	392	1.9
Serious	34.0	25.0	9.2	5.7	3,692	18.1
Minor	61.1	72.1	90.8	94.3	16,280	80.0

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

### ***DJJDP Supervision***

Eight percent of the 20,364 juveniles in the sample were under some type of DJJDP supervision at the time the alleged sample offense was committed (*see* Table 2.3). The adjudicated and dismissed juveniles, whose cases penetrated further into the juvenile justice system, were more likely to be under DJJDP supervision (17.6% and 14.3% respectively) than the juveniles who had their cases diverted or closed (0.5% and 2.8% respectively).

**Table 2.3**  
**Under DJJDP Supervision at the Time of Offense by Level of Involvement**

DJJDP Supervision at the Time of Sample Offense	Level of Involvement				All	
	Adjudicated n=6,639	Dismissed n=2,413	Diverted n=5,383	Closed n=5,929	#	%
<b>Under Supervision</b>	17.6	14.3	0.5	2.8	1,710	8.4
<b>Not Under Supervision</b>	82.4	85.7	99.5	97.2	18,654	91.6

Note: DJJDP supervision includes: YDC commitment; probation supervision; post-release supervision; continuation of services; protective supervision; or other situations where a court counselor provides supervision and service for a juvenile.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

## RECIDIVISM IN THE JUVENILE JUSTICE AND CRIMINAL JUSTICE SYSTEMS

Juveniles in the FY 2006/07 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 fingerprinted adult arrests that occurred subsequent to the FY 2006/07 event placing the juvenile in the sample.<sup>12</sup>

### *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 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.

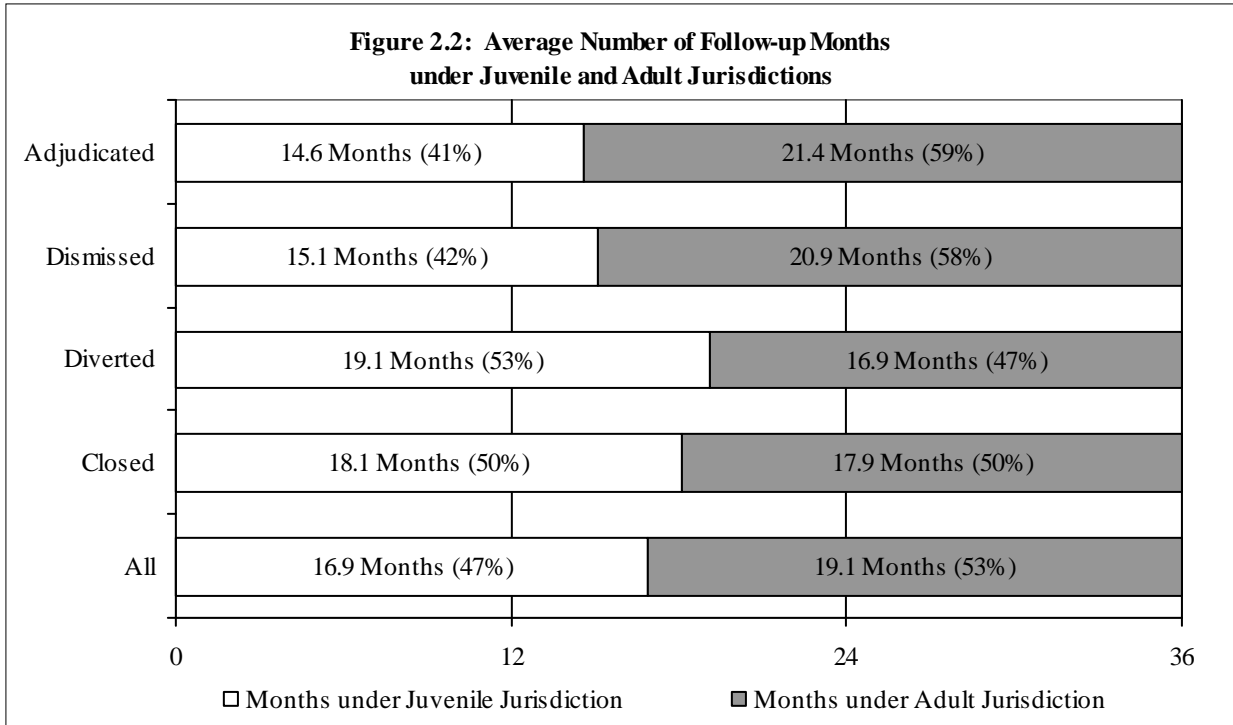
Given that the age of adult jurisdiction in North Carolina is 16 years, a large number of juveniles in the FY 2006/07 sample reached the age of criminal responsibility during the three-year follow-up. Most juveniles (76.6%) spent at least a portion of the three-year follow-up under both juvenile and 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 (7.6%) 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 18,818 who were under juvenile jurisdiction at least some of the time, and tracked adult arrests for the 17,151 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 16.9 months, or 47% 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 19.1 months, or 53% 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 17.9 months respectively) than juveniles whose cases were adjudicated or dismissed (21.4 and 20.9 months respectively).

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.

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<sup>12</sup> DJJDP's NC-JOIN database was used to determine subsequent juvenile complaints and adjudications, while DOJ's criminal history database was used to determine adult arrests and convictions. For the juvenile and adult recidivist measures, most N.C.G.S. Chapter 20 (e.g., traffic offenses) offenses were excluded from the analysis; only the more serious traffic offenses (i.e., misdemeanor death by vehicle) were included. For the “sample” offenses resulting from a N.C.G.S. Chapter 20 charged offense, all of those traffic offenses were included in this report.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

***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. Subsequent adjudications resulting from those complaints also had to conform to those time constraints in the follow-up.<sup>13</sup> In addition, juveniles had to be at risk in the juvenile justice system; therefore, 1,546 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.<sup>14</sup> 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

<sup>13</sup> 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.

<sup>14</sup> 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.

criminal justice system; therefore, 3,213 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.<sup>15</sup> All 20,364 sample juveniles were included in analyzing overall recidivism.

### Subsequent Juvenile Complaints and Adult Arrests

Table 2.4 presents the three primary measures of recidivism for the entire sample and the four groups. Of the 20,364 juveniles in the sample, 43.0% had a subsequent juvenile complaint and/or adult arrest (“overall recidivism”). Of those juveniles under juvenile jurisdiction during follow-up (n=18,818), 33.6% had a subsequent delinquent complaint. Of those juveniles under adult jurisdiction during follow-up (n=17,151), 22.8% had an adult arrest. 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 34.7% for the group with a closed complaint to 53.3% for the adjudicated group.

**Table 2.4**  
**Recidivism Rates for Juvenile Complaints and Adult Arrests**  
**by Level of Involvement**

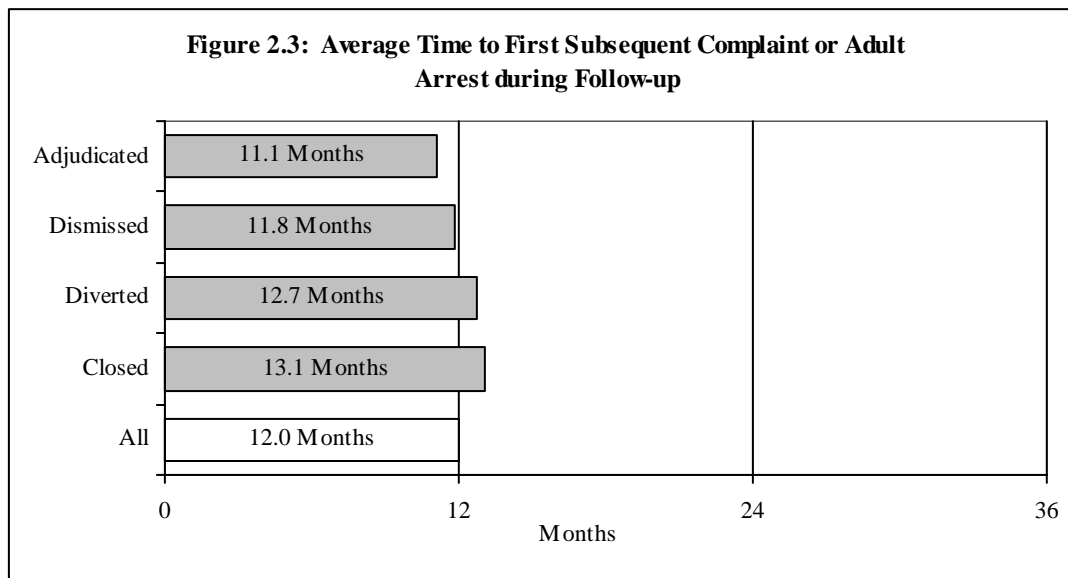
Level of Involvement	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	N	%
<b>Adjudicated</b>	5,928	41.2	5,958	30.6	6,639	53.3
<b>Dismissed</b>	2,029	35.5	2,065	27.6	2,413	45.7
<b>Diverted</b>	5,233	31.4	4,353	15.9	5,383	38.4
<b>Closed</b>	5,628	26.9	4,775	17.5	5,929	34.7
<b>TOTAL</b>	<b>18,818</b>	<b>33.6</b>	<b>17,151</b>	<b>22.8</b>	<b>20,364</b>	<b>43.0</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 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 12.0 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

<sup>15</sup> 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 a subsequent delinquent juvenile complaint, an adult arrest, or both. Whether a juvenile had one or more subsequent complaints and/or adult arrests, the juvenile will be counted as a recidivist. This also applies to overall recidivism rates for subsequent adjudications and/or convictions.

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 2006/07 Juvenile Recidivism Sample

Table 2.5 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.<sup>16</sup> The 8,763 juveniles who had at least one subsequent delinquent complaint or adult arrest accounted for a total of 21,091 recidivistic events. The adjudicated group accounted for the highest volume of subsequent complaints and/or adult arrests at 9,248. Table 2.5 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 (2.6 and 2.5 respectively) than the diverted or closed juveniles (2.1 and 2.3 respectively) during follow-up.

### Subsequent Juvenile Adjudications and Adult Convictions

Table 2.6 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 or dismissed, 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=18,818), 21.4% had a subsequent adjudication. Of those juveniles under adult jurisdiction during follow-up (n=17,151), 10.2% had an adult conviction. The combined recidivistic adjudication/conviction rate for the sample

<sup>16</sup> In calculating total number of recidivist events, only one subsequent complaint and only one adult arrest were counted per day if multiple complaints or arrests occurred on the same day.



**Table 2.5**  
**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=18,818			Adult Arrests n=17,151			Overall Recidivism N=20,364		
	# 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
<b>Adjudicated</b>	2,443	5,486	2.2	1,821	3,762	2.1	3,538	9,248	2.6
<b>Dismissed</b>	720	1,626	2.3	570	1,150	2.0	1,103	2,776	2.5
<b>Diverted</b>	1,642	3,248	2.0	691	1,174	1.7	2,067	4,422	2.1
<b>Closed</b>	1,511	3,158	2.1	835	1,487	1.8	2,055	4,645	2.3
<b>All</b>	<b>6,316</b>	<b>13,518</b>	<b>2.1</b>	<b>3,917</b>	<b>7,573</b>	<b>1.9</b>	<b>8,763</b>	<b>21,091</b>	<b>2.4</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

was 26.3%, with 37.1% for the adjudicated group compared to 17.7% for the group with closed complaints.

**Table 2.6**  
**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	%
<b>Adjudicated</b>	5,928	30.5	5,958	15.1	6,639	37.1
<b>Dismissed</b>	2,029	21.3	2,065	13.0	2,413	27.2
<b>Diverted</b>	5,233	19.1	4,353	5.7	5,383	22.0
<b>Closed</b>	5,628	14.0	4,775	6.9	5,929	17.7
<b>TOTAL</b>	<b>18,818</b>	<b>21.4</b>	<b>17,151</b>	<b>10.2</b>	<b>20,364</b>	<b>26.3</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 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 higher for the dismissed and adjudicated cases (20% and 29% respectively) than for the diverted and closed cases (4% 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 – 50% and 42% respectively. (See Table 2.7.) However, this finding did not hold true for each of the specific groups. Adjudicated juveniles charged with a misdemeanor had a higher recidivism rate (54%) than those charged with a felony (52%). Juveniles with dismissed, diverted, and closed complaints were more likely to recidivate if their sample complaint was a felony.

A comparison of the sample offense and subsequent recidivistic offense is provided in Table 2.8 for the 8,733 juveniles with any recidivism. Within the three-year follow-up, juveniles with a sample felony offense were more likely (67.9%) to have a felony offense as their most serious subsequent offense. Similarly, juveniles who had a sample misdemeanor offense were more likely (53.9%) to have a misdemeanor offense as their most serious subsequent offense. It should also be noted that, overall, of those with one or more recidivistic event during the follow-up, 50% were charged with a felony.

As expected, adjudicated and dismissed juveniles were more likely to have a subsequent felony complaint or adult arrest (58.1% and 55.1% respectively) than juveniles whose cases were diverted or closed (39.2% and 42.1% respectively).

**Table 2.7  
Recidivism Rates by  
Sample Offense and Level of Involvement**

Level of Involvement	Recidivism Rates for Juveniles Charged with a:				Overall Recidivism	
	Felony		Misdemeanor		N	%
	n	%	n	%		
<b>Adjudicated</b>	1,946	51.7	4,693	54.0	6,639	53.3
<b>Dismissed</b>	470	49.8	1,943	44.7	2,413	45.7
<b>Diverted</b>	205	42.0	5,178	38.3	5,383	38.4
<b>Closed</b>	119	42.9	5,810	34.5	5,929	34.7
<b>All</b>	<b>2,740</b>	<b>50.3</b>	<b>17,624</b>	<b>41.9</b>	<b>20,364</b>	<b>43.0</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

**Table 2.8  
Most Serious Recidivistic Offense by Most Serious Sample Offense**

Sample Offense	N	Most Serious Recidivistic Offense	
		Felony n=4,323	Misdemeanor n=4,410
		%	%
<b>Felony</b>	1,373	67.9	32.1
<b>Misdemeanor</b>	7,360	46.1	53.9
<b>Total</b>	<b>8,733</b>	<b>49.5</b>	<b>50.5</b>

Note: There were 30 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 2006/07 Juvenile Recidivism Sample

Age at Sample Offense and Recidivism

Table 2.9 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 22.7% for 6- to 9-year-olds. The rate of recidivism increased to its highest levels for juveniles aged 12 and 13 (50.9% and 50.8% respectively), and declined considerably for the 14- and 15-year-olds (to 46.1% and 36.7% respectively).

**Table 2.9**  
**Recidivism Rates for Juveniles by Age at Sample Offense and Level of Involvement**

<b>Age at Sample Offense</b>	<b>N</b>	<b>% Adjudicated n=6,639</b>	<b>% Dismissed n=2,413</b>	<b>% Diverted n=5,383</b>	<b>% Closed n=5,929</b>	<b>% All N=20,364</b>
<b>6-9 years</b>	498	33.3	15.5	28.0	17.2	22.7
<b>10 years</b>	388	52.0	29.8	33.3	27.0	34.0
<b>11 years</b>	851	53.8	42.7	44.6	33.6	42.8
<b>12 years</b>	2,005	61.9	53.5	47.4	43.7	50.9
<b>13 years</b>	3,595	61.3	55.8	44.9	43.4	50.8
<b>14 years</b>	5,604	56.6	47.6	41.6	36.3	46.1
<b>15 years</b>	7,423	46.3	41.5	29.0	29.0	36.7
<b>All</b>	<b>20,364</b>	<b>53.3</b>	<b>45.7</b>	<b>38.4</b>	<b>34.7</b>	<b>43.0</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

### *Additional Juvenile Justice Involvement*

The following sections examine additional juvenile justice involvement for certain sample subgroups. First, juveniles whose case was diverted at sample entry (i.e., the diverted group) were followed to determine the resolution of their diverted case, whether or not the case was subsequently approved for court. Recidivism rates were further examined for diverted juveniles with breakdowns provided based on the resolution of their diverted case. Finally, 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.

#### Diverted Juveniles

Of the 5,383 juveniles whose case was diverted at sample entry, 51.5% had a diversion plan while 48.5% of the juveniles had a more formal contract.<sup>17</sup> As mentioned in Chapter One, the court counselor may decide to refer the juvenile to court due to the juvenile's non-compliance with the diversion plan/contract or that the juvenile's best interests would be served if the diverted case were referred to court. Almost 78% resolved their diverted case without further penetration into the juvenile justice for the delinquent complaint that placed them in the sample – meaning the juvenile completed their requirements for the diversion plan/contract to the court counselor's satisfaction. Of the remaining juveniles, 12.2% (or n=656) had their diverted case approved for court for non-compliance with his/her plan or contract.<sup>18</sup>

<sup>17</sup> See Chapter One for a detailed description regarding a diversion plan or contract.

<sup>18</sup> Once the juveniles, whose first sample event was a diverted case in FY 2006/07, were placed in the diverted group, they remained in the sample's diverted group even if the case was later referred to court.

Table 2.10 provides recidivism rates for the diverted juveniles by court status, approved for court or not approved for court. Juveniles who were approved for court had substantially higher overall recidivism rates than those diverted juveniles whose delinquent complaint did not go to court (67.1% and 34.4% respectively).

**Table 2.10**  
**Recidivism Rates for Juvenile Complaints and Adult Arrests**  
**for Diverted Juveniles by Court Status**

Court Status of Diverted Juveniles	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	n	%
<b>Approved for Court</b>	643	61.4	542	20.3	656	67.1
<b>Not Approved for Court</b>	4,590	27.2	3,811	15.3	4,727	34.4
<b>Diverted Subtotal</b>	<b>5,233</b>	<b>31.4</b>	<b>4,353</b>	<b>15.9</b>	<b>5,383</b>	<b>38.4</b>
<b>SAMPLE TOTAL</b>	<b>18,818</b>	<b>33.6</b>	<b>17,151</b>	<b>22.8</b>	<b>20,364</b>	<b>43.0</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

#### Confinement in a Juvenile Justice Facility

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. Adult arrest rates are reported to provide recidivist activity for those juveniles confined in a DJJDP facility compared to juveniles not confined during the follow-up period.

#### *Juvenile Commitment and Adult Arrests*

Table 2.11 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 9.3% for those in the adjudicated group.

**Table 2.11**  
**Commitment to Youth Development Center by Level of Involvement**

Level of Involvement	N	YDC Commitment		No YDC Commitment	
		n	%	n	%
<b>Adjudicated</b>	6,639	619	9.3	6,020	90.7
<b>Dismissed</b>	2,413	88	3.6	2,325	96.4
<b>Diverted</b>	5,383	66	1.2	5,317	98.8
<b>Closed</b>	5,929	75	1.3	5,854	98.7
<b>All</b>	<b>20,364</b>	<b>848</b>	<b>4.2</b>	<b>19,516</b>	<b>95.8</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

Table 2.12 compares adult arrest rates for juveniles in the sample who had no YDC commitments with those who had one or more YDC commitments. Thirty-seven percent of those with a YDC commitment had at least one subsequent adult arrest compared to 22.2% of those with no YDC commitments. This differential in adult recidivism rates held true for three of the four groups.

**Table 2.12**  
**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	%
<b>Adjudicated</b>	569	40.6	5,389	29.5	5,958	30.6
<b>Dismissed</b>	77	29.9	1,988	27.5	2,065	27.6
<b>Diverted</b>	50	16.0	4,303	15.9	4,353	15.9
<b>Closed</b>	66	31.8	4,709	17.3	4,775	17.5
<b>All</b>	<b>762</b>	<b>37.1</b>	<b>16,389</b>	<b>22.2</b>	<b>17,151</b>	<b>22.8</b>

Note: Juveniles who did not age into the adult system during the follow-up period (n=3,213) were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 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 2.13 provides the detention center admission rates for the four groups. Of the entire sample, 22.0% had at least one admission to a detention center during the three-year follow-up. The rate ranged from a high of 41.6% for the adjudicated group to a low of 10.3% for the group with a closed case.

**Table 2.13**  
**Admission to Detention Center**  
**by Level of Involvement**

Level of Involvement	N	Detention Center Admission		No Detention Center Admission	
		n	%	n	%
<b>Adjudicated</b>	6,639	2,761	41.6	3,878	58.4
<b>Dismissed</b>	2,413	439	18.2	1,974	81.8
<b>Diverted</b>	5,383	670	12.4	4,713	87.6
<b>Closed</b>	5,929	612	10.3	5,317	89.7
<b>All</b>	<b>20,364</b>	<b>4,482</b>	<b>22.0</b>	<b>15,882</b>	<b>78.0</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

Similar to commitment to a YDC, those juveniles with a detention center admission had a higher adult arrest than those juveniles who did not have a detention center admission during the follow-up period. (See Table 2.14.) Thirty-six percent of those with at least one juvenile detention center admission had one or more adult arrests, compared to 18.9% of those with no juvenile detention center admissions – again, a difference in recidivism rates found in all four levels of involvement.

Overall, juveniles experiencing either a YDC commitment or a detention center admission during their juvenile years were more likely to have a subsequent adult arrest.

Juvenile Transfers to Superior Court

As mentioned in Chapter One, juveniles alleged to be delinquent and charged with a felony may be transferred to the Superior Court for trial as adults. Of the 6,316 juveniles with any subsequent complaint, there were 36 juveniles who were transferred to adult court during the follow-up period. No information is available about findings of guilt or innocence, or dispositions, in those proceedings. However, 25.0% of the juveniles transferred to adult court had at least one or more adult arrest during follow-up compared to 22.8% of those juveniles who were not transferred to adult court during follow-up.

**Table 2.14**  
**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	%
<b>Adjudicated</b>	2,494	39.2	3,464	24.3	5,958	30.6
<b>Dismissed</b>	375	34.7	1,690	26.0	2,065	27.6
<b>Diverted</b>	515	26.4	3,838	14.5	4,353	15.9
<b>Closed</b>	493	33.9	4,282	15.6	4,775	17.5
<b>All</b>	<b>3,877</b>	<b>36.4</b>	<b>13,274</b>	<b>18.9</b>	<b>17,151</b>	<b>22.8</b>

Note: Juveniles who did not age into the adult system during the follow-up period (n=3,213) were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

## CHAPTER SUMMARY

### *Sample Profile*

- The 20,364 juveniles comprising the FY 2006/07 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=5,929), diverted (n=5,383), dismissed (n=2,413), or adjudicated (n=6,639).
- Of the sample juveniles, 71.9% were male, 50.9% were black, and the mean age was 13.6 years. The majority of the juveniles (86.5%) 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 43.0%. The rate of subsequent delinquent complaint was 33.6%; the rate of adult arrest was 22.8%.



### ***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 linked 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.

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, 2006 through June 30, 2007 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 and risk and needs assessments for the subgroup. The second section examines the recidivism of adjudicated and disposed juveniles in both the juvenile justice and criminal justice systems.

#### STATISTICAL PROFILE

Of the 6,639 juveniles adjudicated during FY 2006/07, 6,228 juveniles (or 94%) also had a disposition entered into the NC-JOIN database.<sup>19</sup> 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, and disposition imposed.

The majority of the disposed juveniles were male (79.3%) and black (52.6%), with a mean age of 13.9 years at sample offense. (See Table 2.1 in Chapter Two for further details regarding the demographic profile of all 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.<sup>20</sup> Most notable among the risk factors, 89.7% of the juveniles had school behavior problems, 53.6% had at least one prior intake referral, 34.4% had at least one prior adjudication, and 32.5% had parents/guardians who were unwilling or unable to provide parental supervision.

The needs assessment revealed that very few juveniles had basic needs that were not being met (0.6%). Most juveniles identified with mental health needs were having those needs addressed (71.5%). Problems related to home-life were also evident, with 39.8% of the juveniles having criminality in their family, 26.1% experiencing conflict in the home, and 19.5% having some history of victimization. Combining risk and needs indicators, 43.1% of the juveniles

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<sup>19</sup> 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, a disposition hearing may not have occurred during FY 2006/07 for the adjudicated juveniles in the sample. There were 378 adjudicated juveniles with no disposition entered. An additional 33 juveniles had a disposition entered as undisciplined or released to a parent's or guardian's supervision. Both groups (n= 411) of juveniles were considered to *not* have a disposition entered for this report.

<sup>20</sup> See Appendix A for a copy of the North Carolina Assessment of Juvenile Risk of Future Offending and the North Carolina Assessment of Juvenile Needs instruments.

adjudicated and disposed had substance abuse problems, while 79.1% had negative peer relationships and 11.3% reported some type of gang affiliation.

**Table 3.1**  
**Select Risk and Needs Indicators**  
**Juveniles Adjudicated and Disposed**

<b>Risk Assessment</b>	<b>%</b>
First Referral Before Age 12	11.7
Prior Intake Referrals	53.6
Prior Adjudications	34.4
Prior Assaults	25.3
Had Run Away	18.9
Had School Behavior Problems	89.7
Parents/Guardians Unwilling/Unable to Provide Parental Supervision	32.5
High Risk	13.4
<b>Needs Assessment</b>	<b>%</b>
Functioning Below Academic Grade Level	19.4
Juvenile Parent Status (i.e., is a parent)	1.3
History of Victimization	19.5
Risky Sexual Behavior	10.2
Mental Health Needs Are Being Addressed	71.5
Basic Needs Are Not Being Met	0.6
Impaired Functioning (i.e., medical, dental, health/hygiene)	0.6
Conflict in the Home	26.1
Parent, Guardian or Custodian has Disabilities	6.1
One or More Members of Household Have Substance Abuse Problems	13.7
Indication of Family Members Involvement in Criminal Activity	39.8
High Needs	7.7
<b>Combined Risk and Needs Measures</b>	<b>%</b>
Substance Use	43.1
Gang Affiliation	11.3
Negative Peer Relationships	79.1

Note: Of the 6,228 juveniles adjudicated and disposed, there were 172 juveniles with missing risk assessment values and 81 juveniles with missing needs assessment variables.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

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 (35.6%), and only a small group (3.8%) demonstrated both a high level of needs and risk. (See Table 3.2.) Sixty-four 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=6,041
		% Low n=2,835	% Medium n=2,746	% High n=460	
<b>Low</b>	2,940	35.6	12.4	0.6	48.7
<b>Medium</b>	2,287	10.6	24.1	3.2	37.8
<b>High</b>	814	0.7	8.9	3.8	13.5
<b>Total</b>	<b>6,041</b>	<b>46.9</b>	<b>45.5</b>	<b>7.6</b>	<b>100.0</b>

Note: Of the 6,228 juveniles adjudicated and disposed, there were 187 juveniles with missing values for both risk and needs variables.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

### *Adjudicated Offense,<sup>21</sup> Delinquency History, and Dispositions*

Felonies constituted the most serious adjudicated offense for 20.4% of the juveniles adjudicated and disposed. Table 3.3 shows that only 2.8% of this subgroup was adjudicated for a violent offense, with 26.1% adjudicated for a serious offense, and 71.1% for a minor offense. Seventy-seven percent were in the low delinquency history level, 12.5% were in the medium delinquency history level, and 10.1% 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 (n=3,540). The more serious the adjudicated offense, the higher the delinquency history level – 24.4% of the juveniles adjudicated for a violent offense were in the highest delinquency history level, compared to 12.8% of those adjudicated for a serious offense and 8.6% of those adjudicated for a minor offense.

<sup>21</sup> See Chapter Two for detailed information regarding the most serious delinquent activity alleged in the complaint for which the subgroup of adjudicated and disposed juveniles were adjudicated.

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

Offense Classification	N	Delinquency History Level			% Total n=6,228
		% Low 0 – 1 point n=4,817	% Medium 2 – 3 points n=780	% High 4+ points n=631	
<b>Violent</b> (Class A – Class E)	172	63.4	12.2	24.4	2.8
<b>Serious</b> (Class F – Class A1)	1,628	71.7	15.4	12.8	26.1
<b>Minor</b> (Class 1 – Class 3)	4,428	79.9	11.5	8.6	71.1
<b>Total</b>	<b>6,228</b>	<b>77.3</b>	<b>12.5</b>	<b>10.1</b>	<b>100.0</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

Table 3.4 describes the dispositions imposed for the subgroup by offense classification and delinquency history level.<sup>22</sup> Overall, 66.1% of the juveniles received a Level 1 (or community) disposition, 31.1% received a Level 2 (or intermediate) disposition, and 2.8% received a Level 3 (or commitment to a YDC) disposition. The rate of Level 1 dispositions was highest for juveniles adjudicated for a minor offense and lowest for those adjudicated for a violent offense (78.9% and 7.5% 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 (34.9% and 1.1% 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.<sup>23</sup> Overall, 59.3% of juveniles with a Level 1 disposition were low risk compared to 29.9% of juveniles with a Level 2 disposition and 7.1% of juveniles with a Level 3 disposition. Of juveniles with a Level 3 disposition, 69.2% were identified as high risk – much higher than juveniles with Level 2 or Level 1 dispositions at 25.1% and 5.6% respectively.

<sup>22</sup> For a description of the three disposition levels, see Chapter One and Appendix B.

<sup>23</sup> 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**

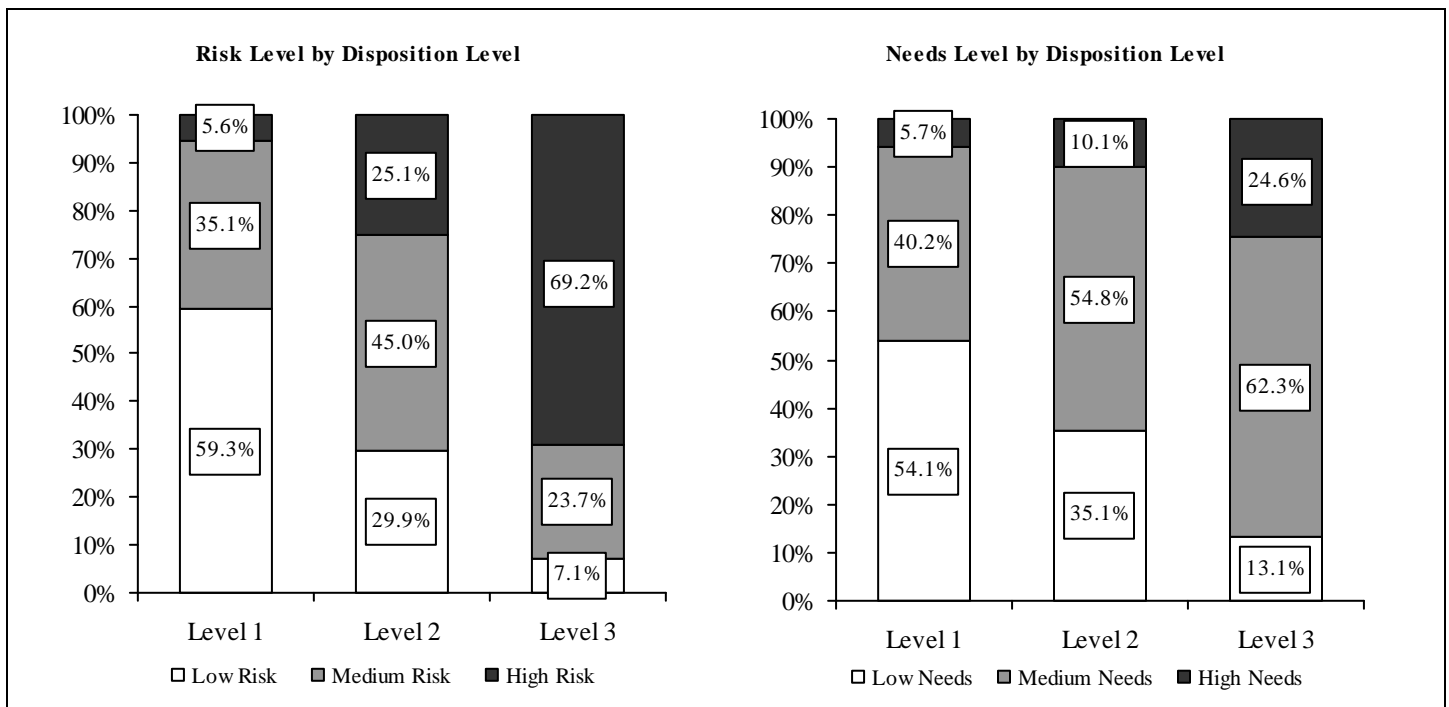
Offense Classification	Delinquency History Level			TOTAL
	Low 0 – 1 Point	Medium 2 – 3 Points	High 4+ Points	
<b>Violent</b> (Class A – Class E)	<u>Level 2/Level 3</u> Level 1: 13 (11.9%) Level 2: 73 (67.0%) Level 3: 23 (21.1%) n = 109	<u>Level 3</u> Level 1: 0 (0.0%) Level 2: 12 (57.1%) Level 3: 9 (42.9%) n = 21	<u>Level 3</u> Level 1: 0 (0.0%) Level 2: 14 (33.3%) Level 3: 28 (66.7%) n = 42	Level 1: 13 (7.5%) Level 2: 99 (57.6%) Level 3: 60 (34.9%) n = 172
<b>Serious</b> (Class F – Class A1)	<u>Level 1/Level 2</u> Level 1: 553 (47.3%) Level 2: 613 (52.5%) Level 3: 2 (0.2%) n = 1,168	<u>Level 2</u> Level 1: 48 (19.1%) Level 2: 197 (78.5%) Level 3: 6 (2.4%) n = 251	<u>Level 2/Level 3</u> Level 1: 3 (1.4%) Level 2: 146 (69.9%) Level 3: 60 (28.7%) n = 209	Level 1: 604 (37.1%) Level 2: 956 (58.7%) Level 3: 68 (4.2%) n = 1,628
<b>Minor</b> (Class 1 – Class 3)	<u>Level 1</u> Level 1: 3,368 (95.1%) Level 2: 170 (4.8%) Level 3: 2 (0.1%) n = 3,540	<u>Level 1/Level 2</u> Level 1: 114 (22.4%) Level 2: 393 (77.4%) Level 3: 1 (0.2%) n = 508	<u>Level 2</u> Level 1: 14 (3.7%) Level 2: 321 (84.5%) Level 3: 45 (11.8%) n = 380	Level 1: 3,496 (78.9%) Level 2: 884 (20.0%) Level 3: 48 (1.1%) n = 4,428
<b>TOTAL</b>	Level 1: 3,934 (81.7%) Level 2: 856 (17.8%) Level 3: 27 (0.5%) n = 4,817	Level 1: 162 (20.8%) Level 2: 602 (77.2%) Level 3: 16 (2.0%) n = 780	Level 1: 17 (2.7%) Level 2: 481 (76.2%) Level 3: 133 (21.1%) n = 631	Level 1: 4,113 (66.1%) Level 2: 1,939 (31.1%) Level 3: 176 (2.8%) n = 6,228

Note: In FY 2006/07, there were 330 juveniles (or 5.3%) 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 2006/07 Juvenile Recidivism Sample

A similar stair-step progression was found in examining the needs level and the disposition level of juveniles. Fifty-four percent of juveniles with a Level 1 disposition were low needs compared to 35.1% of juveniles with a Level 2 disposition and 13.1% of juveniles with a Level 3 disposition. Conversely, 24.6% 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 (10.1% and 5.7% respectively). (See Figure 3.1.)

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



Note: Of the 6,228 juveniles adjudicated and disposed, there were 172 cases with missing values for risk level and 81 cases with missing values for needs level.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

## RECIDIVISM IN THE JUVENILE JUSTICE AND CRIMINAL JUSTICE SYSTEMS

As discussed in Chapter Two, juveniles in the FY 2006/07 sample were tracked for three years to determine whether they re-offended during that period. For the adjudicated and disposed group (n=6,228), 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.<sup>24</sup>

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 14.6 months (or 41% of the 36-month follow-up) and under adult jurisdiction for 21.4 months (or 59% of the remaining follow-up months).

It is important to note that time at risk, while initially equal for all juveniles in the FY 2006/07 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 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. Juveniles had to be at risk in the juvenile justice system; therefore, 660 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<sup>25</sup> 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, 634 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.<sup>26</sup> All 6,228 adjudicated and disposed juveniles were included in analyzing overall recidivism.

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<sup>24</sup> 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.

<sup>25</sup> 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.

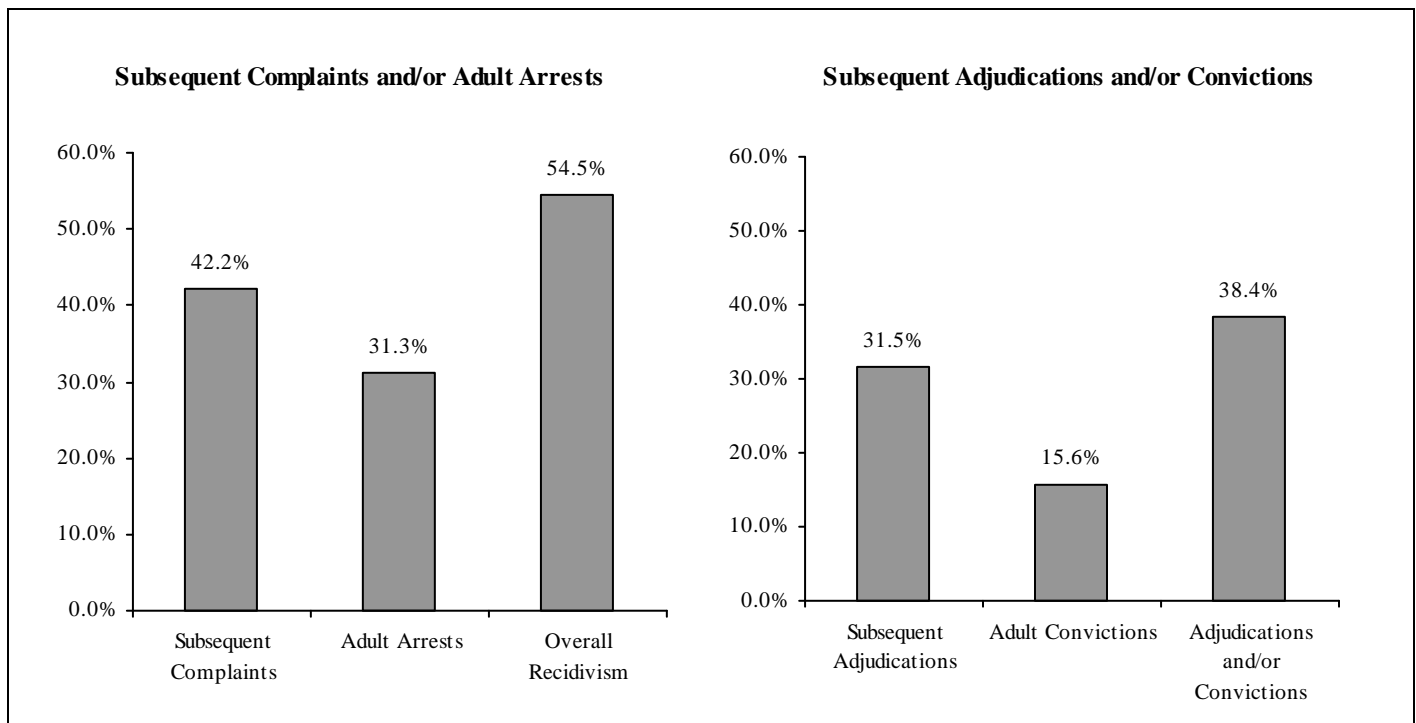
<sup>26</sup> Tables referring to only juvenile recidivism, or only adult recidivism, state so specifically. Otherwise, in this report the terms "recidivism" or "overall recidivism" refer to having a subsequent juvenile complaint, an adult arrest, or both.



## Subsequent Juvenile Complaints/Adjudications and Adult Arrests/Convictions

Figure 3.2 presents the three measures of recidivism for the subgroup. Of the 6,228 juveniles adjudicated and disposed, 3,396 (or 54.5%) had a subsequent juvenile complaint and/or an adult arrest (“overall recidivism”). Of the 5,568 juveniles under juvenile jurisdiction during the follow-up, 2,348 (or 42.2%) had a subsequent delinquent complaint. Of the 5,594 juveniles under adult jurisdiction during the follow-up, 1,750 (or 31.3%) had an adult arrest. Figure 3.2 also details subsequent adjudication and conviction rates for the subgroup. The overall adjudication or conviction rate was 38.4%. Of the juveniles under juvenile jurisdiction during follow-up, 31.5% had a subsequent adjudication. Of those juveniles under adult jurisdiction during follow-up, 15.6% had an adult conviction.

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



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 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 11.0 months after the start of the follow-up period. During the three-year follow-up period, 3,396 juveniles had a total of 8,934 subsequent juvenile complaints and/or adult arrests with an average of 2.6 recidivistic events.

## Adjudicated Offense and Recidivism

Table 3.5 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 – 40.7% – than either the juveniles adjudicated for a serious or a minor offense – 56.0% and 54.5% respectively.

**Table 3.5**  
**Recidivism Rates by Adjudicated Offense Classification**  
**Juveniles Adjudicated and Disposed**

Offense Classification	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	N	%
<b>Violent</b> (Class A – Class E)	136	18.4	157	35.0	172	40.7
<b>Serious</b> (Class F – Class A1)	1,428	42.2	1,465	32.8	1,628	56.0
<b>Minor</b> (Class 1 – Class 3)	4,004	43.0	3,972	30.6	4,428	54.5
<b>Total</b>	<b>5,568</b>	<b>42.2</b>	<b>5,594</b>	<b>31.3</b>	<b>6,228</b>	<b>54.5</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

Tables 3.6 and 3.7 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 lower rate of subsequent juvenile complaints for those committed to a YDC.

A difference in the “window of opportunity” to commit additional acts of delinquency might explain this difference. Confinement in a YDC, averaging 12.8 months,<sup>27</sup> reduced the time at risk for recidivism, especially during the juvenile portion of the follow-up for juveniles adjudicated of a violent offense. Overall, 41.3% of the juveniles adjudicated for a violent offense were committed to a YDC sometime during the follow-up period, compared to 14.9% of those with a serious offense and 6.7% of those with a minor offense. Of the adjudicated juveniles who received a Level 3 YDC commitment at disposition, the majority (86.9%) were 14- and 15-year-olds and had aged out of 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.

<sup>27</sup> North Carolina Sentencing and Policy Advisory Commission’s *Juvenile Delinquent Population Projections Fiscal Year 2010/11 to Fiscal Year 2014/15*, 2011.

**Table 3.6**  
**Recidivism Rates by Delinquency History Level**  
**Juveniles Adjudicated and Disposed**

Delinquency History Level	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	n	%
<b>Low</b>	4,344	40.8	4,260	28.5	4,817	52.0
<b>Medium</b>	675	45.5	728	35.6	780	58.7
<b>High</b>	549	48.8	606	45.9	631	68.3
<b>Total</b>	<b>5,568</b>	<b>42.2</b>	<b>5,594</b>	<b>31.3</b>	<b>6,228</b>	<b>54.5</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

**Table 3.7**  
**Recidivism Rates by Disposition Level**  
**Juveniles Adjudicated and Disposed**

Disposition Level	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	n	%
<b>Level 1</b> (Community)	3,724	40.6	3,618	28.3	4,113	51.8
<b>Level 2</b> (Intermediate)	1,699	46.7	1,802	35.3	1,939	59.5
<b>Level 3</b> (Commitment)	145	29.0	174	51.7	176	63.1
<b>Total</b>	<b>5,568</b>	<b>42.2</b>	<b>5,594</b>	<b>31.3</b>	<b>6,228</b>	<b>54.5</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

Risk and Needs Levels and Recidivism

Recidivism rates were also found to vary by risk and needs scores. (See Tables 3.8 and 3.9.) 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 44.6% for low risk to 71.5% for high risk juveniles, and from 46.6% for low needs to 63.5% for high needs juveniles.

**Table 3.8**  
**Recidivism Rates by Risk Level**  
**Juveniles Adjudicated and Disposed**

Risk Level	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	n	%
<b>Low</b>	2,688	35.5	2,536	22.5	2,948	44.6
<b>Medium</b>	2,043	48.9	2,125	34.7	2,294	61.6
<b>High</b>	710	50.0	784	49.0	814	71.5
<b>Total</b>	<b>5,441</b>	<b>42.4</b>	<b>5,445</b>	<b>31.1</b>	<b>6,056</b>	<b>54.6</b>

Note: Of the 6,228 juveniles adjudicated and disposed, there were 172 juveniles with missing values for risk level.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

**Table 3.9**  
**Recidivism Rates by Needs Level**  
**Juveniles Adjudicated and Disposed**

Needs Level	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	n	%
<b>Low</b>	2,601	37.0	2,497	25.2	2,887	46.6
<b>Medium</b>	2,487	47.2	2,580	35.8	2,789	61.4
<b>High</b>	414	46.6	451	39.0	471	63.5
<b>Total</b>	<b>5,502</b>	<b>42.3</b>	<b>5,528</b>	<b>31.3</b>	<b>6,147</b>	<b>54.6</b>

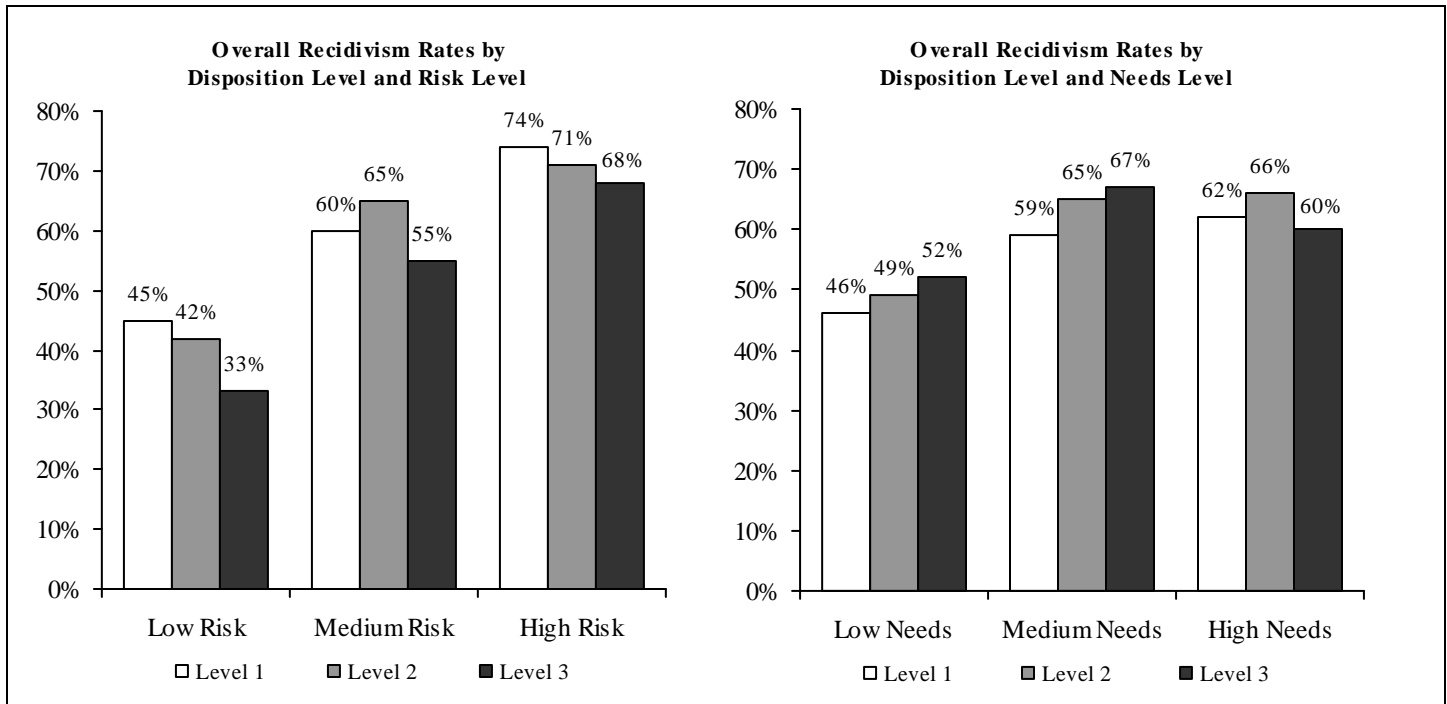
Note: Of the 6,228 juveniles adjudicated and disposed, there were 81 juveniles with missing values for needs level.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 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 3.7 and 3.8) was also found when examining recidivism rates by disposition level and controlling for risk level. Figure 3.3 examines 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 somewhat diminished. For the three-year follow-up period, recidivism rates for low risk juveniles ranged from 33% to 45%, while recidivism rates for high risk juveniles ranged from 68% to 74%.

A similar 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. For the three-year follow-up period, recidivism rates for low needs juveniles ranged from 46% to 52%, while recidivism rates for high needs juveniles ranged from 60% to 66%.

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



Note: Of the 6,228 juveniles adjudicated and disposed, there were 172 cases with missing values for risk level and 81 cases with missing values for needs level.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

## CHAPTER SUMMARY

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

### *Subgroup Profile*

- A subgroup of 6,228 juveniles (30.6% of the 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, and level of disposition.

- Close to half of the adjudicated and disposed juveniles had both low needs and low risk levels; only 7.7% had high needs and 13.4% had high risk levels.
- The majority (79.9%) of the subgroup were adjudicated for minor (Class 1-3 misdemeanors) offenses; had very little or no delinquency history (77.3%), and received a Level 1 community-based disposition (66.1%). Only a small fraction (2.8%) was adjudicated for violent offenses; had a high delinquency history (10.1%); or were committed to a YDC (2.8%).

### ***Key Findings***

- The level of disposition was closely linked to both the adjudicated juveniles' risk and needs and to the seriousness of their offense and prior delinquency. As expected, the severity of the type of disposition imposed by the court increased as the seriousness of the offense and the prior delinquency history increased.
- Recidivism rates for adjudicated and disposed juveniles were higher than those for the entire sample: 42.2% of the subgroup had a subsequent delinquent complaint, 31.3% had an adult arrest, and 54.5% 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.

## 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 third biennial report, submitted to the legislature on May 1, 2011. The study followed a sample of 20,364 juveniles who had a delinquent complaint processed in the juvenile justice system between July 1, 2006 and June 30, 2007 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.

In line with the decisions made within the juvenile justice system, the 20,364 juveniles in the sample were categorized into one of four groups – juveniles with closed (29%), diverted (26%), dismissed (12%), or adjudicated (33%) 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 (72%), and 51% of the juveniles were black. The events that brought the youths to the attention of the juvenile justice system in FY 2006/07 were largely misdemeanors (87%); the 13% of juveniles with felonies were predominantly in the adjudicated and dismissed groups. Eight percent of the juveniles were under some form of DJJDP supervision at the time of their sample offense.

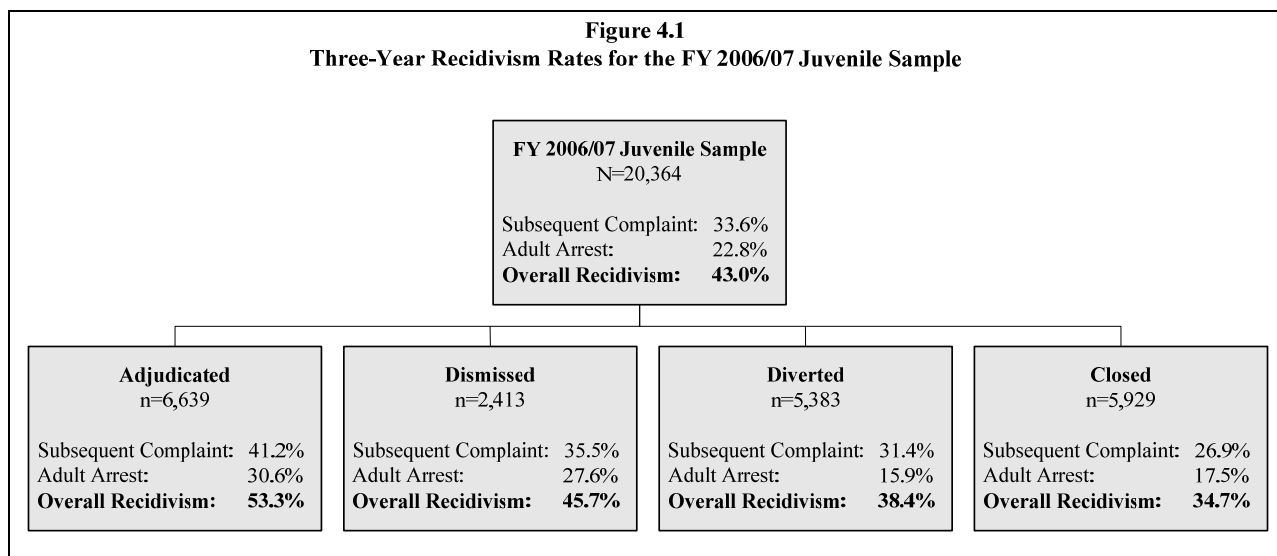
Three measures of juvenile recidivism were utilized in the study: subsequent juvenile delinquent complaints, adult arrests, and a combination measure that captured recidivism in both the juvenile and adult systems (i.e., overall recidivism). A three-year follow-up period was calculated for each juvenile, 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 for the entire sample was 34%, the rate of adult arrest was 23%, and the overall recidivism rate was 43%. (See Figure 4.1.) The highest rate of all three measures of recidivism was observed in the adjudicated group. Twenty-six percent of the juveniles also had one or more juvenile adjudications or adult convictions within the follow-up period.

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), paralleled by

recidivism rates ranging from 35% for juveniles with closed cases and 38% with juveniles diverted to 46% of juveniles dismissed and 53% of those adjudicated. 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. Youth who received the most serious and restrictive sanctions in the juvenile system – detention in a Detention Center or commitment to a Youth Development Center – were also considerably more likely to experience one or more arrests in the adult system. This finding, while statistically significant, implies no *causal* relationship between deeper involvement and recidivism, and needs to be interpreted with some caution. The level of involvement is also a systemic response to the complicated set of circumstances, risks and needs of the juvenile, a set that is correlated with future recidivism independent of the possible effect of the youth’s juvenile justice involvement.

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 than the diverted and closed groups.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2006/07 Juvenile Recidivism Sample

The 8,763 sample juveniles with subsequent recidivism accounted for 21,091 offenses (or an average of 2.4 offenses) within the three-year follow-up: 13,518 juvenile complaints and 7,573 adult arrests.

A second finding concerned the type of sample offense and its relationship with recidivistic events in the three-year follow-up period. Juveniles whose original sample offense was a felony had a higher recidivism rate than those with a misdemeanor sample offense (50% and 42% respectively). Reviewing the severity of their new offenses, fifty percent of the recidivist juveniles were charged with at least one felony during the follow-up. Furthermore, those who entered the FY 2006/07 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 more 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 10-11 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 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 ages 12-13.

There are several possible explanations for the lower recidivism rates of the oldest juveniles (i.e., ages 14-15). 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.

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 6,639 juveniles who were adjudicated also had a disposition entered into the NC-JOIN database (n=6,228; or 94%). 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 findings and dispositions were examined as factors affecting recidivism.

Overall, the recidivism rate (i.e., subsequent complaint and/or adult arrest) for the adjudicated and disposed juveniles was 55%, compared to 43% 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 (29%) 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 higher rate (52%) 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.

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 the most efficient investment of sufficient resources is in the community, at the front-end of the juvenile justice system. Community resources are easily accessible to juveniles and their families and have 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), and 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 use of the most restrictive sanction of 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. | <b>Age when first delinquent offense alleged in a complaint:</b> Check appropriate score and enter the actual age<br>a. Age 12 or over or no delinquent complaint <span style="float: right;">0 <input type="checkbox"/></span><br>b. Under age 12 <span style="float: right;">2 <input type="checkbox"/></span><br>Actual age: _____  |  |       |
| R2. | <b>Number of undisciplined or delinquent referrals to Intake</b> (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.)<br>a. Current referral only <span style="float: right;">0 <input type="checkbox"/></span><br>b. 1 Prior referral <span style="float: right;">1 <input type="checkbox"/></span><br>c. 2-3 Prior referrals <span style="float: right;">2 <input type="checkbox"/></span><br>d. 4+ Prior referrals <span style="float: right;">3 <input type="checkbox"/></span>   |  |       |
| R3. | <b>Most serious prior adjudication(s).</b> 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. <b>The maximum possible score for this item is 4.</b><br>a. No Prior Adjudications <span style="float: right;">0 <input type="checkbox"/></span><br>b. Prior Undisciplined <span style="float: right;"># of adjudications: 1 <input type="checkbox"/></span><br>a. Prior Class 1-3 misdemeanors <span style="float: right;"># of adjudications: 2 <input type="checkbox"/></span><br>b. Prior Class F-I felonies or A1 misdemeanors <span style="float: right;"># of adjudications: 3 <input type="checkbox"/></span><br>c. Prior Class A-E felonies <span style="float: right;"># of adjudications: 4 <input type="checkbox"/></span>   |  |       |
| R4. | <b>Prior Assaults:</b> "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. <b>The maximum possible score for this item is 5.</b><br>a. No assaults <span style="float: right;">0 <input type="checkbox"/></span><br>b. Involvement in an affray <span style="float: right;"># of complaints: 1 <input type="checkbox"/></span><br>c. Yes, without a weapon <span style="float: right;"># of complaints: 2 <input type="checkbox"/></span><br>d. Yes, without a weapon, inflicting serious injury <span style="float: right;"># of complaints: 3 <input type="checkbox"/></span><br>e. Yes, with a weapon <span style="float: right;"># of complaints: 4 <input type="checkbox"/></span><br>f. Yes, with a weapon inflicting serious injury <span style="float: right;"># of complaints: 5 <input type="checkbox"/></span> |  |       |
| R5. | <b>Runaways (from home or placement):</b> "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.<br>a. No <span style="float: right;">0 <input type="checkbox"/></span><br>b. Yes <span style="float: right;">2 <input type="checkbox"/></span><br>Actual number of runaway incidents: _____   |  |       |
| R6. | <b>Known use of alcohol or illegal drugs during past 12 months:</b> Do not include tobacco in scoring this item. Check appropriate score.<br>a. No known substance use <span style="float: right;">0 <input type="checkbox"/></span><br>b. Some substance use, need for further assessment <span style="float: right;">1 <input type="checkbox"/></span><br>c. Substance abuse, assessment and/or treatment needed <span style="float: right;">3 <input type="checkbox"/></span>   |  |       |

- 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

<b>R10.</b>	<b>TOTAL RISK SCORE</b>	<b>0</b>
-------------	-------------------------	----------

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

#### Y4. Substance Abuse within past 12 months. Do not consider tobacco in this item.

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

\_\_\_\_\_ **Y5. Juvenile Parent Status**

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

\_\_\_\_\_ **Y6. History of Victimization by Caregiver Or Others**

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

\_\_\_\_\_ **Y7. Sexual Behavior During Past 12 Months**

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

\_\_\_\_\_ **Y8. Mental Health**

- 0  a. No need for mental health care indicated.  
1  b. Has mental health needs that are being addressed.  
3  c. Behavior indicates a need for additional mental health assessment  or treatment .
- Check all behaviors that apply:
- |  |  |                                  |                                    |
|--|--|----------------------------------|------------------------------------|
| Withdrawn <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:
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**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  Mother  Father  Other Caregiver
- Sibling  Other relative  School  Victim
- Neighbor  Law Enforcement  DSS  Mental Health
- Others \_\_\_\_\_

**ASSESSMENT OF NEEDS COMMENTS:**



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

**SUMMARY AND RECOMMENDATION**

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

Total Risk Score \_\_\_\_\_ 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**

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

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

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

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

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

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

Points

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

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

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

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

Levels

Low – No more than 1 point.

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

High – At least 4 points.

## APPENDIX C

### Dispositional Options

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