

North Carolina
Sentencing and Policy Advisory Commission

**Juvenile Recidivism Study:
FY 2013 Juvenile Sample**



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Juvenile Recidivism Study: FY 2013 Juvenile Sample



North Carolina Sentencing and Policy Advisory Commission

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LIST OF ACRONYMS

CCH	Computerized Criminal History
DACJJ	Division of Adult Correction and Juvenile Justice
DPS	Department of Public Safety
FY	Fiscal Year
G.S.	General Statute
JCPC	Juvenile Crime Prevention Councils
JJ	Juvenile Justice
NC-JOIN	North Carolina Juvenile Online Information Network
PRS	Post-Release Supervision
RNA	Risk and Needs Assessment
SBI	State Bureau of Investigation
YDC	Youth Development Center

EXECUTIVE SUMMARY

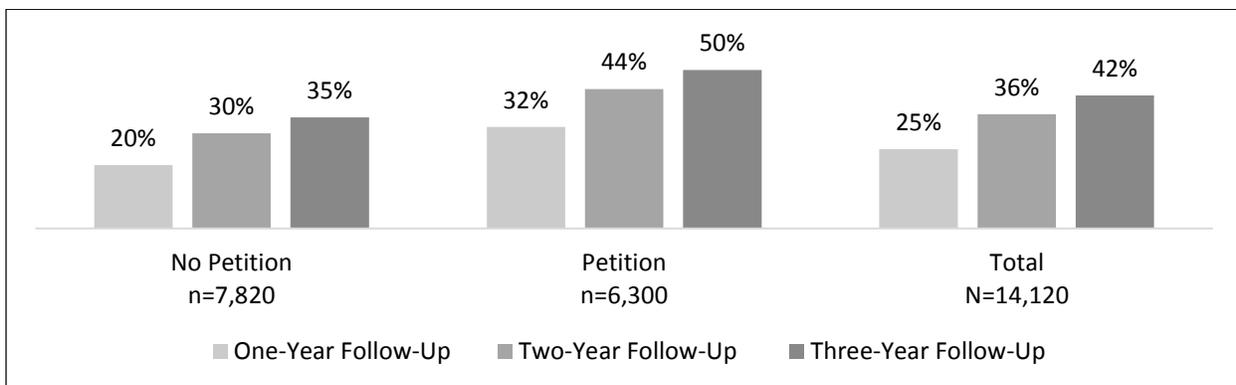
Juvenile Recidivism Study: FY 2013 Juvenile Sample

In the 2005 Session of the North Carolina General Assembly, the legislature amended Chapter 164 of the General Statutes to direct the North Carolina Sentencing and Policy Advisory Commission to conduct biennial juvenile recidivism studies on adjudicated youth in the state. This report expands the study beyond its legislatively mandated scope to examine all juveniles who were the subject of a delinquent complaint in FY 2013 – juveniles brought to court with a delinquent complaint that was closed, diverted, dismissed, or adjudicated. In addition, the current report also includes an examination of juveniles released from a Youth Development Center (YDC) in FY 2013 following a period of YDC confinement. Juvenile and criminal justice outcomes for these groups are examined, with recidivism defined broadly to include all subsequent delinquent complaints and adult arrests within a three-year follow-up period. The Executive Summary highlights the key findings and policy implications from the 2017 report.

FY 2013 Sample Profile and Outcomes

- The sample of 14,120 juveniles was comprised of 7,820 juveniles with no petition filed for a court hearing (i.e., closed and diverted groups) and 6,300 juveniles with a petition filed for a court hearing (i.e., dismissed and adjudicated groups).
- Overall, 72% were male and 51% were black. The average age at offense was 13 years old.
- The vast majority (89%) of juveniles had a misdemeanor as their most serious sample offense. Misdemeanors comprised 97% of offenses for the no petition group and 78% for the petition group.
- Juveniles with a petition filed were assessed at higher risk and needs levels than juveniles with no petition filed.
- Overall, 42% of the sample had at least one subsequent delinquent complaint and/or arrest (i.e., recidivism) during the three-year follow-up (see Figure 1). Compared to juveniles with no petition filed, juveniles with petitions filed tended to have more extensive prior contact with the juvenile justice system and higher recidivism rates.

Figure 1
Recidivism Rates for FY 2013 Juvenile Sample

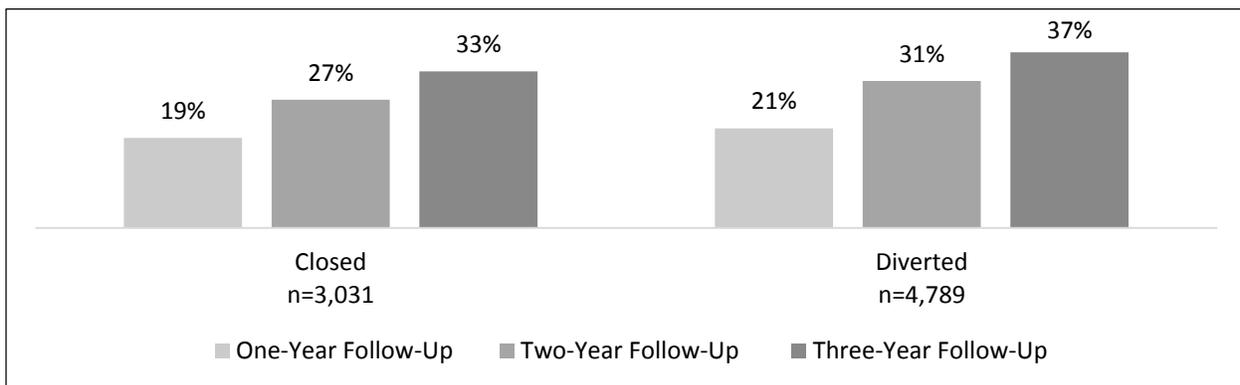


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Juveniles Closed and Juveniles Diverted

- Of the 7,820 juveniles with no a petition filed for court, 3,031 were closed and 4,789 were diverted.
- There were few differences between the two groups in terms of their personal characteristics or their prior juvenile justice contacts.
- More juveniles in the diverted group were assessed in the higher risk levels and had higher needs than juveniles in the closed group.
- The diverted group had higher recidivism rates compared to the closed group during each year of the follow-up (see Figure 2). Recidivism rates were also higher for juveniles who had prior juvenile justice contacts and for those assessed at higher risk and/or needs levels.
- In examining additional outcomes for the diverted group, juveniles who were unsuccessful with their diversion plan/contract were assessed at higher risk and needs levels, and had much higher recidivism rates, compared to juveniles who were successful.

Figure 2
Recidivism Rates for Juveniles Closed and Juveniles Diverted

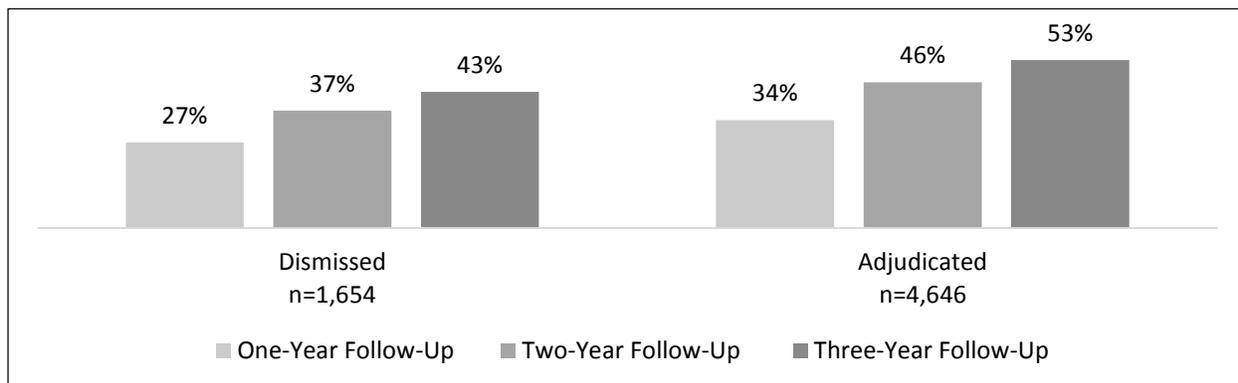


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Juveniles Dismissed and Juveniles Adjudicated

- Of the 6,300 juveniles with a petition filed for court, 1,654 were dismissed and 4,646 were adjudicated.
- The dismissed and adjudicated groups were similar in terms of most personal characteristics. Juveniles adjudicated tended to have more prior contacts with the juvenile justice system than juveniles dismissed.
- Juveniles adjudicated were more likely to be assessed as higher risk and less likely to be assessed as lower risk than juveniles dismissed. More juveniles in the dismissed group were assessed with low needs (62%) compared to the adjudicated group (48%).
- Juveniles adjudicated had higher recidivism rates than juveniles dismissed (see Figure 3). Prior contacts with the juvenile justice system and higher risk and needs levels were linked to higher recidivism rates for both groups.
- Focusing on additional outcomes for juveniles adjudicated and disposed, recidivism rates were highest for juveniles with a minor offense, a high delinquency history level, and a Level 2 disposition.

Figure 3
Recidivism Rates for Juveniles Dismissed and Juveniles Adjudicated

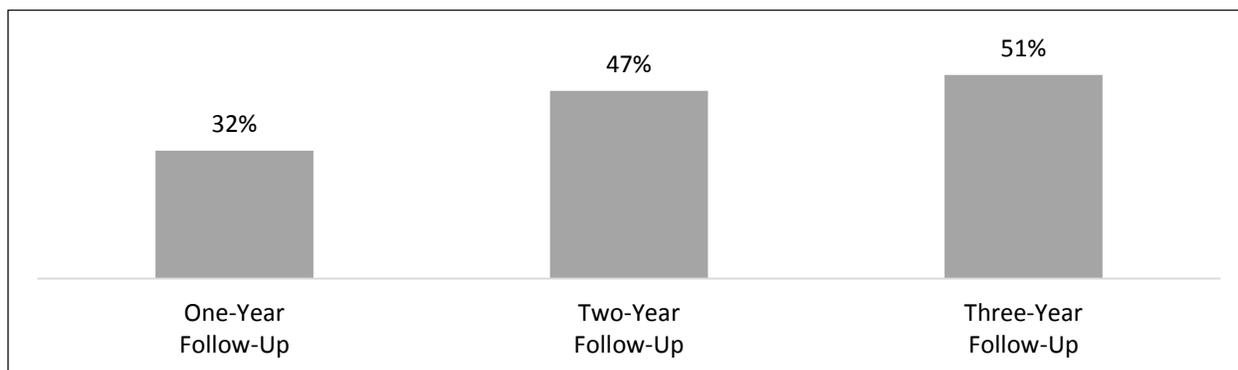


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

YDC Releases

- In FY 2013, 237 juveniles released from a YDC. Three-fourths had a YDC length of stay between 6 and 18 months, with an average of 14 months. Nearly all were released from a YDC onto post-release supervision.
- Fifty-seven percent of juveniles entered a YDC for a probation/PRS violation and 43% entered for a new admission.
- The vast majority of juveniles in the YDC release sample were male (95%), over two-thirds (70%) were black, and 73% were 15 to 16 years old at YDC commitment.
- Nearly all were assessed at the two highest risk levels; most were assessed as medium needs.
- Consistent with the limitation of Level 3/YDC dispositions in the juvenile disposition chart (i.e., for more serious offenses and/or higher delinquency history levels), 84% of the YDC release sample had a felony as their most serious adjudicated offense and 80% had a high delinquency history level.
- As shown in Figure 4, 51% of YDC releases had at least one subsequent delinquent complaint and/or arrest (i.e., recidivism). Juveniles with a prior confinement, juveniles adjudicated of misdemeanor offenses, and juveniles assessed at the highest risk level had higher recidivism rates.

Figure 4
Recidivism Rates for YDC Releases



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

Conclusions

- Recidivism rates for juveniles have been consistent over time, with rates between 42-45% over the past five samples. Since FY 2005, the number of juveniles studied in Sentencing Commission juvenile recidivism reports has decreased over 30%. The shrinking sample size is likely the result of declines in a number of demographic and juvenile justice trends over the past ten years, including substantial decreases in juvenile complaints.
- Findings demonstrated a complex relationship between age and recidivism. Juveniles between the ages of six and nine had very low recidivism rates, those aged 10-11 showed gradually increasing rates with the highest recidivism observed for 12-14 year-olds; age 15 showed a considerable decrease in the recidivism rate. This suggests if appropriate resources were targeted at the age group with the highest overall recidivism rate (juveniles aged 12-14), and at the earliest possible point of their contact with the juvenile justice system, it might affect their rate of reoffending.
- A direct relationship was observed between the juveniles' assessed risk and needs and their recidivism, with recidivism generally increasing as risk and needs levels increased. However, the needs levels currently used by DACJJ may need to be revisited. A large majority (70%) of the juvenile sample were assessed as "low needs." A refinement to the levels (similar to recent efforts made by DACJJ in re-norming risk level) may assist the system in better understanding the true level of needs for juveniles and tailoring appropriate system responses and interventions based on those needs.
- Examination of the new YDC release sample, studied for the first time in this report, yielded some promising findings. Juveniles released from a YDC in FY 2013 had a slightly lower recidivism rate when compared to the FY 2013 adjudicated juvenile group. The similarity in rates is surprising, given the large proportion of juveniles in the YDC release sample assessed in the highest risk level, the number with a prior complaint (nearly all), and the percentage with a high delinquency history level – factors that are all associated with an increased likelihood of future offending.
- Consistent findings over time point to a clear relationship between level of involvement with the juvenile justice system and likelihood of recidivating. The lowest levels of recidivism corresponded to the least invasive systemic responses of the juvenile justice system, particularly by processing and intervening with youths short of adjudication. These findings suggest that the most efficient investment of sufficient resources is in the community, at the front-end of the juvenile justice system.

CHAPTER ONE
JUVENILE RECIDIVISM STUDY DIRECTIVE AND METHODOLOGY

Introduction

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

§ 164-48. Biennial report on juvenile recidivism.

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 sixth biennial report on juvenile recidivism, submitted to the General Assembly on May 1, 2017.

The Juvenile 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. Juveniles who are alleged to have committed a delinquent offense are processed by, supervised by, and committed to the Department of Public Safety's (DPS) Division of Adult Correction and Juvenile Justice (DACJJ), Juvenile Justice Section (hereinafter referred to as DACJJ).

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

Intake Process

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

Any juvenile who is subject to a delinquency complaint must go through the intake process for the complaint to be screened and evaluated by a juvenile justice court counselor. The court counselor has up to 30 days to determine if a complaint should be handled outside the court or if a complaint should be filed as a petition and set for a hearing before a juvenile court judge. The length and extent of the intake process is based primarily on whether a juvenile is alleged to have committed one of the most serious, statutorily defined group of offenses (i.e., nondivertible offenses¹) and/or whether a juvenile is confined in a detention center. During the intake phase, a court counselor conducts interviews with the juvenile, the parent, guardian, or custodian legally responsible for the juvenile, and other individuals who might have relevant information about the juvenile. Beginning in 2006, the risk and needs assessment was incorporated into the intake process for use in the initial decision to approve or not approve a complaint for filing, as well as for use at disposition. These assessments contain information pertaining to the juvenile's social, medical, psychiatric, psychological, and educational history, as well as factors indicating the probability of the juvenile engaging in future delinquency. (See Appendix A.) Upon reviewing the information gathered during the evaluation, the court counselor determines if the complaint should be closed, diverted, or approved for filing as a petition and brought before the court.

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

When a court counselor determines that a juvenile's case should not be brought to court, but that the juvenile is in need of follow-up and referral to a community-based resource (e.g., restitution, 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 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.

¹ Nondivertible offenses are defined in N.C. Gen. Stat. (hereinafter G.S.) 7B-1701 as murder, first- or second-degree rape, first- or second-degree sexual offense, arson, felony drug offense under Article 5 of Chapter 90 of the General Statutes, first-degree burglary, crime against nature, or a felony involving the willful infliction of serious bodily injury or which was committed by use of a deadly weapon.

Pre-Dispositional Hearings

Probable Cause Hearing²

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

Transfer Hearing

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

Adjudicatory Hearing

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

Dispositional Hearing

Overview of the Process

At the dispositional hearing, which may or may not occur on the same date as the adjudicatory hearing, the court decides the sanctions, services, and conditions that will be ordered for the juvenile as a result of the adjudicated offense(s). G.S. 7B-2500 states that the purposes of a disposition are "to design an appropriate plan to meet the needs of the juvenile and to achieve the objectives of the State in exercising jurisdiction, including the protection of the public."

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

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

As shown in Table 1.1, the court’s selection of dispositional alternatives is governed by statute through a graduated sanctions chart that classifies juvenile offenders according to the seriousness of their adjudicated offense (vertical axis) and the degree and extent of their delinquent history (horizontal axis). (See Appendix B for more detailed information.)

**Table 1.1
Juvenile Disposition Chart**

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

Dispositional Alternatives

After reviewing the information provided by the court counselor’s office, juvenile court judges have three dispositional levels available to them in which to dispose the juvenile’s case.

A Level 1 or community disposition offers the court less restrictive dispositional alternatives such as probation, community-based programs, non-residential and residential treatment programs, community service (up to 100 hours), restitution (up to \$500), and sanctions that place specific limitations on a juvenile (e.g., curfew, no association with specified persons, not be in specified places).

A Level 2 or intermediate disposition is generally more restrictive than a Level 1 disposition. Level 2 dispositional alternatives include options such as intensive probation, group home placements (e.g., multipurpose group homes), regimented training programs, and house arrest. For a Level 2 disposition, a juvenile can be ordered to make restitution that is in excess of \$500 or perform up to 200 hours of community service. The court can also utilize any Level 1 dispositional option for a juvenile adjudicated at Level 2. Several Level 2 options that offer a more restrictive environment for adjudicated juveniles are available for Level 1 dispositions as well. Wilderness programs serve juveniles with behavioral problems in a year-round, residential therapeutic environment.³ 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.

A Level 3 or commitment disposition provides the most restrictive sanction available to a juvenile court judge – commitment to DACJJ for placement in a Youth Development Center (YDC). A YDC, as defined in

³ The wilderness camps serve a diverse group of juveniles, including those displaying problematic behavior who are not court-involved.

G.S. 7B-1501(29), is “a secure residential facility authorized to provide long-term treatment, education, and rehabilitative services for delinquent juveniles committed by the court to the Division [DACJJ].” Unless a youth is under the age of 10, a court exercising jurisdiction over a juvenile for whom a Level 3 disposition is authorized must commit the juvenile to DACJJ for placement in a YDC.⁴ However, G.S. 7B-2513(e) states that DACJJ, following assessment of a juvenile, may provide commitment services to the juvenile in a program not located in a YDC or detention facility (i.e., community placement). Another exception gives the court discretion to impose a Level 2 disposition rather than a Level 3 disposition if the court makes written findings that substantiate extraordinary needs on the part of the juvenile in question. The length of a juvenile’s commitment must be at least six months; however, there are statutory provisions for extended jurisdiction for committed youth.⁵ Upon completion of their term of commitment, juveniles are subject to a minimum of 90 days of post-release supervision (PRS). DACJJ currently houses approximately 200 committed juveniles in four YDCs.

Appendix C contains 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 Councils (JCPC) allocations. 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.⁶ 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.

Juvenile Recidivism Research Design

The research design for the 2017 biennial juvenile recidivism study was first specified in the Sentencing Commission’s *Report on the Proposed Methodology for Measuring Juvenile Recidivism in North Carolina* to the General Assembly.⁷ 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 that was closed, diverted, dismissed, or adjudicated during the sample period of July 1, 2012 through June 30, 2013 (FY 2013).
- 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 event that placed the juvenile in the sample.

⁴ 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.

⁵ G.S. 7B-2513(a).

⁶ 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.

⁷ See the Sentencing Commission’s 2005 report, *Report on the Proposed Methodology for Measuring Juvenile Recidivism in North Carolina Pursuant to Session Law 2004-124, Section 16.5*, for further details.

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 who were the subject of a delinquent complaint in FY 2013 and the sample is followed for a three-year period to capture their delinquent and criminal re-involvement. In addition, the scope is expanded further for the current study with the examination of a new sample of juveniles – juveniles released from a YDC in FY 2013 following a period of YDC confinement.

Sample

Juvenile Recidivism Sample

There were 14,120 juveniles identified in DACJJ’s automated juvenile justice database who were brought to the attention of the juvenile justice system with at least one delinquent complaint in FY 2013. Based on the first decision that was made regarding their case in FY 2013, they were assigned to one of four levels of involvement – juveniles with complaints that were closed, diverted, dismissed, or adjudicated.⁸ 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).

Figure 1.1 provides an overview of the FY 2013 juvenile recidivism sample. As with previous recidivism studies, the 14,120 sample juveniles were divided into four groups based on their level of involvement for their first court event: juveniles with cases closed (n=3,031), diverted (n=4,789), dismissed (n=1,654) or adjudicated (n=4,646). For the first time, these four groups were combined into two groups – no petition and petition – based on their court status. Of the FY 2013 sample, there were 7,820 juveniles whose cases did *not* have a petition filed for a court hearing by a court counselor (i.e., their cases were either closed or diverted⁹) and 6,300 juveniles whose cases did have a petition filed for a court hearing (i.e., their cases were either dismissed or adjudicated).

YDC Release Sample

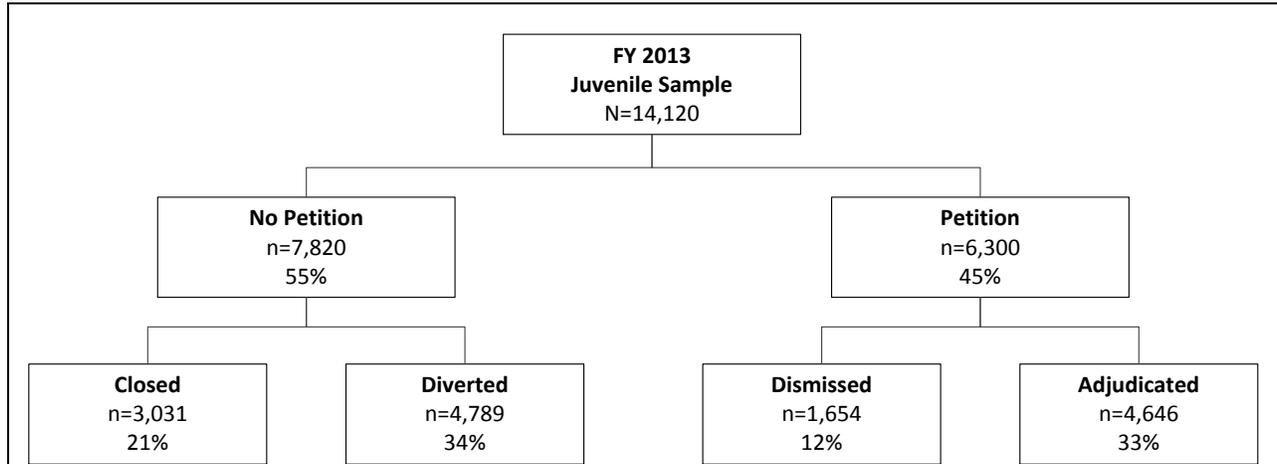
As mentioned previously, an additional sample – juveniles who were released from a YDC in FY 2013 following a period of YDC confinement (also referred to as YDC releases) – was examined separately from the overall juvenile recidivism sample. The 237 juveniles studied in the YDC release sample were released from a YDC in FY 2013 following a commitment for either a new admission or for a violation of probation or PRS.¹⁰

⁸ Overall, the average number of days from the juvenile’s delinquent complaint received to his/her sample event was 56, with a median of 26 days. Juveniles whose cases were dismissed had the longest average time between complaint received and sample event with 170 days and a median of 126 days, followed by those who were adjudicated with an average of 82 days and a median of 63 days. Juveniles whose cases were closed (with an average of 18 days and a median of 15 days) or diverted (with an average of 15 days and a median of 13 days) had the least amount of time from complaint received to sample event.

⁹ For juveniles with a delinquent complaint that was diverted, their inclusion in the no petition filed for court group refers to the initial placement on a diversion plan or contract. Chapter Three examines the outcomes (e.g., successful completion or unsuccessful completion due to non-compliance with the diversion plan or contract) of the diverted group.

¹⁰ If the court finds that a juvenile has violated the conditions of probation, it may order a new disposition at the next higher level on the disposition chart, including Level 3 – commitment (G.S. 7B-2510). If the court determines that a juvenile has violated the terms of PRS, the court may revoke the PRS and impose an indefinite term of at least 90 days (G.S. 7B-2516). For brevity, both violations of probation and PRS revocations are referred to as violations.

**Figure 1.1
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 2013.

No Petition: Complaint was initially closed or diverted at intake by a court counselor and no petition was filed with the court.

- **Closed:** Complaint was closed at intake by a court counselor, with no further action required.
- **Diverted:** Complaint was diverted from court by a court counselor who developed a plan or contract for the juvenile to comply with certain conditions. Non-compliance with the plan or contract could later result in the filing of the complaint as a petition in juvenile court.

Petition: Complaint was filed as a petition with the allegations against the juvenile either dismissed or adjudicated by the court.

- **Dismissed:** Complaint was filed as a petition and dismissed by the court during the pre-adjudicatory or adjudicatory hearing.
- **Adjudicated:** Complaint was filed as a petition and the juvenile was adjudicated delinquent by the court. The adjudication may or may not have had a disposition entered in the time frame of the study.

Outcome Measures and Follow-Up Period

The primary outcome measure of recidivism was defined as having either a delinquent juvenile complaint and/or an adult arrest¹¹ that occurred within the three-year follow-up period.¹² Additional measures of recidivism included the offense severity of recidivist events, as well as subsequent adjudications¹³ and convictions. 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.

¹¹ Although the adult arrests 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.

¹² 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. Tables referring to only juvenile recidivism, or only adult recidivism, state so specifically. See Appendix D for additional recidivism tables examining subsequent complaints/adjudications and adult arrests/convictions separately.

¹³ The term “subsequent adjudications” 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.

Data Sources and Enhancements

Information for this report was collected from the DPS:

- North Carolina Juvenile Online Information Network (NC-JOIN), DACJJ's management information system for juvenile justice, contains data on all juveniles brought to court with delinquent and undisciplined complaints received in a juvenile court counselor office; their demographic and social history information; sample offense and disposition; and prior and subsequent involvement in the juvenile justice system.¹⁴
- North Carolina State Bureau of Investigation's (SBI) automated database, the Computerized Criminal History (CCH) system, includes information on fingerprinted adult arrests and convictions for the sample.¹⁵

A case profile was constructed for each juvenile, comprised of personal and delinquency history characteristics, the most serious current delinquent complaint, the outcome of that complaint (e.g., closed, diverted, dismissed, or adjudicated), and re-involvement with the juvenile justice system (i.e., subsequent complaints and adjudications) or criminal justice system (i.e., adult arrests and convictions).

A major enhancement was made to the data provided for this report. Based on findings from the Sentencing Commission's 2015 juvenile recidivism studies^{16,17} and a subsequent recommendation from the Commission, DACJJ re-normed their juvenile risk assessment instrument to reflect five levels of risk, RL1 (lowest) to RL5 (highest) levels. The previous cut-offs for risk level – low (0 to 7 points), medium (8 to 14 points), and high (15 or more points) – over-represented juveniles as being low risk. The re-normed risk levels more accurately reflect the risk of recidivism for juveniles. Figure 1.2 provides an illustration of the old risk levels compared to the new risk levels by risk score.¹⁸

¹⁴ The NC-JOIN data that were used to determine the most serious delinquent activity alleged in the complaint (i.e., sample offense), prior delinquent complaints/adjudications, and subsequent complaints/adjudications include all felonies and misdemeanors. Data on infractions, local ordinances, and most North Carolina General Statutes Chapter 20 (hereinafter Chapter 20) (i.e., traffic) offenses were excluded from the analysis; only the more serious traffic offenses (e.g., a felony offense) were included.

¹⁵ SBI's CCH data were used to determine recidivist arrests and convictions in North Carolina. Recidivist arrests were defined as fingerprinted arrests that occurred after a juvenile in the sample turned 16 years old. Although North Carolina's local law enforcement jurisdictions are required to fingerprint all felonies and only the more serious misdemeanors, most misdemeanor arrests have been consistently fingerprinted across the state. This report includes Class A1 through Class 3 misdemeanor arrests and convictions. Similar to the data analyzed from DACJJ's NC-JOIN, CCH data on infractions, local ordinances, and most Chapter 20 (i.e., traffic) offenses were excluded from the analysis; only the more serious traffic offenses (e.g., a felony offense) were included.

¹⁶ See the Sentencing Commission's May 2015 *Juvenile Recidivism Study: FY 2010/11 Juvenile Sample* for further details at http://www.nccourts.org/Courts/CRS/Councils/spac/Documents/ncspacjuvrecid_j2015.pdf.

¹⁷ See the Sentencing Commission's May 2015 report on *Effectiveness of Programs Funded by Juvenile Crime Prevention Councils* for further details at http://www.nccourts.org/Courts/CRS/Councils/spac/Documents/JCPC_Final_Report_2015.pdf.

¹⁸ For a discussion of the re-norming of the juveniles risk assessment, see DACJJ's *Juvenile Justice Section 2015 Annual Report* (https://ncdps.s3.amazonaws.com/s3fs-public/documents/files/Annual%20Report%20Final%20Online%20Draft%209_26_16.pdf).

**Figure 1.2
Old Risk Level and New Risk Level by Risk Score**

		Old Risk Levels															
		Low					Medium					High					
Score:		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15+
		RL1	RL2	RL3			RL4					RL5					
		New Risk Levels															

SOURCE: NC Department of Public Safety, Division of Adult Correction and Juvenile Justice, Juvenile Justice Section

Although the new risk levels were not implemented until 2016, this report utilizes the new levels so that the findings from this report would be more informative for potential policy recommendations. For the FY 2013 juvenile recidivism sample, Table 1.2 shows the shift from the three levels of risk (old risk level) to the five levels of risk (new risk level). The shaded areas indicate the shift from a lower level of risk to a higher level of risk (i.e., low to RL2, RL3, or RL4; medium to RL5).

**Table 1.2
Old Risk Level by New Risk Level**

Old Risk Level	New Risk Level					#/% by Old Risk Level
	RL1 (lowest)	RL2	RL3	RL4	RL5 (highest)	
Low	947	2,527	4,851	1,671	0	9,996 76%
Medium	0	0	0	2,090	437	3,571 19%
High	0	0	0	0	625	345 5%
#/% by New Risk Level	947 7%	2,527 19%	4,851 37%	3,761 29%	1,062 8%	13,148 100%

Note: There were 972 juveniles with missing risk assessments excluded from the table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Analysis and Report Outline

This report marks the sixth biennial report on statewide rates of juvenile recidivism. The study follows a sample of 14,120 juveniles who had a delinquent complaint processed in the juvenile justice system in FY 2013 to determine whether subsequent involvement in both the juvenile justice system and criminal justice system (i.e., recidivism) occurred. In addition, as a special focus, the study also examines the recidivism of a sample of 237 juveniles released from a YDC in FY 2013.

Chapter Two presents a descriptive profile of the FY 2013 sample (including personal characteristics, delinquency history, most serious complaint offense, and RNA) and a summary of their subsequent involvement in the juvenile and criminal justice systems during the three-year follow-up period. The analyses in this chapter provide information on the sample as a whole and also offer a comparative look at the characteristics and recidivism of juveniles by court status – those with no petition filed for a court hearing (i.e., juveniles whose cases were closed or diverted) and those with a petition filed for court (i.e., juveniles whose cases were dismissed or adjudicated).

Chapter Three offers a more detailed examination of juveniles without a petition, focusing on a comparison of juveniles whose cases were closed with juveniles whose cases were diverted. The chapter provides an overall profile of the two groups and their subsequent recidivism, as well as additional outcomes for juveniles diverted.

Chapter Four provides a further examination of juveniles with a petition – those juveniles whose case was dismissed either prior to or at the adjudicatory hearing and juveniles adjudicated delinquent. The chapter offers a descriptive comparison of the two groups in terms of their personal characteristics and delinquency history, as well as their recidivism during follow-up. Additional outcomes were provided for juveniles adjudicated and disposed.

Chapter Five focuses on a special population of juveniles – juveniles released from a YDC in FY 2013. The chapter offers a description of the YDC release sample (such as personal characteristics, delinquency history, most serious adjudicated offense, YDC commitment profile, and RNA) and includes an examination of their recidivism.

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

CHAPTER TWO STATISTICAL PROFILE AND JUVENILE JUSTICE AND CRIMINAL JUSTICE OUTCOMES OF THE FY 2013 JUVENILE SAMPLE

Chapter One described the juvenile justice process and defined the juvenile sample. Chapter Two profiles a cohort of juveniles processed through North Carolina’s juvenile justice system from July 1, 2012 through June 30, 2013 by their court status (i.e., no petition and petition). This chapter describes the sample selection process and provides a statistical profile of the juvenile sample that includes personal characteristics, delinquency history, most serious complaint offense, and RNA. Juvenile justice and criminal justice outcomes for the sample are also examined, with a focus on subsequent complaints and/or adult arrests by court status, personal characteristics, most serious offense alleged in the complaint, and subsequent confinement in a detention center or a YDC.

Sample Selection

All of the 14,120 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 2013, 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). These four groups were combined to create two groups based on their court status, 7,820 juveniles whose cases did *not* have a petition filed for a court hearing by a court counselor (i.e., closed and diverted¹⁹ groups) and 6,300 juveniles whose cases did have a petition filed for a court hearing (i.e., dismissed and adjudicated groups). Chapter Two focuses on the placement of juveniles into these two broad categories – no petition and petition groups – and the overall sample.

Personal Characteristics

Table 2.1 presents the distribution of the personal characteristics by court status. Overall, 72% of the juveniles were male. Juveniles with a petition had a higher percentage of males at 78%. Over half (51%) of the juveniles in the sample were black, 35% were white, 9% were Hispanic, and 5% were identified as other or unknown. The racial composition of the two groups were nearly identical with the no petition group having a slightly higher percent of black juveniles (52%) compared to the petition group (50%). At the time of their alleged delinquent act, the juveniles’ mean age was 13.4 years, with a median of 14.0 years. The majority of juveniles (59%) were 14 or 15 years old when the offense occurred. The no petition group had a higher proportion of juveniles twelve years or younger and a lower proportion of juveniles 14 years and older compared to the petition group.²⁰

¹⁹ For juveniles with a delinquent complaint that was diverted, their inclusion in the no petition filed for court group refers to the initial placement on a diversion plan or contract. Chapter Three examines the outcomes (e.g., successful completion or unsuccessful completion due to non-compliance with the diversion plan or contract) of the diverted group.

²⁰ The same age pattern emerges if age at sample event is examined. Juveniles without a petition tend to be younger (mean: 13.4 years, median: 14.0 years) compared to juveniles with a petition (mean: 14.1 years, median: 14.0 years).

**Table 2.1
Personal Characteristics**

Personal Characteristics	No Petition n=7,820 %	Petition n=6,300 %	Total N=14,120 %
Gender			
Male	67	78	72
Female	33	22	28
Race^a			
Black	52	50	51
White	35	36	35
Hispanic	9	9	9
Other/Unknown	4	5	5
Age at Offense			
6-9 Years	6	2	4
10 Years	3	2	3
11 Years	6	4	5
12 Years	12	10	11
13 Years	18	18	18
14 Years	25	27	26
15 Years	30	37	33
Age at Offense			
Mean	13.2	13.7	13.4
Median	14.0	14.0	14.0

^a 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 2013 Juvenile Recidivism Sample

Delinquency History

It is important to look at whether or not juveniles in the sample had contact with the juvenile justice system prior to their entry into the sample to gain an understanding of the juveniles' frequency of interaction with the system. Figure 2.1 provides the percentage of juveniles with prior juvenile justice contact by court status. Overall, 32% of the sample had at least one delinquent complaint prior to sample entry. Juveniles with a petition had a higher percentage with a prior complaint (54%) than juveniles without a petition (15%). Thirteen percent of the juveniles had at least one prior adjudication, while 7% had a prior confinement.²¹ For all measures of prior juvenile justice contacts examined, the

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

petition group had experienced more prior contacts with the juvenile justice system than the no petition group.

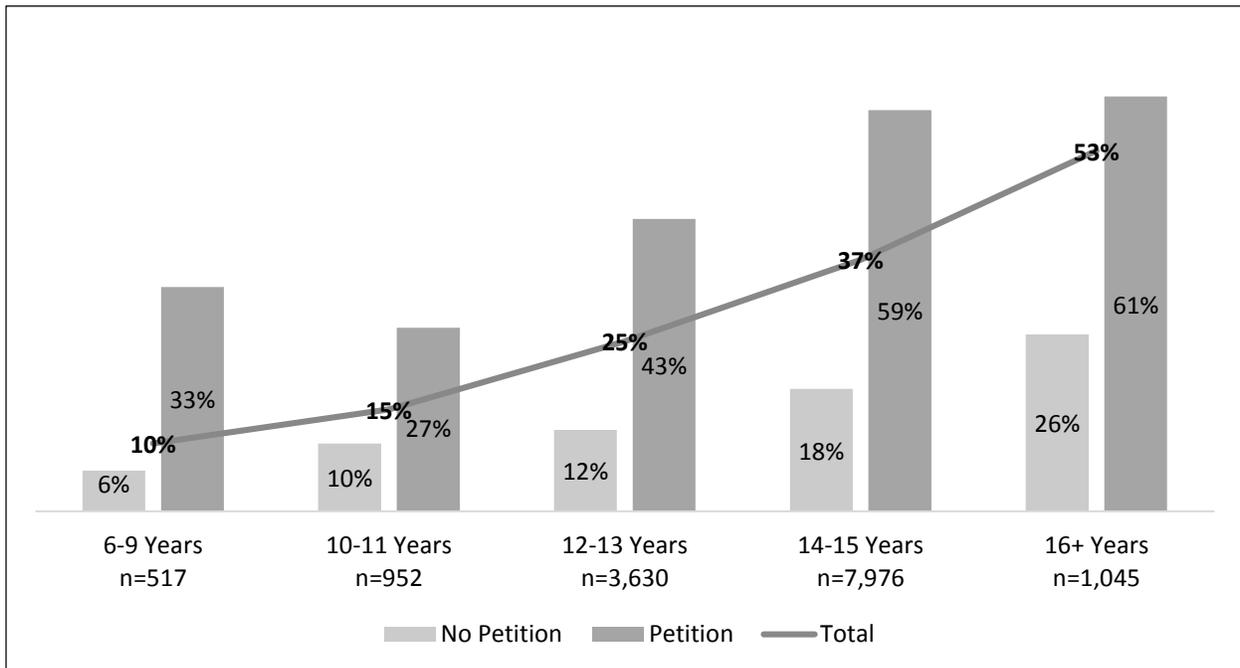
Figure 2.1
Prior Juvenile Justice Contacts

No Petition n=7,820	Petition n=6,300	Total N=14,120
<ul style="list-style-type: none"> •15% prior complaint •4% prior adjudication •2% prior confinement 	<ul style="list-style-type: none"> •54% prior complaint •25% prior adjudication •14% prior confinement 	<ul style="list-style-type: none"> •32% prior complaint •13% prior adjudication •7% prior confinement

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

To examine the relationship between age and prior juvenile justice contacts, Figure 2.2 contains the percentage of juveniles with at least one prior contact by age at sample event. As expected, the younger juveniles, six to nine years at sample event, had a smaller proportion with prior complaints filed (10%) compared to the older juveniles – 37% for 14 to 15 year olds and 53% for those 16 years and older. Generally, this finding holds true regardless of the court status; however, Figure 2.2 displays the marked differences of prior contact with the juvenile justice system between the two groups by age. The petition group had a higher percentage of juveniles with a prior complaint for each age group compared to juveniles in the no petition group. They also had higher increases of prior complaints between each age group compared to the juveniles without a petition.

Figure 2.2
Prior Complaints by Age at Sample Event



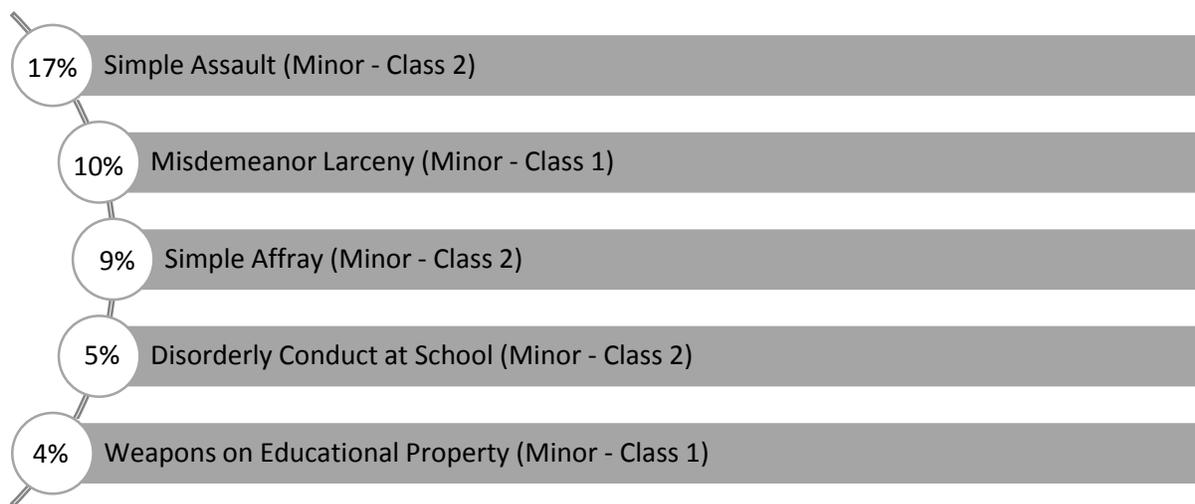
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Of the 4,586 juveniles with at least one prior complaint, the majority of them were in the petition group (74%). Examination of the juvenile's most serious prior offense found 74% had a misdemeanor offense as the most serious prior complaint. Juveniles without a petition had more misdemeanor offenses (86%) as the most serious prior complaint compared to juveniles with a petition (70%).

Most Serious Sample Offense

The most serious sample offense is defined as the most serious offense alleged in the complaint.²² Figure 2.3 provides the most common sample offenses for juveniles in the sample (e.g., simple assault, misdemeanor larceny, simple affray). All of the top five offenses are misdemeanors.

Figure 2.3
Top Five Juvenile Offenses



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Table 2.2 provides a comparison of the groups with respect to their offense profile. Eighty-nine percent of the 14,120 juveniles had a misdemeanor as their most serious sample offense. Misdemeanors comprised 97% of the offenses for the no petition group and 78% for the petition group. Overall, 2% of the sample were alleged to have committed a violent offense (Class A through E felonies), 16% a serious offense (Class F through I felonies and Class A1 misdemeanors), and 82% a minor offense (Class 1 through 3 misdemeanors).²³ Only a small percentage of the no petition group committed a serious offense.²⁴

Juveniles' most serious sample offenses were also grouped into four crime categories: person, property, drug, and other.²⁵ Overall, the most common type of sample offense, regardless of whether it was a felony or misdemeanor, was person (40%), followed by property (31%), other (19%), and drug (10%). (See Table 2.2.) Of the person offenses, 93% were for a misdemeanor offense. The top two person

²² See Chapter Four for the adjudicated offense classification for juveniles in the petition group who were adjudicated.

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

²⁴ One juvenile in the no petition group had a Class D (or violent offense) as the most serious sample offense.

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

offenses were simple assault and simple affray. Most of the property offenses (78%) were misdemeanors. The top two property offenses were misdemeanor larceny and felony breaking and/or entering. With 88% of the drug offenses a misdemeanor, the most common offenses were simple possession of Schedule VI controlled substance and possess marijuana up to one half of an ounce. Almost all (98%) of the offenses categorized as other were misdemeanors. The most common offenses in the other category were disorderly conduct at school and weapons on educational property.

Table 2.2
Most Serious Sample Offense

Sample Offense	No Petition n=7,820 %	Petition n=6,300 %	Total N=14,120 %
Offense Type			
Felony	3	22	11
Misdemeanor	97	78	89
Offense Classification			
Violent			
Class A-E Felonies	0	4	2
Serious			
Class F-I Felonies	8	26	16
Class A1 Misdemeanors			
Minor			
Class 1-3 Misdemeanors	92	70	82
Crime Category			
Person	41	38	40
Property	27	35	31
Drug	10	11	10
Other	22	16	19
School-Based Offense			
No	34	51	41
Yes	66	49	59
Under JJ Supervision			
No	99	83	92
Yes	1	17	8

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Overall, 59% of the juveniles had a school-based offense.²⁶ More of the juveniles without a petition (66%) had a school-based offense, while just under half of the juveniles with a petition (49%) had a

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

school-based offense. Eight percent of the 14,120 juveniles in the sample were under some type of juvenile justice supervision at the time of sample entry.²⁷ The petition group, whose cases penetrated further into the juvenile justice system, were more likely to be under juvenile justice supervision (17%) than the juveniles without a petition (1%).

Risk and Needs Assessments

DACJJ staff administers RNA to all juveniles to assess the risk of future delinquency and to determine the individual needs of the juvenile during the intake process.²⁸ Table 2.3 lists select results of the assessments for the two groups and for the sample as a whole. Most notable among the risk factors, 83% of juveniles had school behavior problems, 31% had at least one prior intake referral, 15% had their first referral before age 12, and 15% had parents/guardians who were unwilling or unable to provide parental supervision. In general, the petition group had more risk factors than the no petition group. For one of the risk indicators, having a first referral before age 12, both groups were similar in their risk behavior.

The needs assessment revealed that very few juveniles had basic needs that were not being met (less than 1%). For over half of the juveniles who were assessed, mental health care was indicated as a need (60%). Problems related to home-life were evident, with 36% of the juveniles having criminality in their family, 16% experiencing conflict in the home, and 14% having some history of victimization. As seen with the risk indicators, the petition group had more needs than the no petition group.

Combining select risk and needs indicators, 27% of the juveniles had substance abuse problems, 56% had negative peer relationships, and 5% reported some type of gang affiliation. Again, the petition group had a greater proportion of juveniles with higher risk and needs combinations that were examined compared to the other group.

Using the assessment instruments, separate risk and needs scores were computed for each juvenile, placing the juvenile in one of five levels of risk from RL1 (the lowest risk) to RL5 (the highest risk) and into low, medium, or high level for needs. Figure 2.4 shows the risk levels for both groups and for the entire sample. Overall, there were few juveniles that were RL1 or RL5 (7% and 8% respectively). As expected, fewer juveniles without a petition were assessed at the higher risk levels (19% for RL4 and RL5) compared to juveniles with a petition (58% for RL4 and RL5). Conversely, more juveniles without a petition were assessed at the lower risk levels (37% for RL1 and RL2) compared to juveniles with a petition (14% for RL1 and RL2). Figure 2.4 also shows the needs levels for both groups and for the entire sample. Overall, there were few juveniles that were high needs (3%), with more juveniles with a petition (5%) than juveniles without a petition (1%) having the highest level of needs. The majority (85%) of

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

²⁷ Under juvenile justice (JJ) supervision includes YDC commitment, probation supervision, PRS, continuation of services, protective supervision, or other situations where a court counselor provides supervision and service for a juvenile.

²⁸ See Appendix A for a copy of the North Carolina Assessment of Juvenile Risk of Future Offending and the North Carolina Assessment of Juvenile Needs instruments and for information on the number and percentage of juveniles with a risk and needs assessment for the sample. Overall, 93% of the juveniles had a completed RNA. For this report, RNA were analyzed if the assessment was completed within a year of the date the complaint was received. Ninety percent of the juveniles with a RNA had their assessment completed within 30 days. One percent of the juveniles had only a risk assessment completed, while another 1% had only a needs assessment completed. The risk and needs findings in this report only include the juveniles who had both RNA completed.

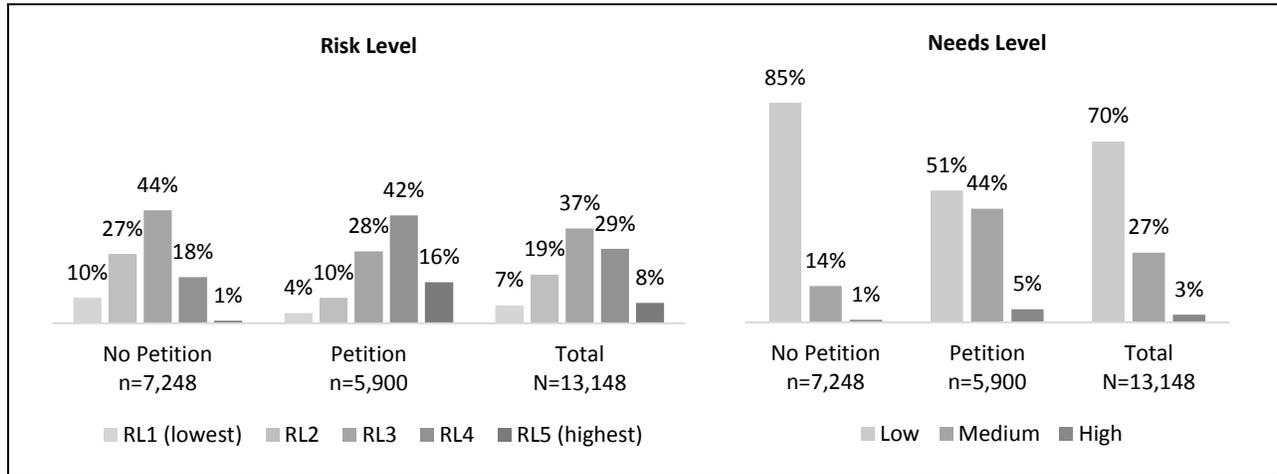
juveniles without a petition were assessed as low needs, while half (51%) of the juveniles with a petition were assessed as low needs.

Table 2.3
Select Risk and Needs Indicators

Risk and Needs Indicators	No Petition n=7,248 %	Petition n=5,900 %	Total N=13,148 %
Risk Assessment			
First Referral Before Age 12	16	14	15
Prior Intake Referrals	16	49	31
Prior Adjudications	4	27	14
Prior Assaults	7	22	14
Had Run Away	4	13	8
Had School Behavior Problems	80	88	83
Parents/Guardians Unwilling/Unable to Provide Parental Supervision	7	25	15
Needs Assessment			
Functioning Below Academic Grade Level	6	12	9
Juvenile Parent Status (i.e., is a parent)	0	1	1
History of Victimization	11	19	14
Risky Sexual Behavior	2	9	5
Need for Mental Health Care Indicated	47	76	60
Basic Needs Are Not Being Met	0	0	0
Impaired Functioning (i.e., medical, dental, health/hygiene)	0	1	1
Conflict in the Home	9	25	16
Parent, Guardian, or Custodian has Disabilities	2	5	3
One or More Members of Household have Substance Abuse Problems	5	10	7
Indication of Family Member's Involvement in Criminal Activity	29	43	36
Combined Risk and Needs Indicators			
Substance Abuse	18	38	27
Gang Affiliation	2	8	5
Negative Peer Relationships	42	73	56

Note: There were 972 juveniles with missing risk and/or needs assessments excluded from the table.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Figure 2.4
Risk Level and Needs Level



Note: There were 972 juveniles with missing risk and/or needs assessments excluded from the figure.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Follow-Up Period and Time at Risk

Each juvenile in the FY 2013 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 2013 sample reached the age of criminal responsibility during the three-year follow-up. Most juveniles (73%) spent at least a portion of the three-year follow-up under both juvenile and adult jurisdiction (see Figure 2.5). Another 20% of the juveniles remained solely under the jurisdiction of the juvenile justice system for the entire three-year period and were never under adult jurisdiction. A smaller portion of the juveniles (7%) had already turned 16 years old at sample entry and were under adult jurisdiction for their entire three-year follow-up. As expected, the percentage of juveniles aging into the adult system increased during each year of the follow-up period – 39% during year one, 64% during year two, and 80% during year three.

Overall, the sample was at risk under juvenile jurisdiction for an average of 18 months and at risk under adult jurisdiction for an average of 18 months, each accounting for 50% of the total follow-up months. Based on their age distribution (see Table 2.1), juveniles without a petition were younger and had a shorter average time at risk as adults (16 months) than juveniles with a petition (21 months).

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

Figure 2.5
Age of Legal Jurisdiction and the FY 2013 Sample: Three-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Juvenile and Adult Recidivism

Subsequent delinquent complaints were used as the primary measure for juvenile recidivism, supplemented with information on subsequent adjudications that resulted from those recidivist complaints. A subsequent delinquent complaint had to occur after the start date of the three-year follow-up period, and the juvenile must 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. In addition, juveniles had to be at risk in the juvenile justice system; therefore, 1,045 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. In order to be counted as recidivism, 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. Convictions were defined similarly, and the arrest leading to the conviction also must have occurred in the follow-up period. In addition, juveniles had to be at risk in the adult criminal justice system; therefore, 2,802 juveniles were excluded from the adult recidivism analysis because they were under juvenile jurisdiction for the entire follow-up period.

A combined measure of subsequent juvenile delinquent complaints and/or adult arrests was compiled to indicate any recidivist involvement in both systems, which was supplemented by a similar measure for subsequent juvenile adjudications and/or adult convictions. All 14,120 sample juveniles were included in analyzing overall recidivism.

Table 2.4 examines recidivism rates by court status (i.e., no petition, petition) for each year of the three-year follow-up period. Overall, 25% of the sample had at least one subsequent delinquent complaint and/or arrest during the one-year follow-up, 36% during the two-year follow-up, and 42% during the three-year follow-up. Juveniles with a petition had higher recidivism rates each year of the follow-up period compared to juveniles without a petition. For those juveniles with at least one subsequent delinquent complaint and/or arrest, the first recidivist event occurred an average of 11 months after the beginning of their follow-up. The petition group tended to recidivate somewhat earlier (an average of 11

months) than the no petition group (an average of 12 months). Of the 5,922 juveniles with a recidivist event, 30% (or n=1,786) recidivated within three months. It should also be noted that a number of juveniles spent some portion of that “time at risk” under some form of supervision in the community or in confinement.

Table 2.4
Recidivism Rates for Each Year of Follow-Up

Court Status	N	Months to Recidivist Event	One-Year Follow-up %	Two-Year Follow-up %	Three-Year Follow-up %
No Petition	7,820	12	20	30	35
Petition	6,300	11	32	44	50
Total	14,120	11	25	36	42

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Table 2.5 provides information on the total number of recidivist events for those juveniles who had a subsequent juvenile complaint, an adult arrest, or both during the follow-up period.²⁹ The 5,922 juveniles with any recidivism accounted for a total of 15,003 recidivist events. The group with a petition accounted for the highest volume of subsequent complaints and/or adult arrests at 8,606. Table 2.5 also includes information on the mean number of recidivist events. For those juveniles who reoffended, the average number of recidivist events was 3. The juveniles with a petition had a higher average number of recidivist events at 3 than the no petition group at 2. The recidivist events were categorized based on their crime type. Property and person offenses had the largest volume of recidivist events for the entire sample and for both groups, while drug offenses had the lowest volume of recidivist events.

Table 2.5
Recidivist Events: Three-Year Follow-up

Court Status	N	# with Any	Total Recidivist Events		# of Recidivist Events by Crime Category			
			#	Avg.	Person	Property	Drug	Other
No Petition	7,820	2,745	6,397	2	2,494	2,663	678	1,908
Petition	6,300	3,177	8,606	3	3,033	3,975	904	2,593
Total	14,120	5,922	15,003	3	5,527	6,638	1,582	4,501

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

²⁹ 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.

Subsequent Juvenile Adjudications and Adult Convictions

Table 2.6 presents the subsequent adjudication and conviction rates for both groups and overall for each year of the follow-up period. 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 with the conviction possibly falling outside the follow-up period. Adjudication/conviction rates followed patterns similar to complaint/arrest rates. Overall, 13% of the sample had at least one subsequent adjudication and/or adult conviction during the one-year follow-up, 21% during the two-year follow-up, and 25% during the three-year follow-up. Juveniles with a petition had higher subsequent adjudication/conviction rates each year of the follow-up period compared to juveniles without a petition. For those juveniles with at least one subsequent adjudication and/or conviction, the first recidivist event occurred an average of 14 months after the beginning of their follow-up. The petition group tended to recidivate somewhat earlier (an average of 13 months) than the no petition group (an average of 15 months).

Table 2.6
Recidivism Rates for Juvenile Adjudications and Adult Convictions: Three-Year Follow-Up

Court Status	N	Months to Recidivist Event	One-Year Follow-up %	Two-Year Follow-up %	Three-Year Follow-up %
No Petition	7,820	15	8	15	18
Petition	6,300	13	18	28	34
Total	14,120	14	13	21	25

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Personal Characteristics and Recidivism

Table 2.7 provides recidivism rates during the three-year follow-up by the juvenile’s personal characteristics: gender, race, and age at the time of the sample offense. Overall, males had higher recidivism rates than females (46% and 32% respectively). Black juveniles had the highest recidivism rates at 48%, followed by juveniles identifying as other or unknown (42%), Hispanic juveniles (38%), and white juveniles (35%). The youngest juveniles, aged six to nine, had the lowest recidivism rates at 23% (see Figure 2.6). Juveniles aged 12-14 had the highest recidivism rates (46%, 47%, and 45% respectively), but rates declined considerably for 15 year olds (to 38%). Generally, similar patterns were found by court status.

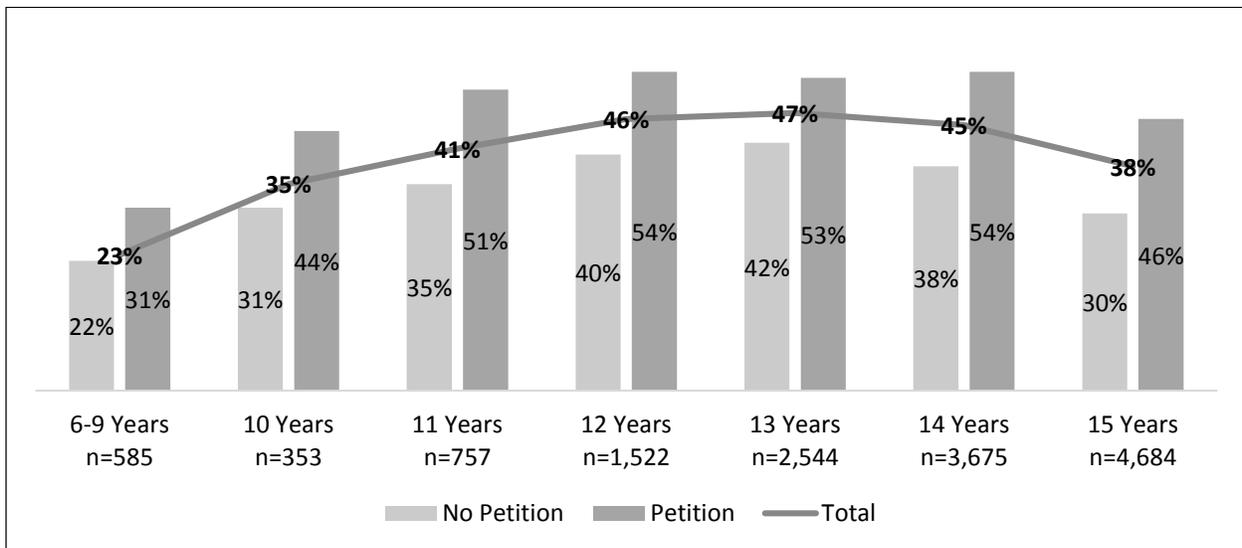
Table 2.7
Recidivism Rates by Personal Characteristics: Three-Year Follow-Up

Personal Characteristics	N	No Petition n=7,820 %	Petition n=6,300 %	Total N=14,120 %
Gender				
Male	10,135	39	54	46
Female	3,985	28	39	32
Race^a				
Black	7,200	40	58	48
White	4,997	29	42	35
Hispanic	1,256	32	45	38
Other/Unknown	667	33	51	42
Total	14,120	35	50	42

^a 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 2013 Juvenile Recidivism Sample

Figure 2.6
Recidivism Rates by Age at Offense: Three-Year Follow-Up



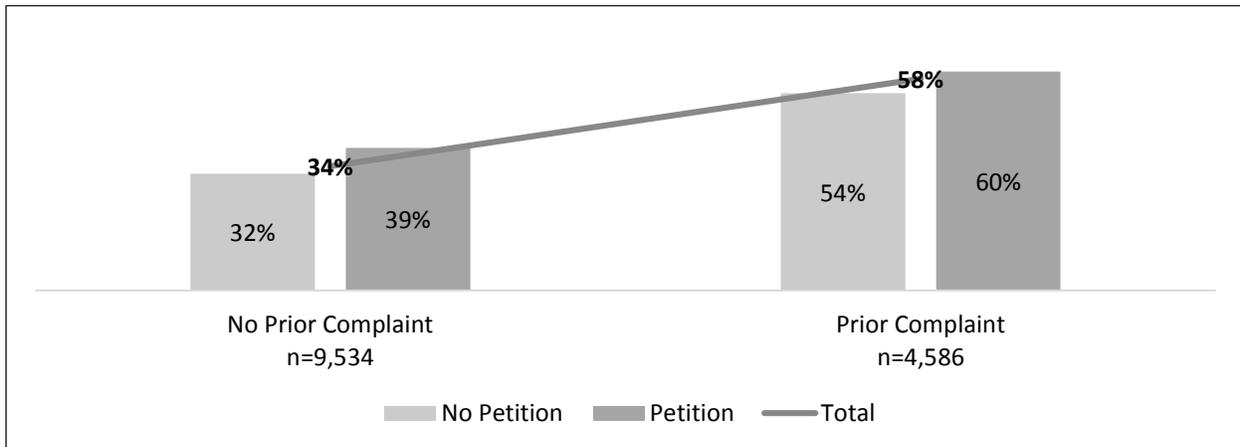
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Prior Complaints and Recidivism

Overall, 32% (n=4,586) of the juveniles had at least one prior delinquent complaint before entry into the sample. Figure 2.7 examines recidivism rates for juveniles with at least one prior complaint in comparison to juveniles with no prior complaint before sample entry. Fifty-eight percent of the juveniles

with at least one prior complaint had a subsequent complaint and/or adult arrests compared to 34% of juveniles with no prior complaint. This finding held when examined by court status. Both groups had higher recidivism rates if they had a prior complaint compared to their counterparts without a prior complaint.

Figure 2.7
Recidivism Rates by Prior Complaints: Three-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Sample Offense and Recidivism

In Table 2.8, recidivism rates are examined by the most serious sample offense and by court status. Overall, juveniles with a felony as the most serious sample offense had slightly higher recidivism rates (46%) than juveniles with a misdemeanor as the most serious sample offense (41%). The no petition group had similar findings. However, for the petition group, juveniles with a misdemeanor sample offense had slightly higher recidivism rates (51%) than those juveniles with a felony sample offense (47%). A similar pattern was also found in the examination of recidivism rates by offense classification. However, juveniles without a petition had fewer felonies as their sample offense (n=211) compared to the no petition group (n=1,372), which may explain the differences between the two groups.

Overall, juveniles with property offenses had highest recidivism rates compared to the other three crime categories. The no petition group had no clear pattern with their recidivism rates and their type of crime (ranging from 36% for person and property offenses to 33% for other offenses). The petition group had higher recidivism rates for juveniles with property and other offenses (54% and 52% respectively) than for juveniles with person and drug offenses (48% and 45% respectively).

If the sample offense was a school-based complaint, lower recidivism rates (40%) were found compared to those offenses that were not school-based (45%). For the no petition group, there were no differences in recidivism rates depending on whether or not their sample complaint was a school-based offense. Juveniles with a petition had lower recidivism rates if their sample offense was a school-based offense compared to their counterpart (48% and 53% respectively). Finally, juveniles had higher recidivism rates if they were under juvenile justice supervision at the time of the offense that placed them in the sample (62%) compared to those juveniles that were not under juvenile justice supervision (40%). This finding occurred in both groups as well.

Table 2.8
Recidivism Rates by Most Serious Sample Offense: Three-Year Follow-Up

Sample Offense	N	No Petition n=7,820 %	Petition n=6,300 %	Total N=14,120 %
Offense Type				
Felony	1,583	40	47	46
Misdemeanor	12,537	35	51	41
Offense Classification				
Violent				
Class A-E Felonies	224	100*	42	42
Serious				
Class F-I Felonies	2,252	39	49	46
Class A1 Misdemeanors				
Minor				
Class 1-3 Misdemeanors	11,644	35	52	41
Crime Category				
Person	5,629	36	48	41
Property	4,302	36	54	45
Drug	1,444	34	45	39
Other	2,745	33	52	40
School-Based Offense				
No	5,834	36	53	45
Yes	8,286	35	48	40
Under JJ Supervision				
No	12,950	35	48	40
Yes	1,170	60	63	62
Total	14,120	35	50	42

*Recidivism rate for one juvenile with a Class D offense.

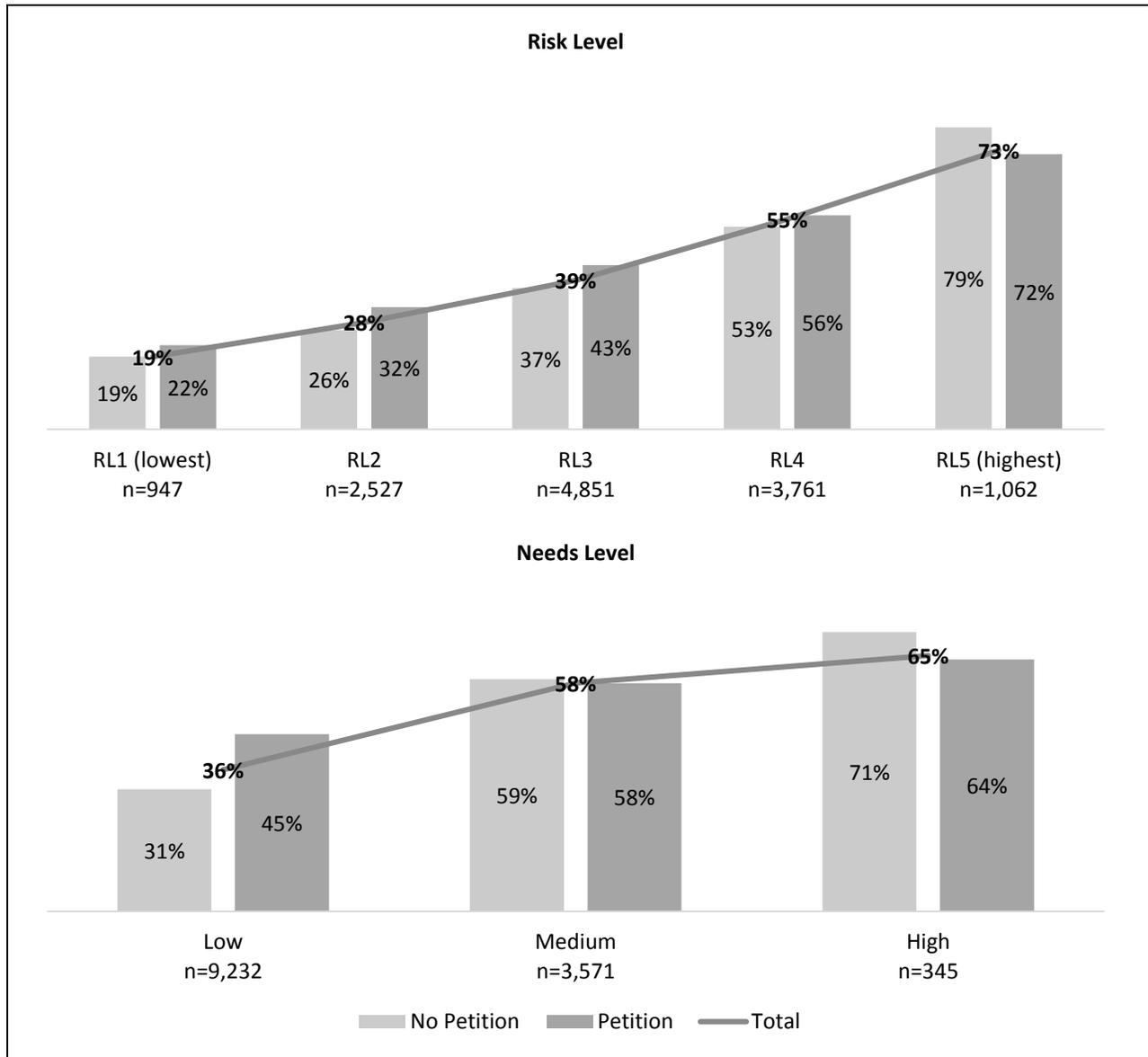
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Risk/Needs Levels and Recidivism

RNA were administered to 93% (or n=13,148) of the sample. The majority of juveniles were assessed in the middle three risk levels (85%). Most juveniles were assessed as low needs (70%). Figure 2.8 explores the relationship between the juvenile's risk and needs levels and their recidivism rates. As expected, RL1 (lowest risk) juveniles had the lowest recidivism rates (19%) compared to RL5 (highest risk) juveniles (73%), with an incremental, stair-step progression of recidivism rates in-between the middle three risk levels (RL2 to RL4). Similar findings in the recidivism rates were seen when examining the relationship between needs level and subsequent complaints and/or adult arrests. However, the gap between the recidivism rates of the medium and high needs juveniles is smaller than the gap between the recidivism

rates of low and medium needs juveniles. Juveniles without a petition tended to have slighter lower recidivism rates for each level of risk and needs except for the highest level of each.

Figure 2.8
Recidivism Rates by Risk Level and Needs Level: Three-Year Follow-Up



Note: There were 972 juveniles with missing risk and/or needs assessments excluded from the figure.
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Information on the recidivism rates and the combined indicators from the risk and needs assessment tools – substance abuse, gang affiliation (whether as a gang member or as an associate of a gang member), and peer relationships – is provided in Table 2.9. Juveniles with substance abuse, gang affiliation, and negative peer influence had higher recidivism rates (54%, 68%, and 51% respectively) compared to their counterparts (no substance abuse, no gang affiliation, and positive peer influence). Similar results were found when examined by court status.

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

Risk and Needs Indicators	N	No Petition n=7,248 %	Petition n=5,900 %	Total N=13,148 %
Substance Abuse				
No	9,602	33	47	39
Yes	3,546	46	58	54
Gang Affiliation				
No	12,547	35	50	41
Yes	601	68	69	68
Peer Relationships				
Positive	5,805	29	40	32
Negative	7,343	44	55	51
Total	13,148	35	51	43

Note: There were 972 juveniles with missing risk and/or needs assessments excluded from the table.
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Confinement to a Detention Center and/or a YDC and Adult Arrests

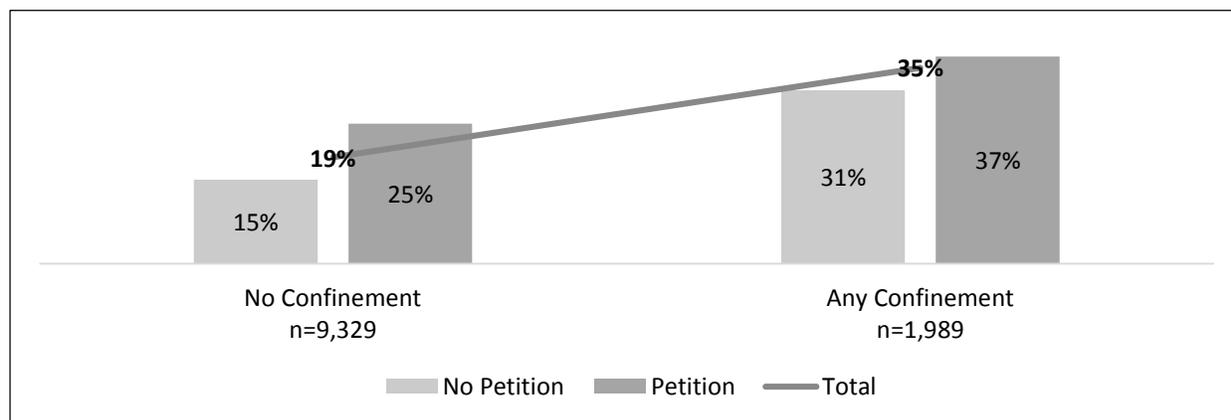
One of the more consistent research findings links juvenile confinement to an increased probability of adult criminality. To examine this assertion, admission to a detention center and commitment to a YDC at any time between the sample entry and the end of the follow-up period were analyzed. Adult arrest rates are reported to provide information on recidivist activity for those juveniles confined in a DACJJ facility compared to juveniles with no confinement during the follow-up period.

Admission to a detention center can occur while a juvenile awaits adjudication and disposition, or it may be imposed as a condition of probation. Of the entire sample, 16% (n=2,320) had at least one admission to a detention center during the three-year follow-up. The petition group had a higher percentage with an admission to a detention center compared to the no petition group (27% and 8% respectively). Commitment to a YDC is the most severe sanction available in the juvenile justice system for juveniles who are adjudicated delinquent. Of the juveniles in the sample, 3% (n=393) had one or more commitments to a YDC during the three-year follow-up. A YDC commitment is not necessarily linked to the sample event 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. The group with a petition had a higher rate of YDC commitments at 5% compared to the group without a petition at 1%. Most juveniles committed to a YDC also had a detention center admission (96%).

Figure 2.9 provides adult arrest rates for the 1,989 juveniles with at least one detention center admission and/or YDC commitment (i.e., confinement) and for the 9,329 juveniles with no confinement. Both groups had aged into the adult system during the three-year follow-up. Juveniles experiencing confinement during their juvenile years were more likely to have a subsequent adult arrest. Overall, 35%

of the confined juveniles had one or more adult arrests compared to 19% of the juveniles who were not confined. This finding was consistent for both the no petition and the petition groups.

Figure 2.9
Adult Arrests by Confinement to a Detention Center and/or a YDC: Three-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Juvenile Transfers to Superior Court

As mentioned in Chapter One, juveniles alleged to be delinquent with a felony offense may be transferred to superior court for trial as adults. Of the 4,353 juveniles with any subsequent complaint, there were 21 juveniles who were transferred to adult court during the follow-up period. No information is available about findings of guilt or innocence, or dispositions, in those proceedings.

Summary

Chapter Two examined the FY 2013 juvenile sample by court status (i.e., no petition and petition) and as a whole. A statistical profile of juveniles in North Carolina was provided and included the characteristics of the sample and their prior, current, and recidivist (i.e., subsequent) contacts with the juvenile justice and criminal justice systems.

Compared to juveniles without a petition, juveniles with a petition had a higher percentage of males and were slightly older at the time the alleged offense occurred. Males were more likely to have a subsequent complaint and/or adult arrest than females. Black juveniles had higher recidivism rates than all other race categories. There was a complex relationship between juvenile age and rates of recidivism. Recidivism rates gradually increased by age and peaked at age 13. Recidivism rates decreased slightly for 14 year olds and then declined considerably for 15 year olds.

Three measures were used to examine prior contacts with the juvenile justice systems – prior complaints, adjudications, and confinement (i.e., detention admission and/or YDC commitment). Compared to juveniles without a petition, juveniles with a petition had more extensive prior contact with the juvenile justice system for all three measures. Examination of prior contacts and the juveniles' age found an incremental increase for both groups by age, with the petition group having more prior contacts regardless of age compared to the no petition group. Prior contacts with the juvenile justice

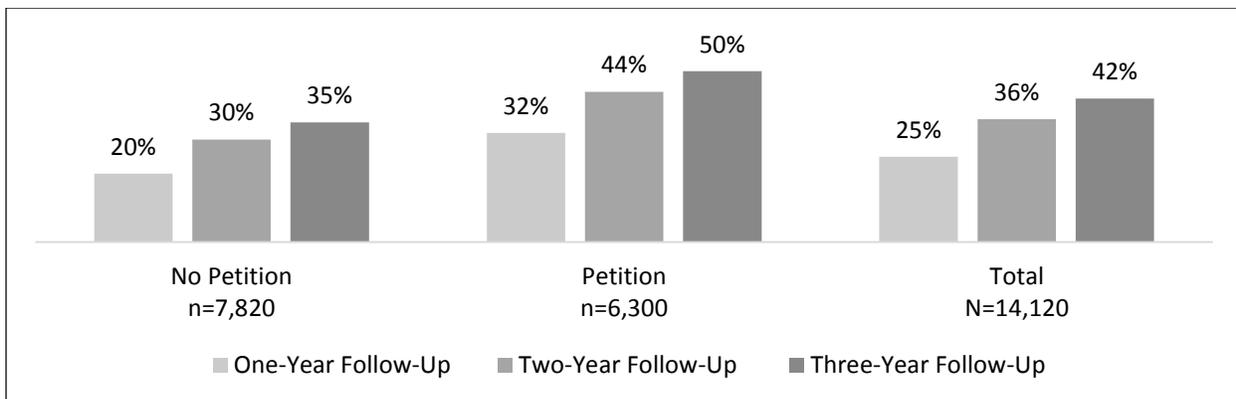
system were also linked to higher recidivism rates for both groups. Confinement as a juvenile – whether in a detention center or a YDC – increased the probability of having an adult arrest.

Most juveniles (89%) had a misdemeanor as their most serious sample offense, with the no petition group having only 3% with a felony offense. The petition group were alleged to have committed all of the violent offenses as regulated by statute and DACJJ policy. Person and property offenses were the most common type of offenses for both groups. No clear recidivism pattern emerged by sample offense for the two groups.

More juveniles with a petition were assessed in the higher risk levels (16% in RL5) and had higher needs (49% in medium and high needs) compared to juveniles without a petition (1% in RL5 and 15% in medium and high needs). An incremental increase in recidivism rates by risk level and needs level (from lowest to highest) were found for both groups.

Most juveniles (80%) were already 16 years at sample entry (i.e., considered an adult in the criminal justice system) or aged into the adult system during the three-year follow-up, with only 20% remaining in the juvenile justice system. Figure 2.10 shows the recidivism rates for each of the follow-up years by court status. The petition group had higher recidivism rates compared to the no petition group. Overall, there was an 11% percentage point increase from year one to year two, with a 6% percentage point increase from year two to year three. The petition group tended to recidivate faster and have more recidivist events on average than the no petition group.

Figure 2.10
Recidivism Rates



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

This chapter examined juveniles with a delinquent complaint as a whole and whether or not a petition was filed for their case to be heard in juvenile court. Chapter Three focuses on juveniles without a petition – those juveniles whose case was closed without further action or whose case was diverted with either a diversion plan or contract.

CHAPTER THREE

JUVENILES CLOSED AND JUVENILES DIVERTED

Chapter Two provided a profile of juveniles with a delinquent complaint during FY 2013 and their recidivism and examined the entire sample of juveniles by court status (i.e., no petition and petition). This chapter focuses on the juveniles with no petition filed for a court hearing – those juveniles with the least involvement in the juvenile justice system. At intake, the court counselor either closed the juvenile’s case with no further action taken or diverted the juvenile with a plan or contract to comply with certain conditions. Since the overall profile and recidivism for the no petition group were reported in Chapter Two, Chapter Three focuses on the differences between the closed and diverted groups, as well as additional outcomes for the juveniles diverted.

No Petition Group

Of the 7,820 juveniles without a petition filed for court, more juveniles (n=4,789) had their cases diverted than closed (n=3,031). Juveniles with a closed case had the least contact with the juvenile justice system; juveniles who were diverted had more contact with 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 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. Slightly more than half (55%) of the juveniles had a diversion plan, while the remainder (45%) had a contract.

Personal Characteristics

Table 3.1 presents the distribution of the personal characteristics for the juveniles closed and diverted. The two groups were very similar in terms of gender and age at the time of the alleged delinquent offense. The closed group had a greater percentage of black juveniles (59%) and fewer white juveniles (28%) compared to the diverted group (47% black juveniles and 40% white juveniles).

Delinquency History

As mentioned in Chapter Two, it is important to examine whether or not juveniles had contact with the juvenile justice system prior to their entry into the sample to gain an understanding of the juveniles’ frequency of interaction with the system. Figure 3.1 shows there were little to no differences between the closed and diverted groups with regard to prior juvenile justice contacts.³⁰

³⁰ A prior confinement could be a detention center admission or a YDC commitment or both. Generally, juveniles who have a YDC commitment also have a detention center admission.

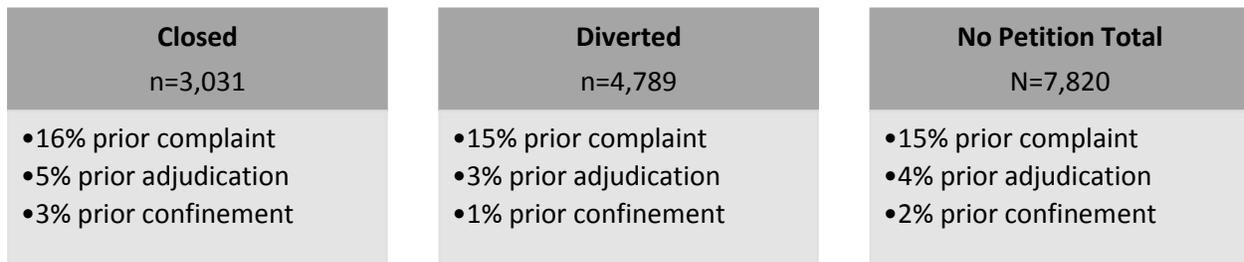
**Table 3.1
Personal Characteristics**

Personal Characteristics	Closed n=3,031 %	Diverted n=4,789 %	No Petition Total N=7,820 %
Gender			
Male	66	68	67
Female	34	32	33
Race^a			
Black	59	47	52
White	28	40	35
Hispanic	9	9	9
Other/Unknown	4	4	4
Age at Offense			
6-9 Years	8	5	6
10 Years	4	2	3
11 Years	6	6	6
12 Years	11	12	12
13 Years	16	19	18
14 Years	24	26	25
15 Years	31	30	30
Age at Offense			
Mean	13.1	13.3	13.2
Median	14.0	14.0	14.0

^a 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 2013 Juvenile Recidivism Sample

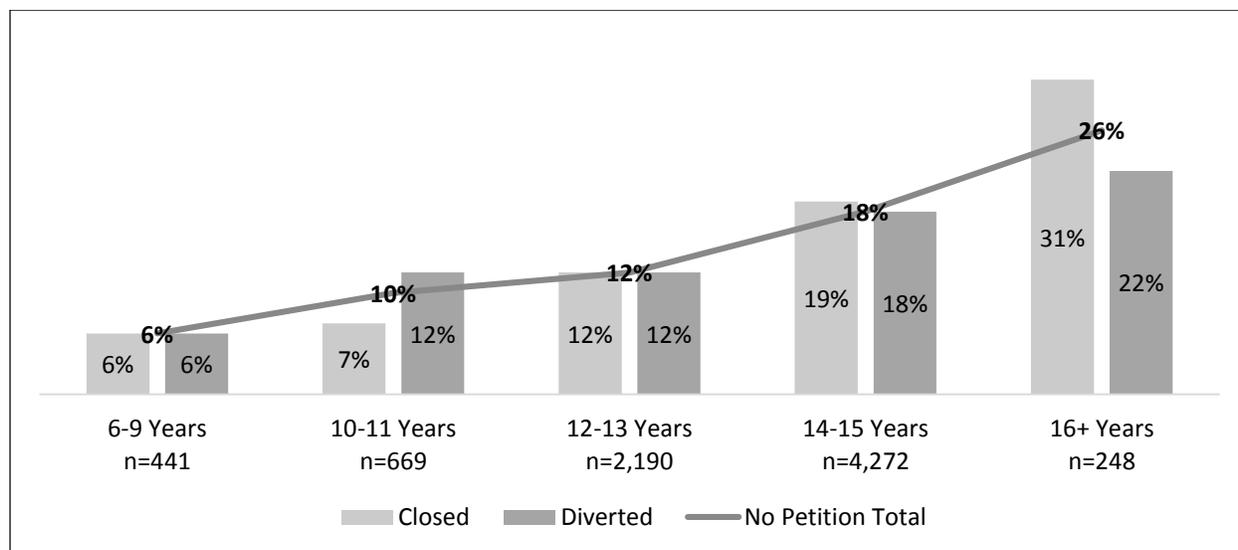
**Figure 3.1
Prior Juvenile Justice Contacts**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Figure 3.2 examines prior complaints by age at sample entry. While both groups were similar in their prior contact with the juvenile justice system, there were some differences by age. Older (16 years and older) juveniles in the closed group (31%) had a higher percentage of juveniles with at least one prior complaint than juveniles in the diverted group at the same age (22%). Juveniles in both groups were more likely to have a misdemeanor as the most serious prior complaint, with the diverted group having a higher percentage with a misdemeanor (91%) than the closed group (79%).

Figure 3.2
Prior Complaints by Age at Sample Event

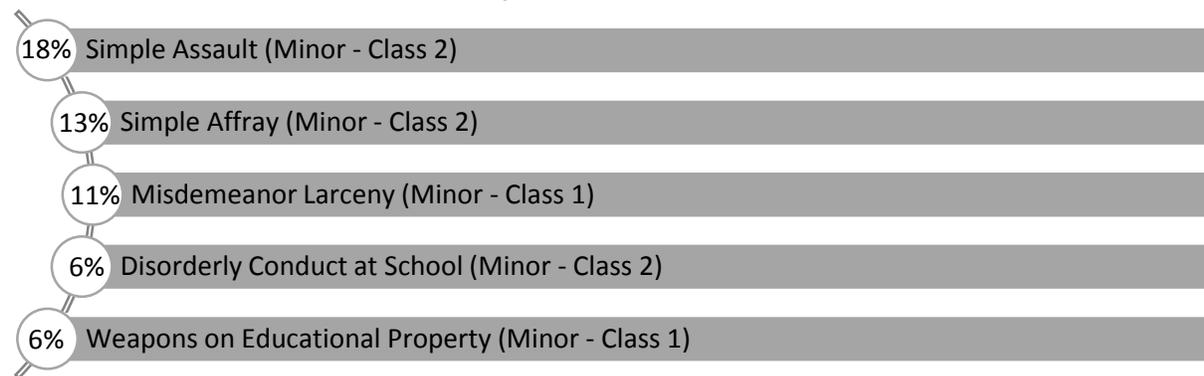


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Most Serious Sample Offense

The most serious sample offense is defined as the most serious offense alleged in the complaint. Figure 3.3 provides the most common sample offenses for the closed and diverted groups (e.g., simple assault, simple affray, misdemeanor larceny). Together these five offenses account for over half of the delinquent complaints of the two groups. All of the top five offenses are misdemeanors.

Figure 3.3
Top Five Juvenile Offenses



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Table 3.2 provides a comparison of the groups with respect to their offense profile. The majority of juveniles closed and diverted had a misdemeanor as their most serious sample offense (98% and 97% respectively). One juvenile with a closed case was alleged to have committed a violent offense (Class A through E felonies), 6% of closed and 8% of diverted a serious offense (Class F through I felonies and Class A1 misdemeanors), and 94% of closed and 92% of diverted a minor offense (Class 1 through 3 misdemeanors).³¹ These findings reflect both legal and court counselor considerations for closing the case or seeking diversion for those juveniles with less serious offenses (especially misdemeanors). Nondivertible and other serious felonies typically result in the filing of a petition.

Table 3.2
Most Serious Sample Offense

Sample Offense	Closed n=3,031 %	Diverted n=4,789 %	No Petition Total N=7,820 %
Offense Type			
Felony	2	3	3
Misdemeanor	98	97	97
Offense Classification			
Violent			
Class A-E Felonies	0	0	0
Serious			
Class F-I Felonies	6	8	8
Class A1 Misdemeanors			
Minor			
Class 1-3 Misdemeanors	94	92	92
Crime Category			
Person	44	39	41
Property	28	26	27
Drug	7	12	10
Other	21	23	22
School-Based Offense			
No	38	31	34
Yes	62	69	66
Under JJ Supervision			
No	97	100	99
Yes	3	0	1

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

³¹ See Chapter One and Appendix B for a discussion of offense classifications in the Juvenile Disposition Chart.

Juveniles' most serious sample offenses were also grouped into four crime categories: person, property, drug, and other.³² While the offense type and offense classification for both groups were similar, there were some differences in the crime categories. Juveniles with a closed case had more person offenses (44%) than the diverted group (39%). (See Table 3.2.) Of the person offenses alleged to have been committed, only 15 of the 3,205 offenses were for a felony offense. Both groups had similar percentages for property offenses. Juveniles closed had slightly fewer drug offenses (7%) compared to juveniles diverted (12%).

More of the juveniles diverted (69%) had a school-based offense than the closed group (62%).³³ Although few of the juveniles with no petition filed (1%) were under some type of juvenile justice supervision at the time of sample entry, those juveniles who were under juvenile justice supervision were in the closed group.³⁴

Risk and Needs Assessments

The court counselors administer RNA to all juveniles to assess the risk of future delinquency and to determine the individual needs of the juvenile during the intake process.³⁵ Table 3.3 lists select results of the assessments for the two groups and for all the juveniles without a petition. In general, the closed group had slightly more risk factors with the exception of school behavior problems. Juveniles diverted had higher percentages with school behavior problems (83%) and with the need for mental health indicated (53%) compared to juveniles closed (74% and 37% respectively). The diverted group tended to have slightly more needs than the closed group. Combining risk and needs indicators, the diverted group had a greater percentage of juveniles with substance abuse and negative peer relationship compared to the closed group.

Using the assessment instruments, separate risk and needs scores were computed for each juvenile, placing the juvenile in one of five levels of risk from RL1 (the lowest risk) to RL5 (the highest risk) and a low, medium, or high level for needs. Figure 3.4 shows the risk levels for each group and for the no petition group as a whole. Fewer juveniles closed were assessed at the higher risk levels (16% for RL4 and RL5) compared to juveniles diverted (22% for RL4 and RL5). Conversely, more juveniles closed were assessed at the lower risk levels (44% for RL1 and RL2) compared to juveniles diverted (32% for RL1 and RL2). Figure 3.4 also included the needs levels for each group and combined. There were very few juveniles that were high needs overall (1%) and by court status (1% each) and few with medium level needs (8% for closed and 17% for diverted). The majority of juveniles were assessed as low needs for both groups.

³² See Chapter Two for crime category definitions.

³³ See Chapter Two for a definition of a school-based offense.

³⁴ See Chapter Two for a definition of juvenile justice supervision.

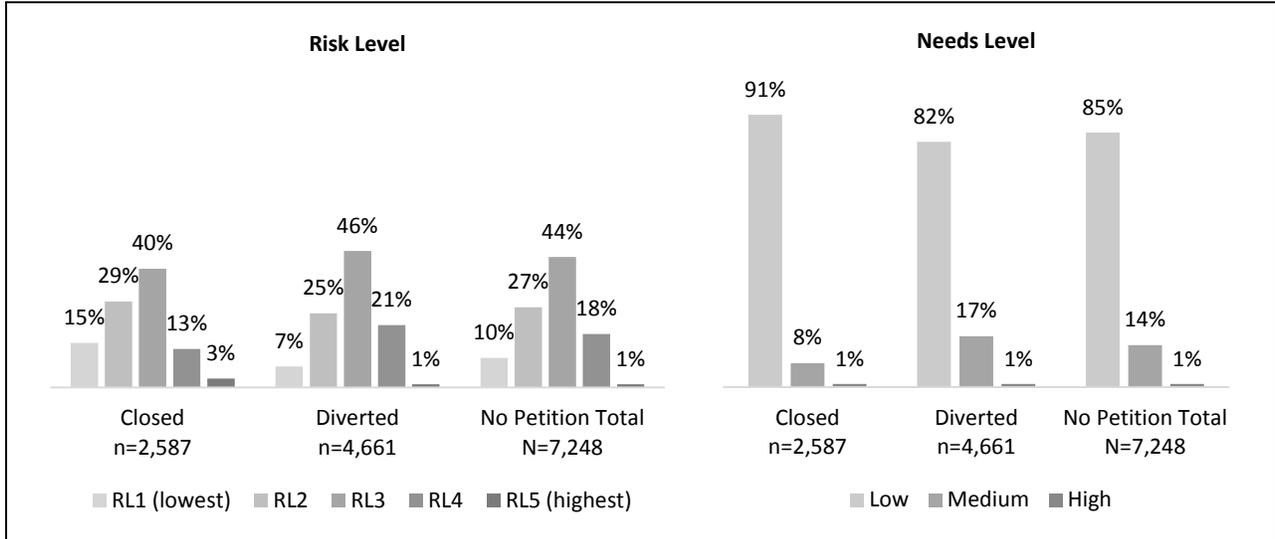
³⁵ See Appendix A for a copy of the North Carolina Assessment of Juvenile Risk of Future Offending and the North Carolina Assessment of Juvenile Needs instruments and for information on the number and percentage of juveniles with a risk and needs assessment for the sample. Overall, 85% of the juveniles closed had a completed RNA, while 97% of juveniles diverted had a completed RNA. For this report, RNA were analyzed if the assessment was completed within a year of the date the complaint was received. Ninety-seven percent of the juveniles with a RNA had their assessment completed within 30 days. The risk and needs findings in this report only include the juveniles who had both RNA completed.

Table 3.3
Select Risk and Needs Indicators

Risk and Needs Indicators	Closed n=2,587 %	Diverted n=4,661 %	No Petition Total N=7,248 %
Risk Assessment			
First Referral Before Age 12	19	15	16
Prior Intake Referrals	17	15	16
Prior Adjudications	6	3	4
Prior Assaults	8	7	7
Had Run Away	4	3	4
Had School Behavior Problems	74	83	80
Parents/Guardians Unwilling/Unable to Provide Parental Supervision	6	7	7
Needs Assessment			
Functioning Below Academic Grade Level	5	7	6
Juvenile Parent Status (i.e., is a parent)	0	0	0
History of Victimization	8	12	11
Risky Sexual Behavior	1	2	2
Need for Mental Health Care Indicated	37	53	47
Basic Needs Are Not Being Met	0	0	0
Impaired Functioning (i.e., medical, dental, health/hygiene)	0	1	0
Conflict in the Home	9	10	9
Parent, Guardian, or Custodian has Disabilities	2	2	2
One or More Members of Household have Substance Abuse Problems	3	5	5
Indication of Family Member's Involvement in Criminal Activity	24	32	29
Combined Risk and Needs Indicators			
Substance Abuse	12	22	18
Gang Affiliation	2	2	2
Negative Peer Relationships	31	48	42

Note: There were 572 juveniles with missing risk and/or needs assessments excluded from the table.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Figure 3.4
Risk Level and Needs Level



Note: There were 572 juveniles with missing risk and/or needs assessments excluded from the figure.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Follow-Up Period and Time at Risk

As mentioned in Chapter Two, each juvenile in the FY 2013 sample was followed for a period of three years to determine whether subsequent involvement with the juvenile justice or adult criminal justice systems occurred. Most juveniles (75%) in the no petition group aged into or were already in the adult criminal justice system during the three-year follow-up, while 25% remained solely under the jurisdiction of the juvenile justice system for the entire three-year period.

A fixed follow-up period was used in an attempt to obtain the same “window of opportunity” for each juvenile to reoffend. However, the window of opportunity was not necessarily the same for each juvenile if confinement occurred during follow-up (e.g., admission to a detention center, commitment to a YDC, confinement in local jails or in prisons).

Juvenile and Adult Recidivism

As described in Chapter Two, subsequent complaints were used as the primary measure for juvenile recidivism, supplemented with information on subsequent adjudications that resulted from those recidivist complaints. Juveniles had to be at risk in the juvenile justice system; therefore, 248 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. Juveniles had to be at risk in the adult criminal justice system; therefore, 1,939 juveniles were excluded from the adult recidivism analysis because they were under juvenile jurisdiction for the entire follow-up period. A combined measure of subsequent juvenile complaints and/or adult arrests was compiled to indicate any recidivist involvement in either system, which was supplemented by a similar measure for subsequent juvenile adjudications and/or adult convictions. All 7,820 juveniles closed and diverted were included in analyzing overall recidivism.

Table 3.4 examines overall recidivism rates by court status (i.e., closed, diverted) for each year of the three-year follow-up period. Juveniles whose cases were diverted had slightly higher recidivism rates for each year of the follow-up period (21%, 31%, and 37% respectively) compared to juveniles whose cases were closed (19%, 27%, and 33% respectively). For those juveniles with at least one subsequent delinquent complaint and/or arrest, the first recidivist event occurred an average of 12 months after the beginning of their follow-up. The timing of the first recidivist event was the same for both groups (an average of 12 months).

Table 3.4
Recidivism Rates for Each Year of Follow-Up

Court Status	N	Months to Recidivist Event	One-Year Follow-up %	Two-Year Follow-up %	Three-Year Follow-up %
Closed	3,031	12	19	27	33
Diverted	4,789	12	21	31	37
No Petition Total	7,820	12	20	30	35

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Information on the total number of recidivist events for those juveniles who had a subsequent juvenile complaint, an adult arrest, or both during the follow-up period is provided in Table 3.5.³⁶ The 2,745 juveniles with any recidivism accounted for a total of 6,397 recidivist events. The diverted group accounted for the highest volume of subsequent complaints and/or adult arrests at 4,002. Table 3.5 also includes information on the mean number of recidivist events. There were no differences in the average number of recidivist events between the two groups.

Table 3.5
Recidivist Events: Three-Year Follow-up

Court Status	N	# with Any	Total Recidivist Events		# of Recidivist Events by Crime Category			
			#	Avg.	Person	Property	Drug	Other
Closed	3,031	988	2,395	2	905	1,402	229	696
Diverted	4,789	1,757	4,002	2	1,589	1,621	449	1,212
No Petition Total	7,820	2,745	6,397	2	2,494	2,663	678	1,908

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Subsequent Juvenile Adjudications and Adult Convictions

Table 3.6 presents the adjudication/conviction rates for each year of the follow-up period. Adjudication/conviction rates followed patterns similar to complaint/arrest rates. Juveniles diverted had

³⁶ 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.

slightly higher adjudication/conviction rates for each year of the follow-up compared to the closed group. For those juveniles with at least one subsequent adjudication and/or conviction, there were no differences between the two groups to the time to the first recidivist event – both occurred on average at 15 months.

Table 3.6
Recidivism Rates for Juvenile Adjudications and Adult Convictions: Three-Year Follow-Up

Court Status	N	Months to Recidivist Event	One-Year Follow-up %	Two-Year Follow-up %	Three-Year Follow-up %
Closed	3,031	15	7	12	15
Diverted	4,789	15	9	16	20
No Petition Total	7,820	15	8	15	18

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Personal Characteristics and Recidivism

Recidivism rates during the three-year follow-up by the juvenile’s personal characteristics (e.g., gender, race, age at the time of the sample offense) are examined in Table 3.7. In general, juveniles diverted had higher recidivism rates than juveniles closed for all categories of personal characteristics examined. Similar patterns emerged when examining recidivism rates by personal characteristics for the two groups. Males were more likely to recidivate than females. Black juveniles had the highest recidivism rates compared to the other racial groupings and were 11 percentage points higher than white

Table 3.7
Recidivism Rates by Personal Characteristics: Three-Year Follow-Up

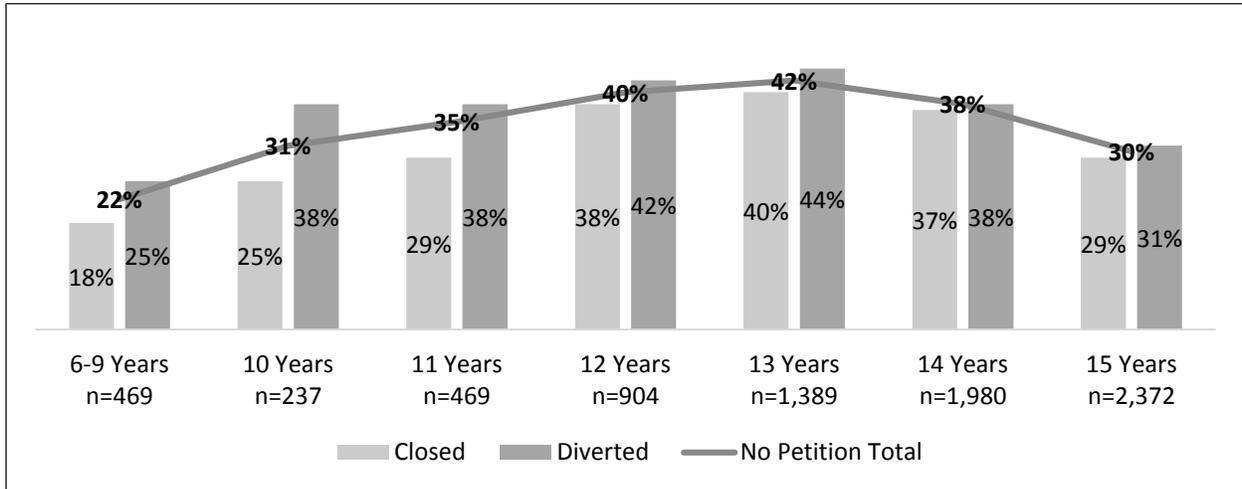
Personal Characteristics	N	Closed n=3,031 %	Diverted n=4,789 %	No Petition Total N=7,820 %
Gender				
Male	5,239	36	40	39
Female	2,581	25	29	28
Race^a				
Black	4,028	36	43	40
White	2,765	25	31	29
Hispanic	691	31	33	32
Other/Unknown	336	35	32	33
No Petition Total	7,820	33	37	35

^a 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 2013 Juvenile Recidivism Sample

juveniles. Juveniles closed in the younger ages had lower recidivism rates compared to the juveniles diverted, but appeared to “catch up” by age 12 (see Figure 3.5). Juveniles diverted aged 12-13 years had the highest recidivism rates (42% and 44% respectively), while juveniles closed aged 12-14 years had the highest recidivism rates (38%, 40%, and 37% respectively).

Figure 3.5
Recidivism Rates by Age at Offense: Three-Year Follow-Up

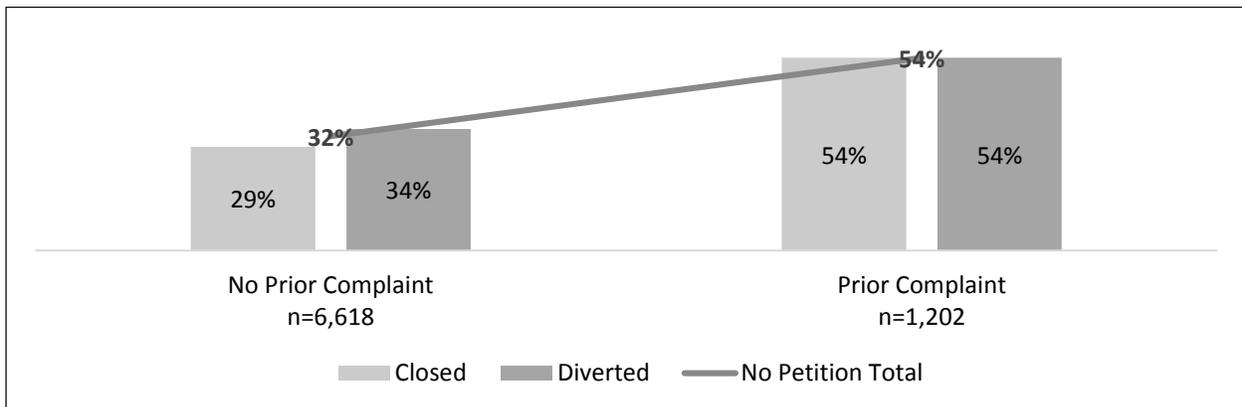


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Prior Complaints and Recidivism

Figure 3.6 examines recidivism rates for juveniles with at least one prior complaint in comparison to juveniles with no prior complaint before sample entry. Overall, juveniles with a prior complaint had higher recidivism rates than those with no prior complaint (54% and 32% respectively). For juveniles with a prior complaint, there were no differences in recidivism rates for juveniles closed and juveniles diverted (54% each). Of those with no prior complaint, juveniles diverted had higher recidivism rates than juveniles closed (34% and 29% respectively).

Figure 3.6
Recidivism Rates by Prior Complaints: Three-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Sample Offense and Recidivism

In Table 3.8, recidivism rates were examined by the most serious sample offense and by court status. For the closed group, juveniles with a felony sample offense had higher recidivism rates at 47% than those juveniles with a misdemeanor sample offense at 32%. Juveniles in the diverted group had the same recidivism rates (37%) whether their most serious sample offense was a misdemeanor or a felony. A similar pattern was also found for both groups in the examination of recidivism rates by offense classification. Juveniles diverted tended to have higher recidivism than closed juveniles for all crime categories.

Table 3.8
Recidivism Rates by Most Serious Sample Offense: Three-Year Follow-Up

Sample Offense	N	Closed n=3,031 %	Diverted n=4,789 %	No Petition Total N=7,820 %
Offense Type				
Felony	211	47	37	40
Misdemeanor	7,609	32	37	35
Offense Classification				
Violent				
Class A-E Felonies	1	100*	-	100*
Serious				
Class F-I Felonies	595	41	38	39
Class A1 Misdemeanors				
Minor				
Class 1-3 Misdemeanors	7,224	32	37	35
Crime Category				
Person	3,205	33	38	36
Property	2,080	35	38	36
Drug	775	34	35	34
Other	1,760	29	35	33
School-Based Offense				
No	2,648	36	37	36
Yes	5,172	31	37	35
Under JJ Supervision				
No	7,720	32	37	35
Yes	100	58	73*	60
No Petition Total	7,820	33	37	35

Note: Recidivism rates reported for 25 or fewer juveniles are indicated with an asterisk (*).

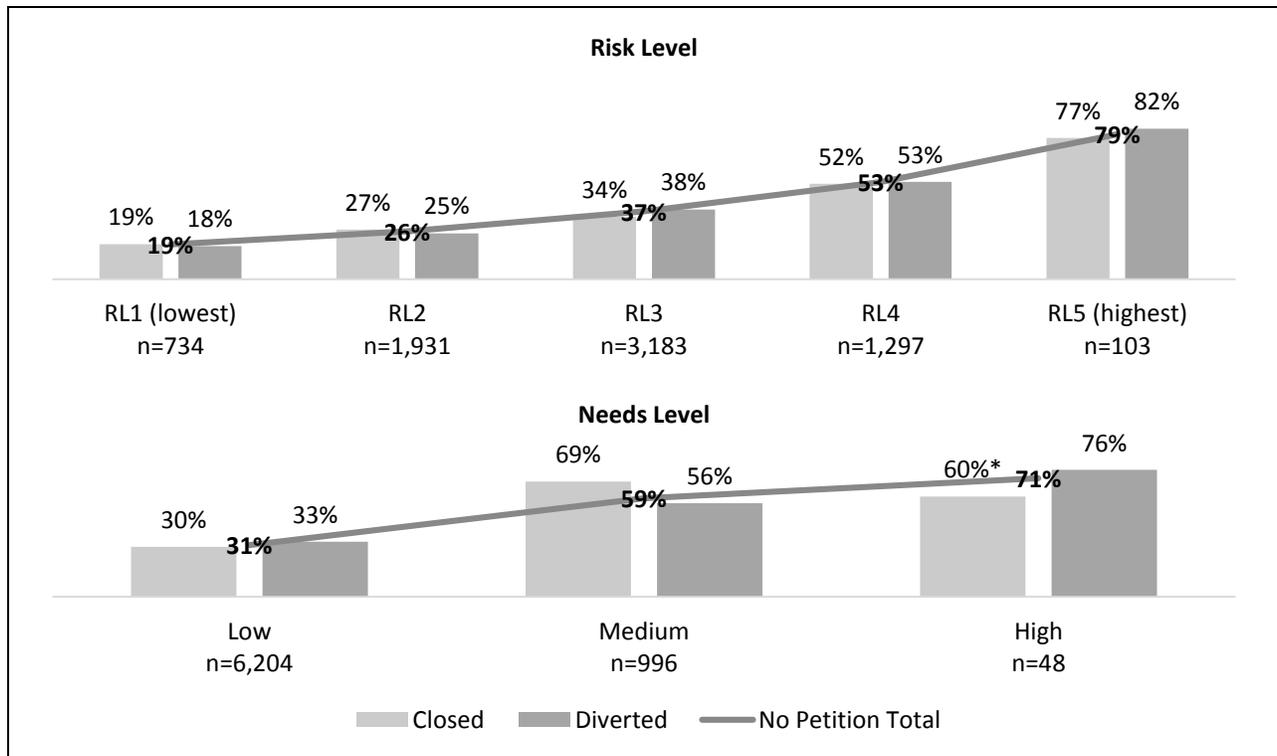
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

For juveniles in the closed group, juveniles whose sample offense was a school-based complaint had lower recidivism rates than those without a school-based complaint (31% and 36% respectively); however, no differences in recidivism rates were found for the diverted group (37% for each). Finally, juveniles had higher recidivism rates if they were under juvenile justice supervision at the time of the offense that placed them in the sample. However, caution should be used in the interpretation of the results due to the low numbers of juveniles for the closed and diverted groups that were under juvenile justice supervision at the time of the offense.

Risk/Needs Levels and Recidivism

RNA were administered to 85% of the juveniles closed and 97% of the juveniles diverted. The majority of juveniles were assessed in the middle three risk levels (82% for closed and 92% for diverted). Most juveniles were assessed as low needs (91% for closed and 82% for diverted). Figure 3.7 explores the relationship between the juvenile’s risk and needs levels and their recidivism rates. As expected, RL1 (lowest risk) juveniles had the lowest recidivism rates (19% for closed and 18% for diverted) compared to RL5 (highest risk) juveniles (77% for closed and 82% for diverted), with an incremental, stair-step progression of recidivism rates for the middle three risk levels (RL2 to RL4). Similar findings in the recidivism rates were seen when examining the relationship between needs level and recidivism; however, caution should be used when interpreting the findings for the juveniles assessed as high needs due to low numbers (15 juveniles closed and 33 juveniles diverted).

Figure 3.7
Recidivism Rates by Risk Level and Needs Level: Three-Year Follow-Up



Note: There were 572 juveniles with missing risk and/or needs assessments excluded from the figure. Recidivism rates reported for 25 or fewer juveniles are indicated with an asterisk (*).

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Information on the recidivism rates and the combined indicators from the risk and needs assessment tools – substance abuse, gang affiliation (whether as a gang member or as an associate of a gang member), and peer relationships – is included in Table 3.9. Juveniles with substance abuse, gang affiliation, and negative peer influence had higher recidivism rates compared to their counterparts (no substance abuse, no gang affiliation, and positive peer influence). Juveniles in the closed group who had substance abuse and gang affiliation indicated had higher recidivism rates than juveniles in the diverted group.

Table 3.9
Recidivism Rates by Combined Risk and Needs Indicators: Three-Year Follow-Up

Risk and Needs Indicators	N	Closed n=2,587 %	Diverted n=4,661 %	No Petition Total N=7,248 %
Substance Abuse				
No	5,928	31	35	33
Yes	1,320	51	44	46
Gang Affiliation				
No	7,130	33	36	35
Yes	118	75	64	68
Peer Relationships				
Positive	4,214	28	30	29
Negative	3,034	45	44	44
No Petition Total	7,248	33	37	35

Note: There were 572 juveniles with missing risk and/or needs assessments excluded from the table.

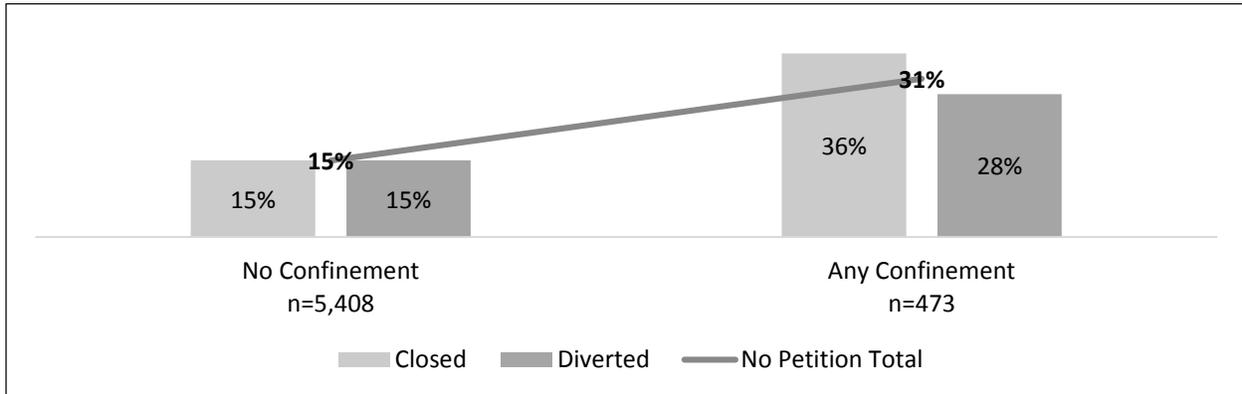
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Confinement to a Detention Center and/or a YDC and Adult Arrests

As mentioned in Chapter Two, one of the more consistent research findings links juvenile confinement to an increased probability of adult criminality. Few juveniles (7% for closed and 9% for diverted) had an admission to a detention center during the three-year follow-up. Even fewer juveniles (less than 1%) had one or more commitments to a YDC during the three-year follow-up (n=25 for closed and n=32 for diverted). Only 2 of the 57 juveniles with a YDC commitment did not also have a detention center admission; therefore, detention admissions and YDC commitments were combined as “confinement” for analysis purposes.

Figure 3.8 provides adult arrest rates for the 473 juveniles with at least one confinement (31%) and for the 5,408 juveniles with no confinement (15%) who aged into the adult system during the three-year follow-up. Juveniles experiencing confinement during their juvenile years were more likely to have a subsequent adult arrest. This finding was also consistent for both groups. The adult arrest rates for the closed and the diverted groups with no confinement (15% each) were lower than the two groups of juveniles with a confinement (36% for closed and 28% for diverted).

Figure 3.8
Adult Arrests by Confinement to a Detention Center and/or a YDC: Three-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Juvenile Transfers to Superior Court

As mentioned in Chapter One, juveniles alleged to be delinquent with a felony offense may be transferred to superior court for trial as adults. Of the 2,155 juveniles closed and diverted with any subsequent complaint, there were 8 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.

Juvenile Diverted: Diversion Outcomes

Of the 4,789 juveniles who had a case diverted in FY 2013, additional information is available to determine their success or failure after their participation in a diversion plan or contract. More than half (55%) of the juveniles had a diversion plan, while the remainder (45%) had a contract (see Table 3.10). For this analysis, successful diversion is defined as no petition filed by a court counselor for the juveniles with a diversion plan/contract for their sample complaint. Unsuccessful diversion is defined as having a petition filed by a court counselor due to non-compliance with the diversion plan/contract for the juvenile's sample complaint. Most juveniles successfully completed their plan (88%) or contract (86%).

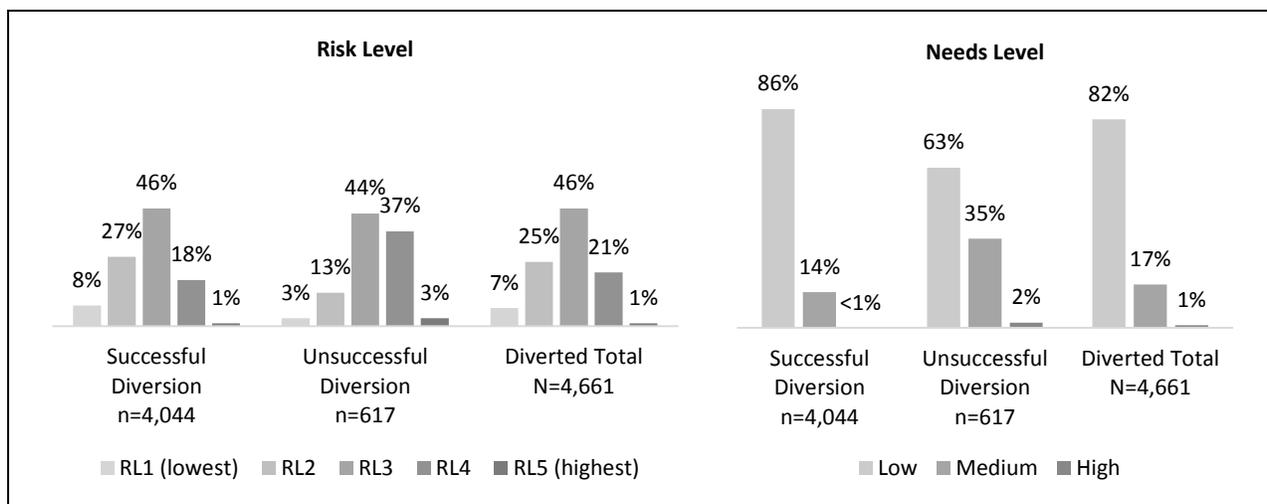
Table 3.10
Diversion Outcomes by Diversion Type
Juveniles Diverted

Type of Diversion Plan			Successful Diversion	Unsuccessful Diversion
	N	%	n=4,160 %	n=629 %
Plan	2,643	55	88	12
Contract	2,146	45	86	14
Diverted Total	4,789	100	87	13

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Figure 3.9 examines the risk and needs level of the juveniles diverted by diversion completion. Juveniles who were unsuccessful in their diversion plan had a greater proportion assessed as higher risk in RL4 and RL5 (37% and 3% respectively) than juveniles who were successful in their diversion plan (18% and 1% respectively). Conversely, juveniles with an unsuccessful diversion had fewer juveniles assessed as low risk in RL1 and RL2 (3% and 13% respectively) than juveniles with a successful diversion (8% and 27% respectively). Examination of needs level (see Figure 3.9) indicated similar findings.

Figure 3.9
Risk Level and Needs Level by Diversion Outcomes
Juveniles Diverted



Note: There were 128 juveniles with missing risk and/or needs assessments excluded from the figure.
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Juveniles Diverted: Recidivism Outcomes

Similar recidivism rates were found for each type of diversion (i.e., plan, contract) across the three-year follow-up. Of juveniles diverted with a plan, 21% had a subsequent complaint and/or adult arrest during the first-year follow-up, 31% during the second year follow-up, and 36% during the three-year follow-up compared to juveniles diverted with a contract at 21%, 32%, and 37% for respective years of follow-up.

Table 3.11 provides the recidivism rates for the juveniles diverted by diversion outcomes. Of the 629 juveniles who were unsuccessful in their diversion outcome, their recidivism rates were substantially higher for each year of follow-up (57%, 67%, and 72% respectively) compared to the juveniles with a successful diversion outcome (15%, 26%, and 31% respectively). For those juveniles with at least one subsequent delinquent complaint and/or arrest, the first recidivist event occurred much earlier for the diverted juveniles who were unsuccessful (an average of 7 months) compared to the juveniles who were successful in their diversion (an average of 14 months). These findings are not unexpected given that the juveniles with an unsuccessful diversion had higher risk and needs compared to those juveniles with a successful diversion.

Table 3.11
Recidivism Rates by Diversion Outcomes for Each Follow-Up Year
Juveniles Diverted

Diversion Outcomes	N	Months to Recidivist Event	One-Year Follow-up %	Two-Year Follow-up %	Three-Year Follow-up %
Successful	4,160	14	15	26	31
Unsuccessful	629	7	57	67	72
Diverted Total	4,789	12	21	31	37

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Summary

Chapter Three examined the juveniles without a petition and focused on the comparison between the two groups, closed and diverted, that comprise the no petition group. These juveniles had the least contact with the juvenile justice system at sample entry compared to the petition group. A statistical profile was provided and included the personal characteristics and their prior, current, and recidivist (i.e., subsequent) contacts with the juvenile justice and criminal justice systems. It also provided a more detailed look at the characteristics and outcomes for juveniles diverted.

The juveniles closed and diverted were similar in their personal characteristics in terms of gender and age at the time of the alleged delinquent offense. Compared to juveniles diverted, juveniles closed had a higher percentage of black juveniles. There was a complex relationship between juvenile age and rates of recidivism. For the closed group, juveniles in the younger ages (aged 6-11) had lower recidivism rates compared to the juveniles diverted. However, they appear to “catch up” by age 12 (i.e., the gaps between the recidivism rates narrow). Recidivism rates gradually increased by age and peaked at age 13; recidivism rates decreased for 14 year olds and then declined considerably for 15 year olds.

Three measures were used to examine prior contacts with the juvenile justice systems – prior complaints, adjudications, and confinement (i.e., detention admission and/or YDC commitment). There were no differences in prior contact with the juvenile justice system between juveniles closed and diverted. Examination of prior contacts and the juveniles’ age found an incremental increase for both groups by age, with the closed group having more prior contacts for juveniles aged 16 years and older compared to the diverted group. Prior contacts with the juvenile justice system were also linked to higher recidivism rates for both groups. Confinement as a juvenile – whether in a detention center or a YDC – increased the probability of having an adult arrest.

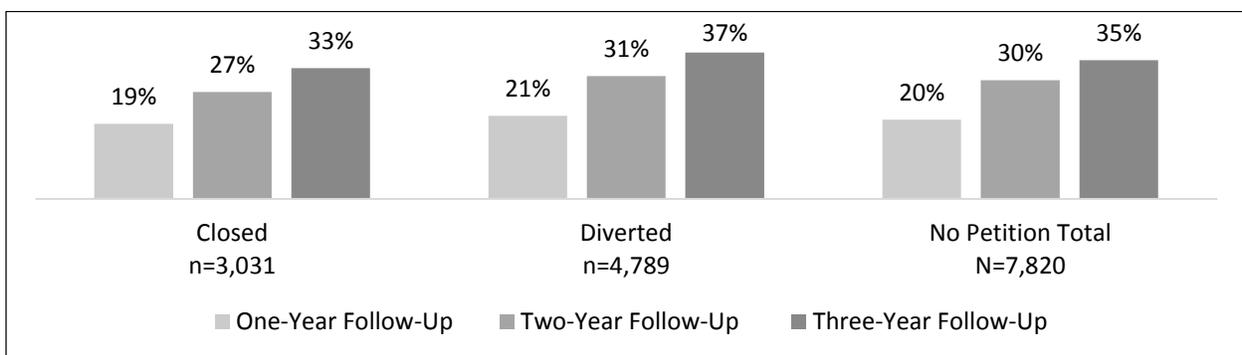
Juveniles closed and diverted had few felonies (2% and 3% respectively) as their most serious offense alleged to have been committed. Person and property offenses were the most common type of offenses for both groups. No clear recidivism pattern emerged by sample offense for the two groups.

More juveniles diverted were assessed in the higher risk levels (22% in RL4 and RL5) and had higher needs (18% in medium and high needs) compared to juveniles closed (16% in RL4 and RL5 and 9% in medium and high needs). An incremental increase in recidivism rates by risk level and needs level (from

lowest to highest) were found for both groups – with the exception of RL5 (highest risk) and high needs due to low numbers.

Most juveniles (75%) aged into the adult system during the three-year follow-up or were already 16 years at sample entry, with 25% remaining in the juvenile justice system. Figure 3.10 shows the recidivism rates for each of the follow-up years for the juveniles closed and diverted and for the no petition group as a whole. The diverted group had higher recidivism rates compared to the closed group. Overall, there was a 10% percentage point increase from year one to year two, with a 5% percentage point increase from year two to year three. There were no differences between the two groups in the timing of the first recidivist event.

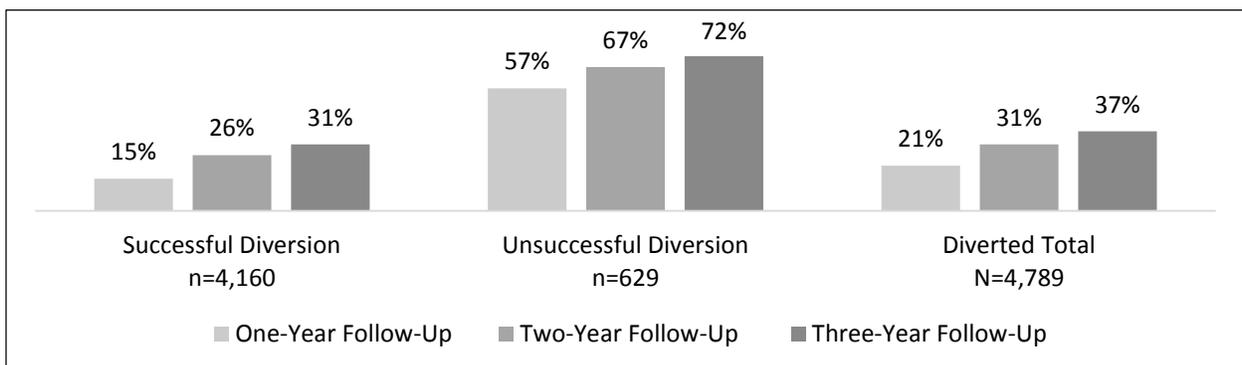
Figure 3.10
Recidivism Rates



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Juveniles diverted at intake by a court counselor had similar diversion outcomes (i.e., were not or were referred to court for non-compliance) whether they had a diversion plan or contract. Those juveniles that were non-compliant with their diversion plan/contract were assessed at higher risk and needs levels compared to their counterparts. Figure 3.11 provides a comparison of the recidivism rates by diversion outcomes. Juveniles who were unsuccessful in their diversion plan/contract had much higher recidivism rates compared to juveniles who were successful (i.e., compliant).

Figure 3.11
Recidivism Rates by Diversion Outcomes
Juveniles Diverted



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

This chapter examined juveniles without a petition filed for their case to be heard in juvenile court – closed and diverted groups. Chapter Four focuses on juveniles with a petition filed for court – those juveniles whose case was dismissed either prior to or at the adjudicatory hearing and juveniles adjudicated delinquent.

CHAPTER FOUR JUVENILES DISMISSED AND JUVENILES ADJUDICATED

Chapter Three focused on the group without a petition filed for court; the court counselor at intake either closed the juvenile's case with no further action taken or diverted the juvenile with a plan or contract to comply with certain conditions (i.e., closed, diverted). Chapter Four examines juveniles whose complaint was approved for court by a court counselor (i.e., petition group) and whose case was either dismissed or adjudicated by their juvenile profile and recidivism. Since the overall profile and recidivism for the petition group were reported in Chapter Two, Chapter Four focuses on the differences between the dismissed and adjudicated groups and additional outcomes measured for the juveniles adjudicated and disposed.

Petition Group

Of the 6,300 juveniles with a petition, more juveniles were adjudicated (n=4,646) than dismissed (n=1,654). For the dismissed group, their complaint was filed as a petition and dismissed by the court during the pre-adjudicatory or adjudicatory hearing. If the court finds that the allegations have been proven, the juvenile is adjudicated delinquent and the court proceeds to the dispositional hearing. At the dispositional hearing, which may or may not occur on the same date as the adjudicatory hearing, the court decides the sanctions, services, and conditions that will be ordered for the juvenile as a result of the adjudicated offense(s). For most juveniles adjudicated in the sample (95%), a judge had imposed a disposition by the end of FY 2013.

Personal Characteristics

Table 4.1 presents the distribution of the personal characteristics for the two groups. The two groups were very similar in terms of gender and race. For the age at the time the alleged offense occurred, the groups were also similar (13.4 years and 13.8 years respectively).

Delinquency History

As mentioned in previous chapters, it is important to examine whether or not juveniles had contact with the juvenile justice system prior to their entry into the sample to gain an understanding of the juveniles' frequency of interaction with the system. As reported in Chapter Two, juveniles with a petition had more prior contacts with the juvenile court than juveniles without a petition. Juveniles adjudicated tended to have more prior contacts with the juvenile justice system prior to sample entry than juveniles dismissed (see Figure 4.1).³⁷

³⁷ A prior confinement could be a detention center admission or a YDC commitment or both. Generally, juveniles who have a YDC commitment also have a detention center admission.

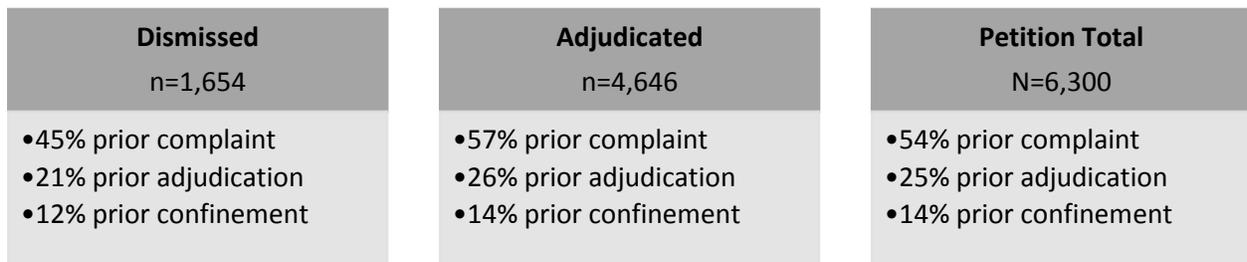
**Table 4.1
Personal Characteristics**

Personal Characteristics	Dismissed n=1,654 %	Adjudicated n=4,646 %	Petition Total N=6,300 %
Gender			
Male	76	78	78
Female	24	22	22
Race^a			
Black	53	50	50
White	33	36	36
Hispanic	8	9	9
Other/Unknown	6	5	5
Age at Offense			
6-9 Years	4	1	2
10 Years	3	1	2
11 Years	6	4	4
12 Years	10	10	10
13 Years	18	19	18
14 Years	25	28	27
15 Years	34	37	37
Age at Offense			
Mean	13.4	13.8	13.7
Median	14.0	14.0	14.0

^a 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 2013 Juvenile Recidivism Sample

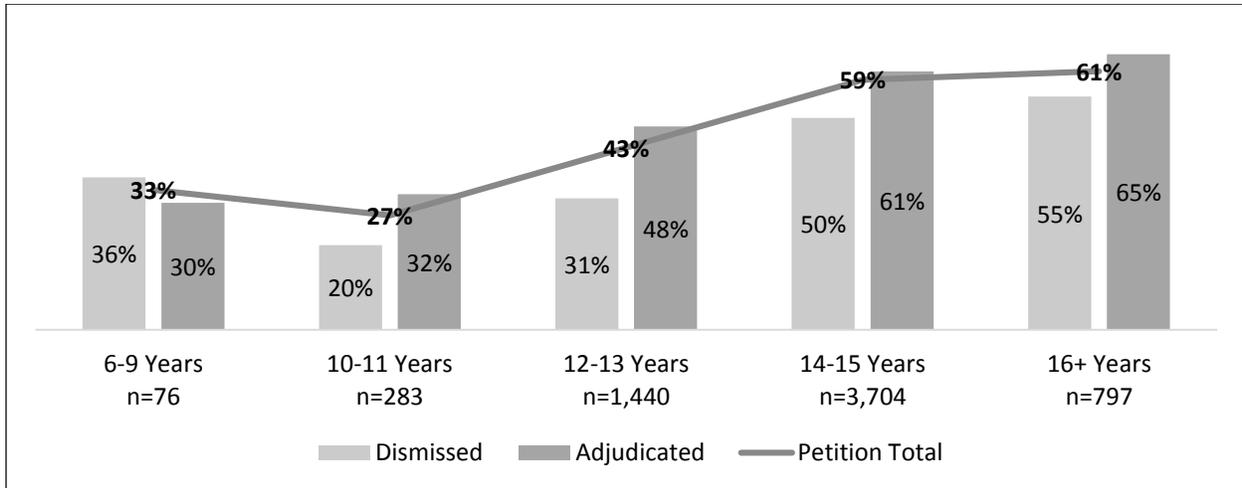
Figure 4.1 Prior Juvenile Justice Contacts



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Figure 4.2 contains the percentages of juveniles with at least one prior complaint by the age at sample entry. Juveniles adjudicated had a higher percentage with a prior complaint compared to the dismissed group for all age groups with one exception. For the youngest juveniles with a petition (aged 6-9 years), a higher percentage of the dismissed group (36%) had at least one complaint compared to the adjudicated group at the same age (30%). If the juvenile had a prior complaint, both groups were just as likely to have a misdemeanor as the most serious offense (71% for dismissed and 70% for adjudicated).

Figure 4.2
Prior Complaints by Age at Sample Event

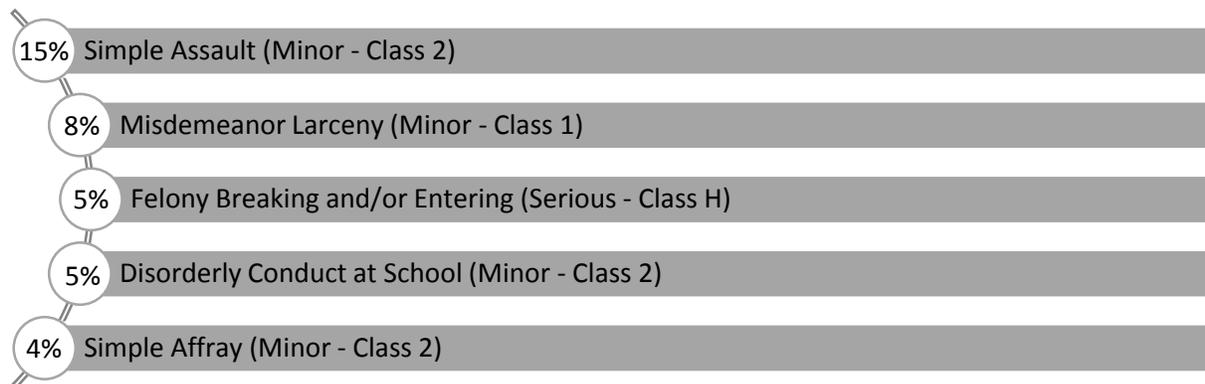


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Most Serious Sample Offense

The most serious sample offense is defined as the most serious offense alleged in the complaint. Figure 4.3 provides the top five most common sample offenses for the dismissed and adjudicated groups (e.g., simple assault, misdemeanor larceny, felony breaking and/or entering). Together these five offenses accounted for 37% of the delinquent complaints of the two groups. Most of the top five offenses were misdemeanors.

Figure 4.3
Top Five Juveniles Offenses



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Table 4.2 provides a comparison of the groups with respect to their offense profile. The majority of juveniles dismissed and adjudicated had a misdemeanor as their most serious sample offense (82% and 77% respectively). Four percent of both groups were alleged to have committed with a violent offense (Class A through E felonies), 23% of dismissed and 27% of adjudicated a serious offense (Class F through I felonies and Class A1 misdemeanors), and 73% of dismissed and 69% of adjudicated a minor offense (Class 1 through 3 misdemeanors).³⁸ These findings reflect both legal and court counselor considerations for nondivertible and other serious felonies having further penetration in the juvenile justice system.

Table 4.2
Most Serious Sample Offense

Sample Offense	Dismissed n=1,654 %	Adjudicated n=4,646 %	Petition Total N=6,300 %
Offense Type			
Felony	18	23	22
Misdemeanor	82	77	78
Offense Classification			
Violent			
Class A-E Felonies	4	4	4
Serious			
Class F-I Felonies	23	27	26
Class A1 Misdemeanors			
Minor			
Class 1-3 Misdemeanors	73	69	70
Crime Category			
Person	46	36	38
Property	32	36	35
Drug	9	11	11
Other	13	17	16
School-Based Offense			
No	50	51	51
Yes	50	49	49
Under JJ Supervision			
No	80	84	83
Yes	20	16	17

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Juveniles' most serious sample offenses were grouped into four crime categories: person, property, drug, and other.³⁹ Juveniles dismissed had more person offenses (46%) than the adjudicated group

³⁸ See Chapter One and Appendix B for a discussion of offense classifications in the Juvenile Disposition Chart.

³⁹ See Chapter Two for crime category definitions.

(36%) (see Table 4.2). Of the person offenses alleged to have been committed, only 15% of the 2,424 offenses were for a felony offense. The dismissed group had fewer juveniles (32%) with a property offense as their most serious offense compared to juveniles adjudicated (36%). Juveniles dismissed had fewer drug offenses (9%) compared to juveniles adjudicated (11%).

Both groups had a similar percentage with a school-based offense (50% for dismissed and 49% for adjudicated).⁴⁰ A higher percentage of the dismissed group were under some type of DACJJ supervision at the time of the complaint (20%) compared to the adjudicated group (16%).⁴¹

Risk and Needs Assessments

The court counselors administer RNA to all juveniles to assess the risk of future delinquency and to determine the individual needs of the juvenile during the intake process.⁴² Table 4.3 lists select results of the assessments for the two groups. In general, the adjudicated group had more risk factors than the dismissed group. Juveniles adjudicated had a higher percentage with prior intake referrals (51%) and with parents/guardians that were unwilling or unable to provide parental supervision (27%) compared to the dismissed group (43% and 19% respectively). As seen with the risk indicators, the adjudicated group had more needs than the dismissed group. Notably, more juveniles adjudicated had a need for mental health care (79%) compared to juveniles dismissed (67%). Combining risk and needs indicators, the adjudicated group had a greater percentage of juveniles with substance abuse, gang affiliation, and negative peer relationships compared to juveniles in the dismissed group.

Using the assessment instruments, separate risk and needs scores were computed for each juvenile, placing the juvenile in one of five levels of risk from RL1 (the lowest risk) to RL5 (the highest risk) and a low, medium, or high level for needs. Figure 4.4 contains the risk levels for both groups and for the petition group as a whole. Fewer juveniles dismissed were assessed at the higher risk levels (46% for RL4 and RL5) compared to juveniles adjudicated (61% for RL4 and RL5). Conversely, more juveniles dismissed were assessed at the lower risk levels (20% for RL1 and RL2) compared to juveniles adjudicated (12% for RL1 and RL2). Figure 4.4 also shows the needs level distribution. More juveniles in the dismissed group were assessed with low needs (62%) compared to the adjudicated group (48%).

⁴⁰ See Chapter Two for a definition of a school-based offense.

⁴¹ See Chapter Two for a definition of juvenile justice supervision.

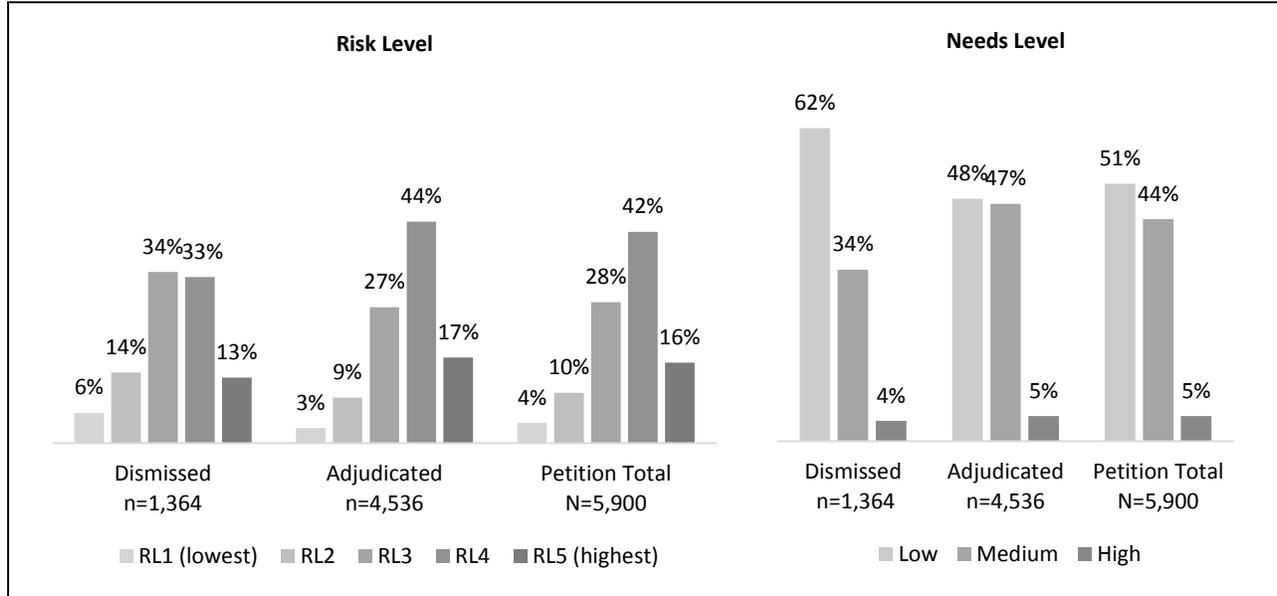
⁴² See Appendix A for a copy of the North Carolina Assessment of Juvenile Risk of Future Offending and the North Carolina Assessment of Juvenile Needs instruments and for information on the number and percentage of juveniles with a risk and needs assessment for the sample. Overall, 82% of the juveniles dismissed had a completed RNA, while 98% of juveniles adjudicated had a completed RNA. For this report, RNA were analyzed if the assessment was completed within a year of the date the complaint was received. Eighty percent of the juveniles with a RNA had their assessment completed within 30 days. The risk and needs findings in this report only include the juveniles who had both risk and needs assessments completed.

Table 4.3
Select Risk and Needs Indicators

Risk and Needs Indicators	Dismissed n=1,364 %	Adjudicated n=4,536 %	Petition Total N=5,900 %
Risk Assessment			
First Referral Before Age 12	15	14	14
Prior Intake Referrals	43	51	49
Prior Adjudications	22	29	27
Prior Assaults	22	22	22
Had Run Away	9	14	13
Had School Behavior Problems	82	89	88
Parents/Guardians Unwilling/Unable to Provide Parental Supervision	19	27	25
Needs Assessment			
Functioning Below Academic Grade Level	11	13	12
Juvenile Parent Status (i.e., is a parent)	1	1	1
History of Victimization	18	19	19
Risky Sexual Behavior	7	9	9
Need for Mental Health Care Indicated	67	79	76
Basic Needs Are Not Being Met	0	0	0
Impaired Functioning (i.e., medical, dental, health/hygiene)	1	1	1
Conflict in the Home	22	26	25
Parent, Guardian, or Custodian has Disabilities	5	4	5
One or More Members of Household have Substance Abuse Problems	10	11	10
Indication of Family Member's Involvement in Criminal Activity	40	44	43
Combined Risk and Needs Indicators			
Substance Abuse	29	41	38
Gang Affiliation	7	9	8
Negative Peer Relationships	65	75	73

Note: There were 400 juveniles with missing risk and/or needs assessments excluded from the table.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Figure 4.4
Risk Level and Needs Level



Note: There were 400 juveniles with missing risk and/or needs assessments excluded from the figure.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Follow-Up Period and Time at Risk

As mentioned in Chapter Two, each juvenile in the FY 2013 sample was followed for a period of three years to determine whether subsequent involvement with the juvenile justice or adult criminal justice systems occurred. Most juveniles (86%) in the petition group aged into the adult criminal justice system, while 14% remained solely under the jurisdiction of the juvenile justice system for the entire three-year period.

A fixed follow-up period was used in an attempt to obtain the same “window of opportunity” for each juvenile to reoffend. However, the window of opportunity was not necessarily the same for each juvenile if confinement occurred during follow-up (e.g., admission to a detention center, commitment to a YDC, confinement in local jails or in prisons).

Juvenile and Adult Recidivism

Subsequent complaints were used as the primary measure for juvenile recidivism, supplemented with information on subsequent adjudications that resulted from those recidivist complaints. Juveniles had to be at risk in the juvenile justice system; therefore, 797 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. Juveniles had to be at risk in the adult criminal justice system; therefore, 863 juveniles were excluded from the adult recidivism analysis because they were under juvenile jurisdiction for the entire follow-up period. A combined measure of subsequent juvenile complaints and/or adult arrests was compiled to indicate any recidivist involvement in either system, which was

supplemented by a similar measure for subsequent juvenile adjudications and/or adult convictions. All 6,300 juveniles dismissed and adjudicated were included in analyzing overall recidivism.

Table 4.4 examines overall recidivism rates by court status (i.e., dismissed, adjudicated) for each year of the three-year follow-up period. Juveniles adjudicated had higher recidivism rates each year of the follow-up period compared to juveniles dismissed. For those juveniles with at least one subsequent delinquent complaint and/or arrest, the first recidivist event occurred an average of 11 months after the beginning of their follow-up for both groups.

**Table 4.4
Recidivism Rates for Each Year of Follow-Up**

Court Status	N	Months to Recidivist Event	One-Year Follow-up %	Two-Year Follow-up %	Three-Year Follow-up %
Dismissed	1,654	11	27	37	43
Adjudicated	4,646	11	34	46	53
Petition Total	6,300	11	32	44	50

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Information on the total number of recidivist events for those juveniles who had a subsequent juvenile complaint, an adult arrest, or both during the follow-up period is provided in Table 4.5.⁴³ The 3,177 juveniles with any recidivism accounted for a total of 8,606 recidivist events. The adjudicated group had the highest volume of subsequent complaints and/or adult arrests at 6,709. Table 4.5 also includes information on the mean number of recidivist events. For those juveniles who reoffended, the average number of recidivist events was 3 for both groups.

**Table 4.5
Recidivist Events: Three-Year Follow-up**

Court Status	N	# with Any	Total Recidivist Events		# of Recidivist Events by Crime Category			
			#	Avg.	Person	Property	Drug	Other
Dismissed	1,654	703	1,897	3	695	872	187	549
Adjudicated	4,646	2,474	6,709	3	2,338	3,103	717	2,044
Petition Total	6,300	3,177	8,606	3	3,033	3,975	904	2,593

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

⁴³ 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.

Subsequent Juvenile Adjudications and Adult Convictions

Tables 4.6 presents the adjudication/conviction rates for each year of the follow-up period. Adjudication/conviction rates followed patterns similar to complaint/arrest rates. Juveniles adjudicated had higher adjudication/conviction rates for each year of the follow-up compared to the dismissed group. For those juveniles with at least one subsequent adjudication and/or conviction, juveniles adjudicated had their first recidivist event earlier (on average at 13 months) than juveniles dismissed (on average at 15 months).

Table 4.6
Recidivism Rates for Juvenile Adjudications and Adult Convictions: Three-Year Follow-Up

Court Status	N	Months to Recidivist Event	One-Year Follow-up %	Two-Year Follow-up %	Three-Year Follow-up %
Dismissed	1,654	15	12	20	26
Adjudicated	4,646	13	21	31	36
Petition Total	6,300	13	18	28	34

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Personal Characteristics and Recidivism

Recidivism rates during the three-year follow-up by the juvenile’s personal characteristics (e.g., gender, race, age at the time of the sample offense) are examined in Table 4.7. In general, juveniles adjudicated

Table 4.7
Recidivism Rates by Personal Characteristics: Three-Year Follow-Up

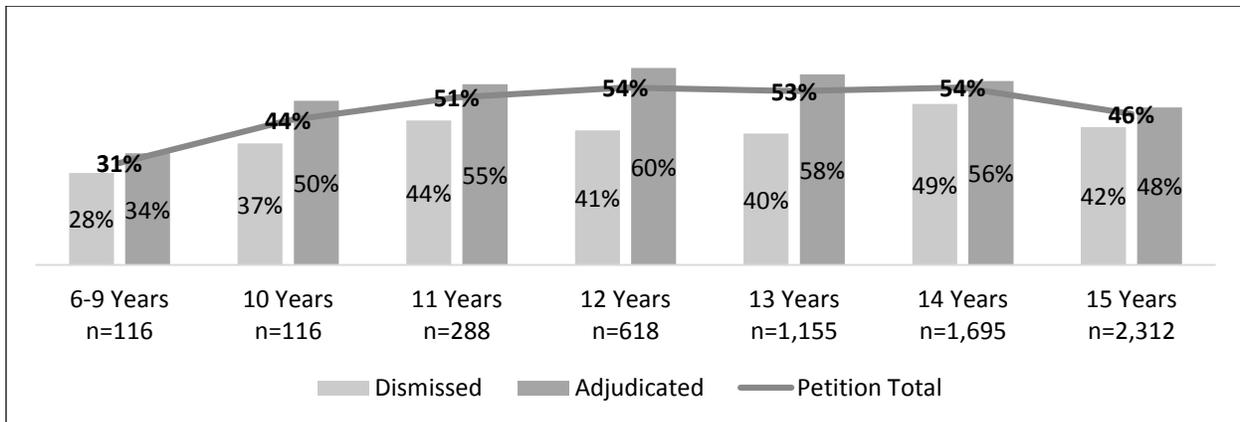
Personal Characteristics	N	Dismissed n=1,654 %	Adjudicated n=4,646 %	Petition Total N=6,300 %
Gender				
Male	4,896	46	56	54
Female	1,404	32	42	39
Race^a				
Black	3,172	49	61	58
White	2,232	34	44	42
Hispanic	565	34	48	45
Other/Unknown	331	44	54	51
Petition Total	6,300	43	53	50

^a 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 2013 Juvenile Recidivism Sample

had higher recidivism rates than juveniles dismissed for all categories of personal characteristics examined. Similar patterns of recidivism rates emerged by personal characteristics within each group. Males were more likely to recidivate than females. Black juveniles had the highest recidivism rates compared to the other racial groupings. Juveniles adjudicated aged 12-13 years had the highest recidivism rates (60% and 58% respectively), while juveniles dismissed aged 11 and 14 years had the highest recidivism rates (44% and 49% respectively). (See Figure 4.5.)

Figure 4.5
Recidivism Rates by Age at Offense: Three-Year Follow-Up

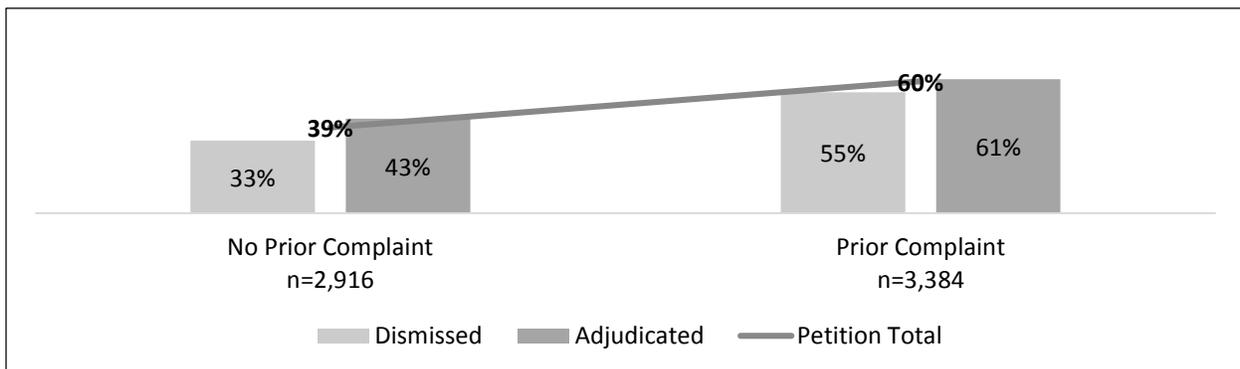


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Prior Complaints and Recidivism

Overall, 45% of the juveniles dismissed had at least one prior delinquent complaint before entry into the sample, while 57% of the juveniles adjudicated had at least one prior delinquent complaint. Figure 4.6 examines recidivism rates for juveniles with at least one prior complaint in comparison to juveniles with no prior complaint before sample entry. For juveniles with a prior complaint, the adjudicated group had higher recidivism rates (61%) compared to the dismissed group (55%). Both groups with a prior complaint had higher recidivism rates compared to their counterparts with no prior complaints (33% for dismissed and 43% for adjudicated).

Figure 4.6
Recidivism Rates by Prior Complaints: Three-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Sample Offense and Recidivism

In Table 4.8, recidivism rates were examined by the most serious sample offense and by court status. For the adjudicated group, juveniles with a felony sample offense had lower recidivism rates (48%) than those juveniles with a misdemeanor sample offense (55%). Juveniles in the dismissed group with a felony sample offense had higher recidivism rates (46%) than juveniles dismissed with a misdemeanor sample offense (42%). A similar pattern was also found for both groups with the examination of recidivism rates by offense classification. Juveniles adjudicated tended to have higher recidivism than juveniles dismissed for all crime types.

Table 4.8
Recidivism Rates by Most Serious Sample Offense: Three-Year Follow-Up

Sample Offense	N	Dismissed n=1,654 %	Adjudicated n=4,646 %	Petition Total N=6,300 %
Offense Type				
Felony	1,372	46	48	47
Misdemeanor	4,928	42	55	51
Offense Classification				
Violent				
Class A-E Felonies	223	50	39	42
Serious				
Class F-I Felonies	1,657	43	50	49
Class A1 Misdemeanors				
Minor				
Class 1-3 Misdemeanors	4,420	42	55	52
Crime Category				
Person	2,424	43	51	48
Property	2,222	44	56	54
Drug	669	35	48	45
Other	985	41	55	52
School-Based Offense				
No	3,186	46	55	53
Yes	3,114	39	51	48
Under JJ Supervision				
No	5,230	39	51	48
Yes	1,070	55	66	63
Petition Total	6,300	43	53	50

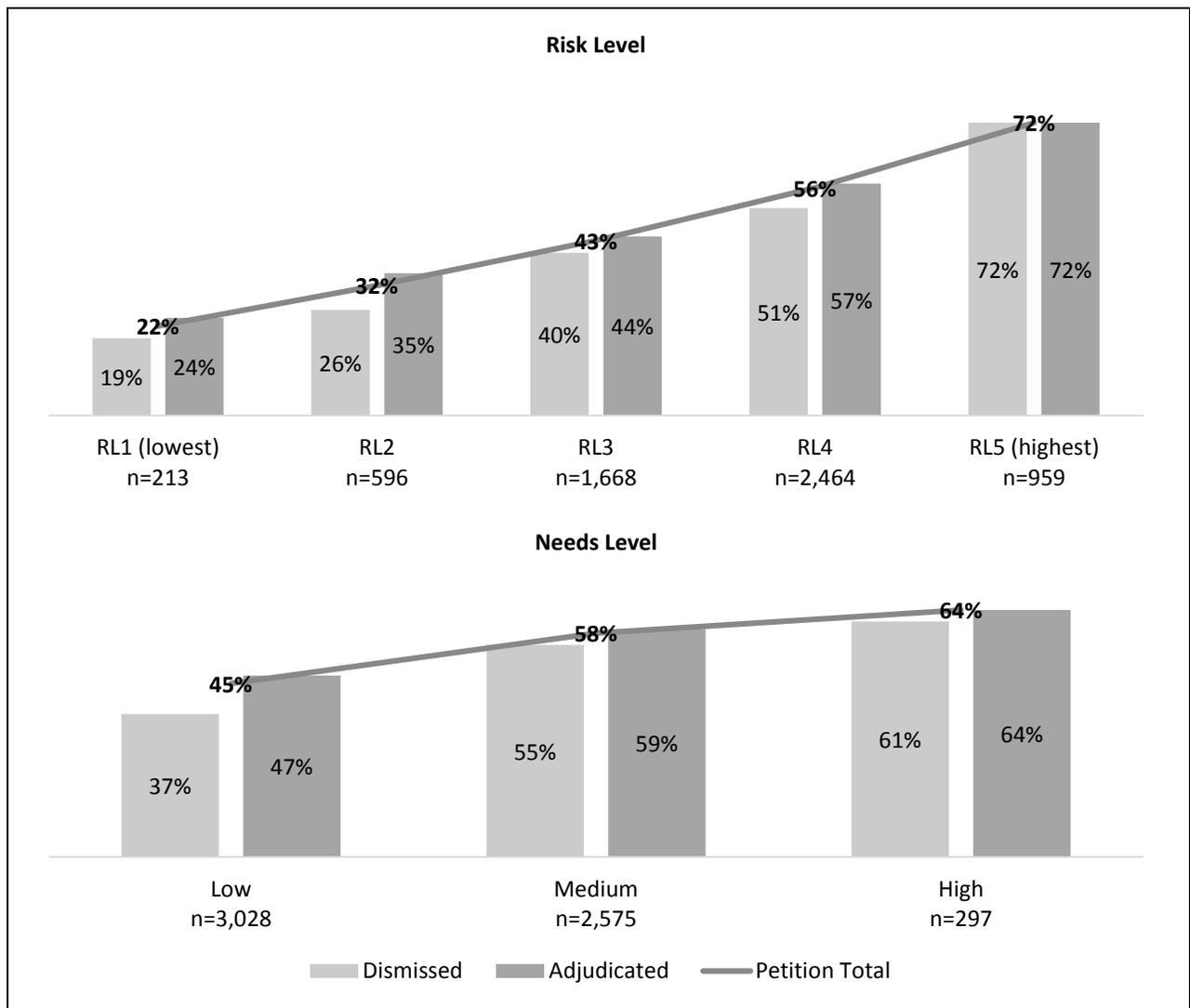
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

If the sample offense was a school-based complaint, lower recidivism rates (39% for dismissed and 51% for adjudicated) were found compared to those offenses that were not school-based (46% for dismissed and 55% for adjudicated). Finally, juveniles had higher recidivism rates if they were under juvenile justice supervision at the time of the offense that placed them in the sample compared to those juveniles that were not under juvenile justice supervision.

Risk/Needs Levels and Recidivism

RNA were administered to 82% of the juveniles dismissed and 98% of juveniles adjudicated. The majority of juveniles were assessed in the middle three risk levels (81% for dismissed and 80% for adjudicated). More juveniles were assessed as low needs for dismissed (62%) compared to adjudicated (48%). Figure 4.7 explores the relationship between the juvenile’s risk and needs levels and

Figure 4.7
Recidivism Rates by Risk Level and Needs Level: Three-Year Follow-Up



Note: There were 400 juveniles with missing risk and/or needs assessments excluded from the figure.
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

their recidivism rates. As expected, RL1 (lowest risk) juveniles had the lowest recidivism rates (19% for dismissed and 24% for adjudicated) compared to RL5 (highest risk) juveniles (72% for both groups), with an incremental, stair-step progression of recidivism rates in-between the middle three risk levels (RL2 to RL4). Similar findings were seen when examining the relationship between needs level and recidivism rates.

Information on the recidivism rates and the combined indicators from the risk and needs assessment tools – substance abuse, gang affiliation (whether as a gang member or as an associate of a gang member), and peer relationships – is included in Table 4.9. Juveniles with substance abuse, gang affiliation, and negative peer influence had higher recidivism rates compared to their counterparts (no substance abuse, no gang affiliation, and positive peer influence). Juveniles adjudicated had higher recidivism rates than juveniles dismissed for all categories.

Table 4.9
Recidivism Rates by Risk and Needs Indicators: Three-Year Follow-Up

Risk and Needs Indicators	N	Dismissed n=1,364 %	Adjudicated n=4,536 %	Petition Total N=5,900 %
Substance Abuse		%	%	%
No	3,674	40	50	47
Yes	2,226	56	59	58
Gang Affiliation				
No	5,417	43	52	50
Yes	483	66	69	69
Peer Relationships				
Positive	1,591	33	43	40
Negative	4,309	51	57	55
Petition Total	5,900	44	54	51

Note: There were 400 juveniles with missing risk and/or needs assessments excluded from the table.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

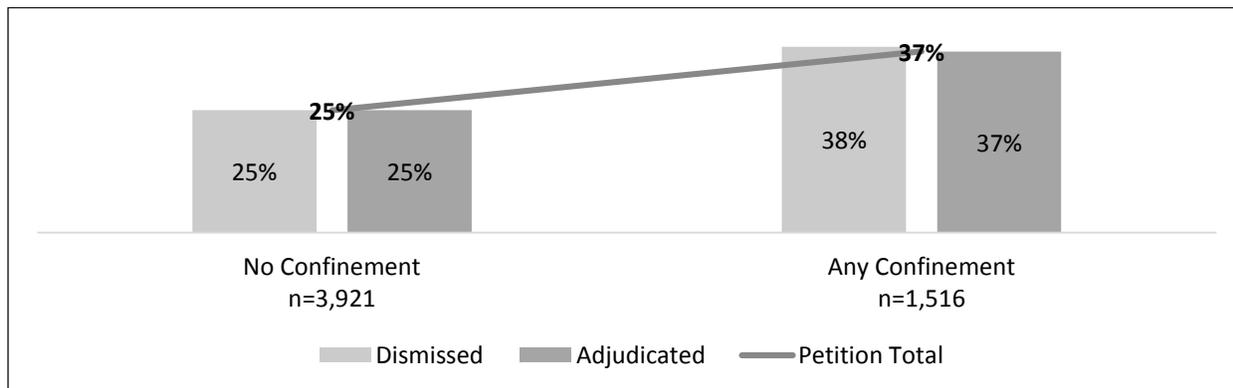
Confinement to a Detention Center and/or a YDC and Adult Arrests

As mentioned in Chapter Two, one of the more consistent research findings links juvenile confinement to an increased probability of adult criminality. Thirteen percent of the dismissed group and 32% of the adjudicated group had at least one admission to a detention center during the three-year follow-up. Few juveniles (5%) had one or more commitments to a YDC during the three-year follow-up (2% for dismissed and 6% for adjudicated). Only 12 of the 336 juveniles with a YDC commitment did not also have a detention center admission; therefore, detention admissions and YDC commitments were combined as “confinement” for analysis purposes.

Figure 4.8 provides adult arrest rates for the 1,516 juveniles with at least one confinement (37%) and for the 3,921 juveniles with no confinement (25%) who aged into the adult system during the three-year

follow-up. Juveniles experiencing confinement during their juvenile years were more likely to have a subsequent adult arrest. This finding was consistent for both groups. The adult arrest rates for the dismissed and the adjudicated groups with no confinement (25% each) were lower than the two groups of juveniles with a confinement (38% for dismissed and 37% for adjudicated).

Figure 4.8
Adult Arrests by Confinement to a Detention Center and/or a YDC: Three-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Juvenile Transfers to Superior Court

As mentioned in Chapter One, juveniles alleged to be delinquent with a felony offense may be transferred to superior court for trial as adults. Of the 2,198 juveniles with any subsequent complaint, there were 13 juveniles who were transferred to adult court during the follow-up period. Eleven of those juveniles were in the adjudicated group. No information is available about findings of guilt or innocence, or dispositions, in those proceedings.

Juveniles Adjudicated and Disposed: Disposition Information

At the dispositional hearing, which may or may not occur on the same date as the adjudicatory hearing, the court decides the sanctions, services, and conditions that will be ordered for the juvenile as a result of the adjudicated offense(s). Dispositional information is available for 95% of the adjudicated group. This section describes that information for the 4,430 juveniles adjudicated and disposed in FY 2013 (hereinafter referred to as juveniles disposed).

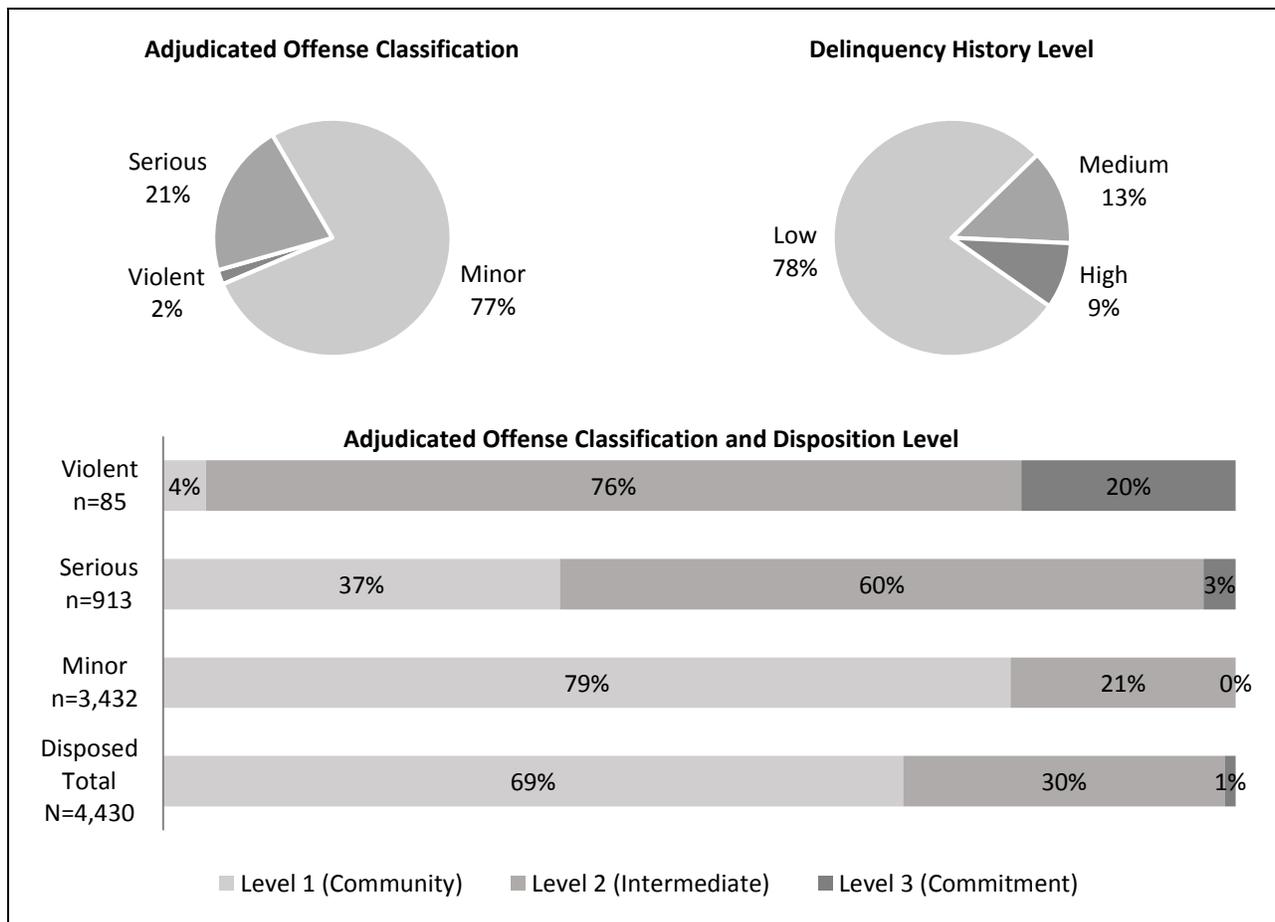
Table 4.10 examines the differences in the offense classification of the most serious sample offense compared to the most serious adjudicated offense. Fifty-three percent of the juveniles with a violent sample offense were also adjudicated of a violent offense, while 69% of the juveniles with a serious sample offense were also adjudicated of a serious offense. Most juveniles were adjudicated of a minor offense (77%) and were in the low delinquency history level (78%). (See Figure 4.9.) Overall, most juveniles adjudicated received a Level 1 (Community) disposition (69%), while few (1%) received a Level 3 (YDC commitment). (See Figure 4.9.) As expected, more juveniles with a minor offense received a Level 1 disposition (79%) compared to juveniles with a violent offense (4%). Conversely, few juveniles with a minor offense (less than 1%) received a Level 3 commitment, while more juveniles with a violent offense (20%) received a Level 3 commitment.

Table 4.10
Sample Offense by Adjudicated Offense
Juveniles Disposed

Sample Offense Classification	N	Adjudicated Offense Classification			Disposed Total N=4,430 %
		Violent n=85 %	Serious n=913 %	Minor n=3,432 %	
Violent	159	53	41	6	4
Serious	1,221	0	69	31	27
Minor	3,050	0	0	100	69
Disposed Total	4,430	2	21	77	100

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Figure 4.9
Adjudicated Offense Classification, Delinquency History Level, and Disposition Level
Juveniles Disposed



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Table 4.11 shows how judges used dispositional resources given each combination of offense classification and delinquency history level. As indicated by the vertical “Total” column, the likelihood of the imposition of a Level 3 disposition increased as the seriousness of the offense classification increased (also see Figure 4.9). Similarly, the likelihood of the imposition of a Level 3 disposition increased as the delinquency history level increased. Overall, 59% (n=2,627) of the 4,430 juveniles disposed involved a juvenile with a low delinquency history level who was adjudicated for a minor offense (Class 1 through 3 misdemeanor) and received a Level 1 disposition.

**Table 4.11
Disposition Levels by Adjudicated Offense Classification and Delinquency History Level
Juveniles Disposed**

Adjudicated Offense Classification	Delinquency History Level			Disposed Total
	Low 0-1 Point	Medium 2-3 Points	High 4+ Points	
Violent A-E Felonies	Level 2/Level 3 Level 1: 3 (5%) Level 2: 50 (79%) Level 3: 10 (16%) n = 63	Level 3 Level 1: 0 (0%) Level 2: 6 (67%) Level 3: 3 (33%) n = 9	Level 3 Level 1: 0 (0%) Level 2: 9 (69%) Level 3: 4 (31%) n = 13	Level 2/Level 3 Level 1: 3 (4%) Level 2: 65 (76%) Level 3: 17 (20%) n = 85
Serious F-I Felonies A1 Misd.	Level 1/Level 2 Level 1: 324 (49%) Level 2: 339 (51%) Level 3: 3 (0%) n = 666	Level 2 Level 1: 11 (8%) Level 2: 127 (91%) Level 3: 2 (1%) n = 140	Level 2/Level 3 Level 1: 0 (0%) Level 2: 79 (74%) Level 3: 28 (26%) n = 107	Level 1/Level 2/Level 3 Level 1: 335 (37%) Level 2: 545 (60%) Level 3: 33 (3%) n = 913
Minor 1-3 Misd.	Level 1 Level 1: 2,627 (96%) Level 2: 122 (4%) Level 3: 0 (0%) n = 2,749	Level 1/Level 2 Level 1: 80 (19%) Level 2: 340 (81%) Level 3: 1 (0%) n = 421	Level 2 Level 1: 6 (2%) Level 2: 242 (92%) Level 3: 14 (5%) n = 262	Level 1/Level 2 Level 1: 2,713 (79%) Level 2: 704 (21%) Level 3: 15 (0%) n = 3,432
Disposed Total	Level 1/Level 2/Level 3 Level 1: 2,954 (85%) Level 2: 511 (15%) Level 3: 13 (0%) n = 3,478	Level 1/Level 2/Level 3 Level 1: 91 (16%) Level 2: 473 (83%) Level 3: 6 (1%) n = 570	Level 2/Level 3 Level 1: 6 (2%) Level 2: 330 (86%) Level 3: 46 (12%) n = 382	Level 1/Level 2/Level 3 Level 1: 3,051 (69%) Level 2: 1,314 (30%) Level 3: 65 (1%) N = 4,430

Note: In FY 2013, there were 177 juveniles (or 4%) 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.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Juveniles Disposed: Recidivism Outcomes

In Table 4.12, recidivism rates are shown for the juveniles disposed in FY 2013 by each component that creates the Juvenile Dispositional Chart and for each year of the three-year follow-up. Juveniles with a

violent offense had the lowest recidivism rates (38%) compared to the other offense classifications (50% for serious and 55% for minor) by the third year of follow-up and for each year. One explanation for this finding is that 20% of the juveniles are confined in a YDC for a portion of their follow-up period, making their window of opportunity to recidivate shorter compared to the juveniles without a Level 3 disposition.

As prior juvenile justice contacts and recidivism findings have indicated throughout this report, the more contact with the juvenile court a juvenile has, the higher their recidivism rates are compared to those juveniles with less contact. Juveniles disposed with a high delinquency history level had higher recidivism rates (70%) compared to the juveniles with medium (65%) or low (50%) delinquency history levels. Finally, Table 4.12 also provides the recidivism rates by disposition level. Again, juveniles with a Level 3 commitment had the lowest recidivism rates (48%) most likely due to their window of opportunity to commit a new crime being reduced due to their confinement.

Table 4.12
Recidivism Rates by Components of the Juvenile Disposition Chart for Each Follow-Up Year
Juveniles Disposed

	N	One-Year Follow-up %	Two-Year Follow-up %	Three-Year Follow-up %
Adjudicated Offense Classification				
Violent (A-E Felonies)	85	19	29	38
Serious (F-I Felonies, A1 Misd.)	913	32	44	50
Minor (1-3 Misd.)	3,432	35	49	55
Delinquency History Level				
Low (0-1 Point)	3,478	31	44	50
Medium (2-3 Points)	570	46	59	65
High (4+ Points)	382	45	63	70
Disposition Level				
Level 1 (Community)	3,051	32	44	51
Level 2 (Intermediate)	1,314	40	54	60
Level 3 (YDC Commitment)	65	22	32	48
Disposed Total	4,430	34	47	54

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Table 4.13 provides the recidivism rates by the intersection of adjudicated offense classification and delinquency history level. Findings indicated, regardless of the type of adjudicated offense, recidivism rates increased as delinquency history level increased.

Table 4.13
Recidivism Rates by the Juvenile Disposition Chart: Three-Year Follow-Up
Juveniles Disposed

Adjudicated Offense Classification	N	Delinquency History Level			Disposed Total N=4,430 %
		Low n=3,478 %	Medium n=570 %	High n=382 %	
Violent	85	38	67*	44*	38
Serious	913	45	64	72	50
Minor	3,432	52	66	74	55
Disposed Total	4,430	50	65	70	54

Note: Recidivism rates reported for 25 or fewer juveniles are indicated with an asterisk (*).
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Summary

Chapter Four examined the juveniles with a petition and focused on the comparison between the two groups – dismissed and adjudicated. These juveniles had more contact with the juvenile justice system at sample entry compared to the no petition group. A statistical profile was provided and included the personal characteristics and their prior, current, and recidivist (i.e., subsequent) contacts with the juvenile justice and criminal justice systems. It also provided a more detailed look at juveniles adjudicated and disposed.

The juveniles dismissed and adjudicated were similar in their personal characteristics in terms of gender and race. Compared to juveniles dismissed, juveniles adjudicated were slightly older at the time of the offense. There was a complex relationship between juvenile age and rates of recidivism. For the adjudicated group, recidivism rates gradually increased by age and peaked at age 12. Recidivism rates decreased for 14 year olds and then declined considerably for 15 year olds. For juveniles dismissed, no clear pattern for age at offense and recidivism emerged.

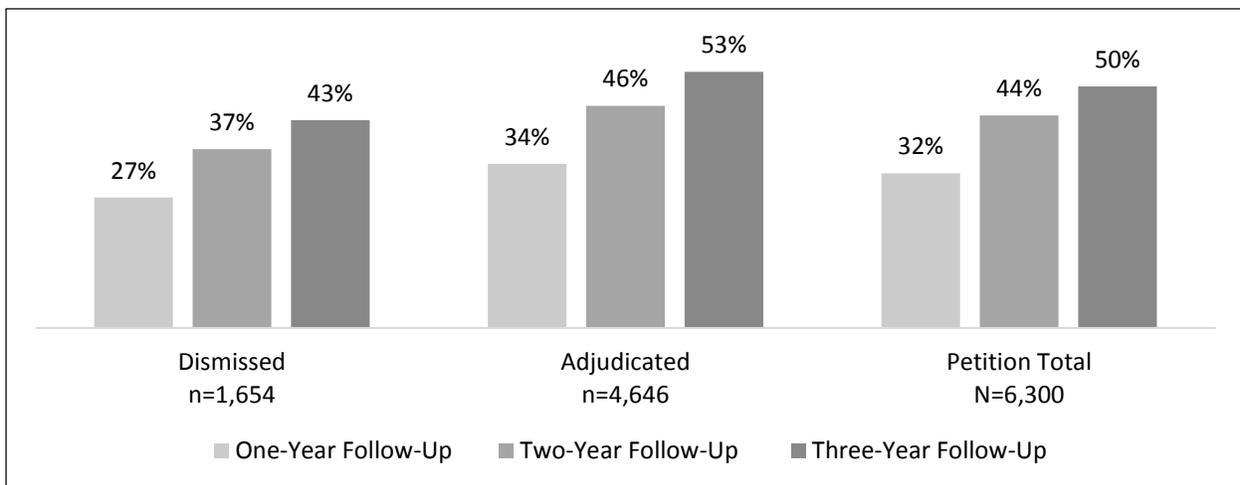
Three measures were used to examine prior contacts with the juvenile justice systems – prior complaints, adjudications, and confinement (i.e., detention admission and/or YDC commitment). Juveniles adjudicated tended to have more prior contacts with the juvenile justice system than juveniles dismissed. Examination of prior contacts and the juveniles’ age found an incremental increase for both groups by age, with the adjudicated group having more prior contacts for juveniles aged 10 years and older compared to the dismissed group. Prior contacts with the juvenile justice system were also linked to higher recidivism rates for both groups. Confinement as a juvenile – whether in a detention center or a YDC – increased the probability of having an adult arrest.

Juveniles adjudicated had more felony offenses (23%) than juveniles dismissed (18%). Person and property offenses were the most common type of offenses for both groups. No clear recidivism pattern emerged by sample offense for the two groups.

More juveniles adjudicated were assessed as higher risk (61% in RL4 and RL5) and higher needs (52% in medium and high needs) compared to juveniles dismissed (46% in RL4 and RL5 and 38% in medium and high needs). An incremental increase in recidivism rates by risk level and needs level (from lowest to highest) were found for both groups.

Most juveniles (86%) aged into the adult system during the three-year follow-up, with 14% remaining in the juvenile justice system. Figure 4.10 shows the recidivism rates for each of the follow-up years by each group. The adjudicated group had higher recidivism rates compared to the dismissed group. Overall, there was a 12% percentage point increase from year one to year two, with a 6% percentage point increase from year two to year three. There were no differences between the two groups in the timing of the first recidivist event.

Figure 4.10
Recidivism Rates



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

More information was available for the juveniles adjudicated who also had a disposition imposed during FY 2013 (95% of the adjudicated group). For juveniles disposed, the recidivism rates were lowest for juveniles with a violent offense and a low delinquency history level (38%) and highest for juveniles with a minor offense and a high delinquency history level (74%).

This chapter examined juveniles with a petition filed for their case to be heard in juvenile court – dismissed and adjudicated groups. Chapter Five focuses on a special population of juveniles – juveniles released from a YDC in FY 2013.

CHAPTER FIVE
FY 2013 YDC RELEASES
N=237

Chapter 5 focuses on juveniles who were released from a YDC in FY 2013 following a period of YDC confinement (hereinafter referred to as YDC releases). A Level 3 or YDC commitment is the most restrictive sanction available to a juvenile court judge. Juveniles placed in a YDC are primarily those who have been adjudicated delinquent of a violent or serious offense or those with higher delinquency history levels. Juveniles can also be committed to a YDC following a probation violation or PRS violation. Juveniles with a Level 3 disposition, or YDC, are committed for a minimum of 6 months and receive 3 months of PRS following their YDC release. The length of stay beyond the initial 6 months is determined by the needs of the juvenile while committed. Juveniles must be at least 10 years old in order to be placed in a YDC and can remain in a YDC until they are 18 years old, and in some cases until the age of 21.

All juveniles in a YDC receive core treatment and programming services in order to craft an individualized service plan for each youth to identify goals, the means to achieve them, and the ways to measure progress toward goal attainment. These include treatment programming, education services, nutrition services, health services, mental health services, substance abuse services, chaplaincy services, and recreation services. These services are based on a cognitive-behavioral treatment approach, using strength-based rewards and consequences – rather than punishment and sanctions – to address the juvenile’s behavior.

This chapter provides a statistical profile of the YDC release sample that includes personal characteristics, delinquency history, most serious adjudicated offense, a YDC commitment profile, and RNA. Juvenile justice and criminal justice outcomes for the sample are also examined, with a focus on subsequent complaints and/or adult arrests, personal characteristics, and most serious adjudicated offense.

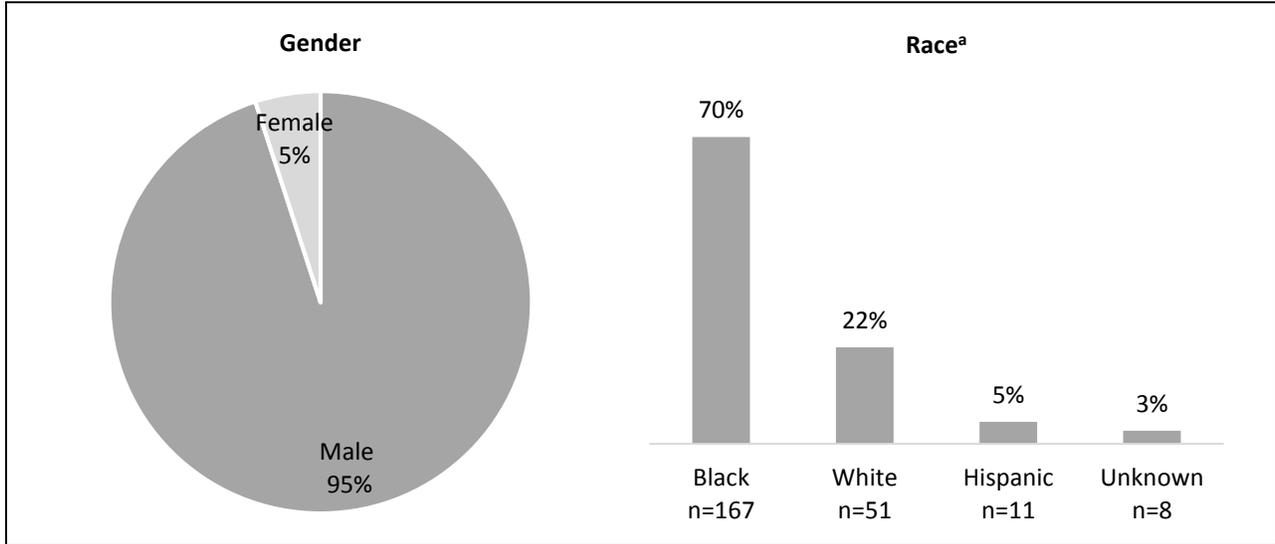
The 237 juveniles studied in the sample were released from a YDC in FY 2013 following a commitment for either a new admission or for a violation of probation or PRS (hereinafter referred to as violation).⁴⁴ **With a small sample of 237 juveniles, it should be noted that some results should be interpreted with caution.**

Personal Characteristics

Figures 5.1 and 5.2 examine the personal characteristics of the YDC release sample. The vast majority of juveniles were male (95%). Over two-thirds (70%) of the juveniles were black, 22% were white, 5% were Hispanic, and 3% were identified as other or unknown. As shown in Figure 5.2, the majority of the juveniles (77%) were 14 or 15 years old when the adjudicated offense occurred, 73% were 15 to 16 years old at YDC commitment, and 79% were 16 to 17 years old at YDC release.

⁴⁴ If the court finds that a juvenile has violated the conditions of probation, it may order a new disposition at the next higher level on the disposition chart, including Level 3 – commitment (G.S. 7B-2510). If the court determines that a juvenile has violated the terms of PRS, the court may revoke the PRS and impose an indefinite term of at least 90 days (G.S. 7B-2516). For brevity, both violations of probation and PRS revocations are referred to as violations.

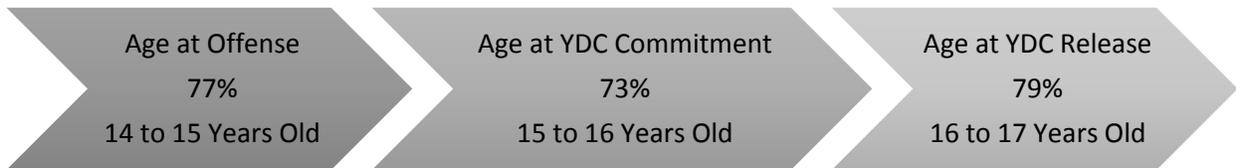
Figure 5.1
Personal Characteristics



^a 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 2013 YDC Release Sample

Figure 5.2
Age at Offense, Commitment, and Release



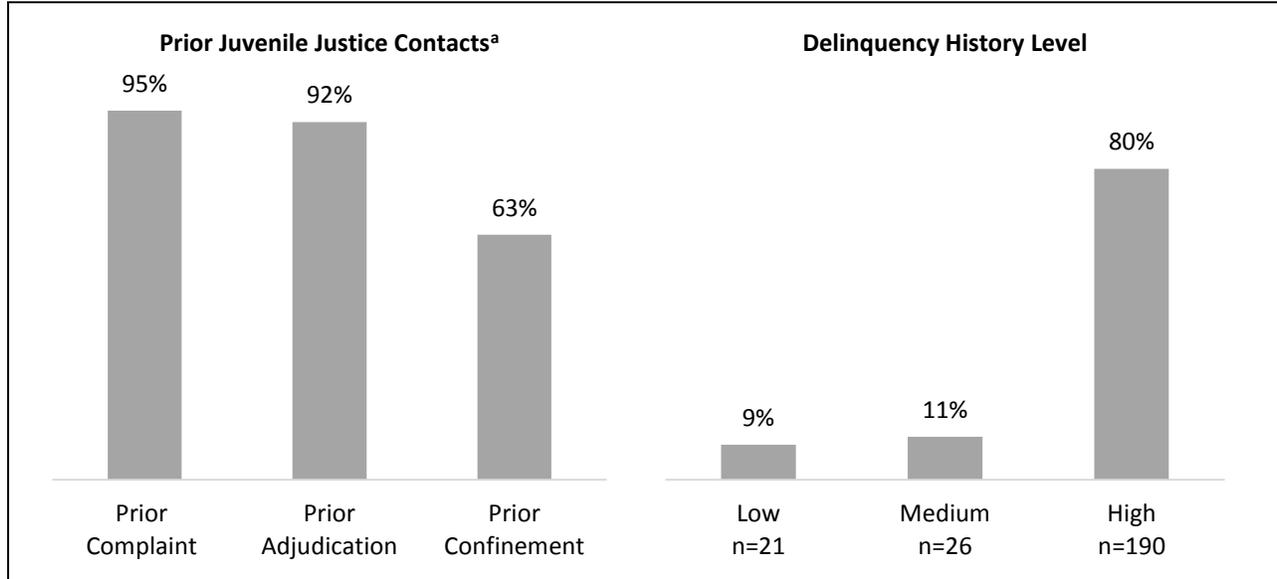
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

Delinquency History

It is important to look at whether or not juveniles had contact with the juvenile justice system prior to sample entry to gain an understanding of the juveniles' frequency of interaction with the system. The juvenile dispositional chart limits the use of Level 3 dispositions (YDC commitments) for those juveniles adjudicated for the more serious offenses and/or those with higher delinquency history levels. As such, the majority of juveniles released from a YDC had prior contact with the juvenile justice system. Figure 5.3 shows prior juvenile justice contacts for juveniles released from a YDC in FY 2013. Nearly all juveniles had a prior complaint or a prior adjudication (95% and 92% respectively). Nearly two-thirds (63%) had a prior confinement.⁴⁵ Most juveniles had a high delinquency history level, while very few had low or medium delinquency history levels.

⁴⁵ See footnote defining a prior confinement in Chapter Two.

Figure 5.3
Prior Juvenile Justice Contacts



^a Two percent of juveniles (n=4) had a prior YDC commitment.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

Most Serious Adjudicated Offense

A juvenile’s most serious adjudicated offense is the offense that placed the juvenile in the YDC release sample. Table 5.1 provides information on the juvenile’s most serious adjudicated offense. Eighty-four percent of the 237 juveniles had a felony as their most serious adjudicated offense. Overall, 24% of the

Table 5.1
Most Serious Adjudicated Offense

	#	%		#	%
Offense Type			Crime Category		
Felony	199	84	Person	107	45
Misdemeanor	38	16	Property	117	49
Offense Classification			Drug	6	3
Violent			Other	7	3
Class A-E Felonies	56	24	School-Based Offense		
Serious			No	212	89
Class F-I Felonies	172	72	Yes	25	11
Class A1 Misd.					
Minor			Total	237	100
Class 1-3 Misd.	9	4			

Note: Of the 172 adjudications for a serious offense, 17% (or n=29) were for Class A1 misdemeanor offenses.

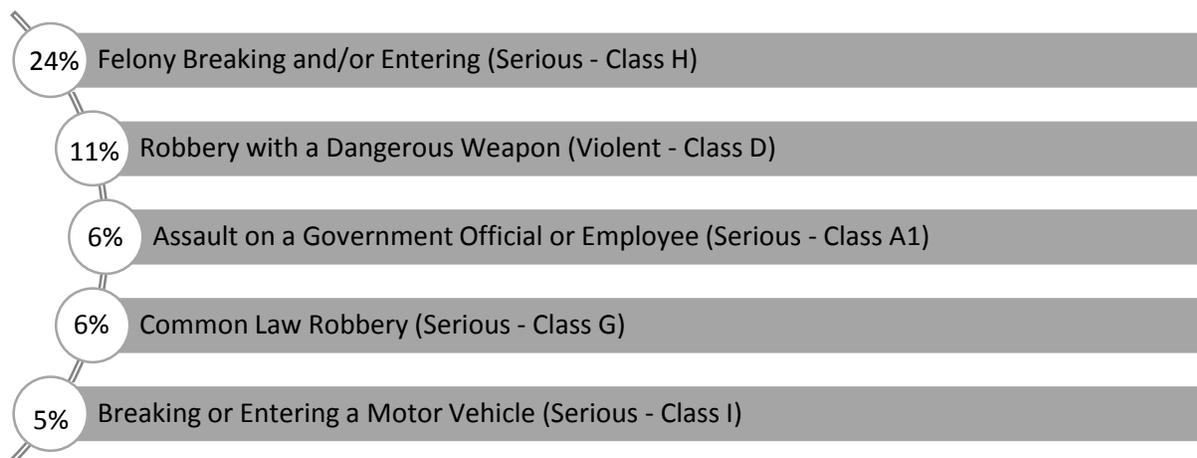
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

sample were adjudicated for a violent offense (Class A through E felonies), 72% a serious offense (Class F through I felonies and Class A1 misdemeanors), and 4% a minor offense (Class 1 through 3 misdemeanors).⁴⁶

Juveniles' most serious adjudicated offenses were also grouped into four crime categories: person, property, drug, and other.⁴⁷ Nearly all of YDC releases (94%) had either a person or property offense as their most serious adjudicated crime category (45% and 49% respectively). Very few juveniles had a drug or "other" offense as their most serious adjudicated offense (n=13 or 6%). Overall, 11% of the juveniles had a school-based offense.⁴⁸

Figure 5.4 provides the five most common adjudicated offenses for juveniles released from a YDC in FY 2013. Nearly one-fourth (24%) of the YDC release sample had felony breaking and entering as their most serious adjudicated offense. Four of the top five adjudicated offenses were property offenses; four of the top five adjudicated offenses were classified as serious.

Figure 5.4
Top Five Adjudicated Offenses



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

YDC Commitment Profile

The YDC commitment profile for juveniles released from a YDC in FY 2013 is provided in Table 5.2 and includes information on the juvenile's entry type, average length of stay, and release reason. Overall, juveniles were more likely to enter a YDC for violation than for a new admission (57% and 43% respectively). This pattern held when examining YDC entry type by offense type. Fifty-seven percent of juveniles with a felony and 61% with a misdemeanor entered a YDC for a violation, while 43% of juveniles with a felony and 39% with a misdemeanor entered a YDC for a new admission. The majority of juveniles had a YDC length of stay of either 6 to 12 months (36%) or 12 to 18 months (39%). Very few juveniles had a length of stay shorter than 6 months. Length of stay varied slightly based on whether the juvenile had a felony or misdemeanor disposition. Juveniles with a felony disposition most frequently had a length of stay of 12 to 18 months (44%), while juveniles with a misdemeanor disposition most

⁴⁶ See Chapter One and Appendix B for a discussion of offense classifications in the Juvenile Disposition Chart.

⁴⁷ See Chapter Two for crime category definitions.

⁴⁸ See Chapter Two for a definition of a school-based offense.

frequently had a length of stay of 6 to 12 months (82%). Nearly all juveniles (98%) were released from a YDC onto PRS.

Table 5.2
YDC Commitment Profile

YDC Commitment Profile	Offense Type				Total N=237	
	Felony n=199		Misdemeanor n=38			
	#	%	#	%	#	%
Entry Type						
New Admission	86	43	15	39	101	43
Probation/PRS Violation	113	57	23	61	136	57
Length of Stay						
Up to 6 Months	6	3	2	5	8	3
6 to 12 Months	55	28	31	82	86	36
12 to 18 Months	88	44	4	10	92	39
Greater than 18 Months	50	25	1	3	51	22
Release Reason						
PRS	195	98	37	97	232	98
Other	4	2	1	3	5	2

Note: Juveniles identified as having an “other” YDC release reason include 3 with a court ordered termination, 1 with a new commitment, and 1 who turned 18 years old and was subsequently released.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

Table 5.3 examines average YDC length of stay by adjudicated offense type, offense classification, crime category, delinquency history level, and YDC entry type. The average length of stay for all juveniles was 14 months. The average length of stay increased as the seriousness of offense classification increased from minor to serious to violent. Average length of stay was highest for juveniles with a low delinquency history level (17 months). This is likely because those juveniles committed to a YDC with low delinquency history levels committed more serious offenses (*see also* Table 5.4). Little variation was found in average YDC length of stay for juveniles based on crime category or YDC entry type with length of stay ranging between 14 to 15 months for each.

Table 5.4 shows the distribution of YDC entries by offense classification and delinquency history level. As noted previously, the use of YDC commitment is limited by the juvenile dispositional chart and prioritizes the option for juveniles with high delinquency levels and/or violent offenses. It is possible for juveniles to be admitted to a YDC with a low delinquency history level, if they were adjudicated for a violent offense.⁴⁹ In the FY 2013 YDC release sample, all 10 juveniles entering a YDC for a new admission with a low delinquency history level were adjudicated delinquent for a violent offense; those entering for a violation (n=11) were adjudicated for both violent and serious offenses. Overall, juveniles with a high delinquency history level were more likely to enter a YDC for a violation than for a new admission

⁴⁹ See the juvenile disposition chart in Chapter One and Appendix B for the dispositional alternatives governed by statute.

(107 and 83 respectively). However, nearly all juveniles entering a YDC with a high delinquency history level and with a minor offense entered with a new admission.⁵⁰

Table 5.3
Average YDC Length of Stay in Months

	#	Avg.		#	Avg.
Offense Type			Delinquency History Level		
Felony	199	15	Low	21	17
Misdemeanor	38	9	Medium	26	14
Offense Classification			Crime Category		
Violent			High	190	14
Class A-E Felonies	56	18	YDC Entry Type		
Serious			New Admission	101	15
Class F-I Felonies	172	14	Probation/PRS Violation	136	14
Class A1 Misd.			Total	237	14
Minor					
Class 1-3 Misd.	9	7			

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

Table 5.4
YDC Entry Type by Adjudicated Offense Classification and Delinquency History Level

Offense Classification	N	Delinquency History Level					
		Low n=21		Medium n=26		High n=190	
		YDC Entry Type		YDC Entry Type		YDC Entry Type	
		New Admission	Violation	New Admission	Violation	New Admission	Violation
		#	#	#	#	#	#
Violent	56	10	3	6	0	20	17
Serious	172	0	8	2	18	55	89
Minor	9	0	0	0	0	8	1
Total	237	10	11	8	18	83	107

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

⁵⁰ In FY 2013, there were 37 juveniles (or 16%) with 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 delinquent for a minor offense with a previous Level 3 disposition may be committed to a YDC.

Risk and Needs Assessments

DACJ staff administers RNA to all juveniles to assess the risk of future delinquency and to determine the individual needs of the juvenile during the intake process.⁵¹ Given their level of involvement in the juvenile justice system, juveniles released from a YDC would be expected to have high levels of risk and need. Table 5.5 lists select results of the assessments. Most notable among the risk factors, 94% of

Table 5.5
Select Risk and Needs Indicators

Risk and Needs Indicators	Total N=237 %
Risk Assessment	
First Referral Before Age 12	21
Prior Intake Referrals	92
Prior Adjudications	88
Prior Assaults	58
Had Run Away	47
Had School Behavior Problems	94
Parents/Guardians Unwilling/Unable to Provide Parental Supervision	62
Needs Assessment	
Functioning Below Academic Grade Level	74
Juvenile Parent Status (i.e., is a parent)	3
History of Victimization	30
Risky Sexual Behavior	24
Need for Mental Health Care Indicated	98
Basic Needs Are Not Being Met	4
Impaired Functioning (i.e., medical, dental, health/hygiene)	3
Conflict in the Home	40
Parent, Guardian, or Custodian has Disabilities	5
One or More Members of Household have Substance Abuse Problems	24
Indication of Family Member's Involvement in Criminal Activity	59
Combined Risk and Needs Indicators	
Substance Abuse	80
Gang Affiliation	44
Negative Peer Relationships	95

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

⁵¹ See Appendix A for a copy of the North Carolina Assessment of Juvenile Risk of Future Offending and the North Carolina Assessment of Juvenile Needs instruments and for information on the number and percentage of juveniles with a risk and needs assessment for the sample. All of the juveniles in the YDC release sample had a completed RNA.

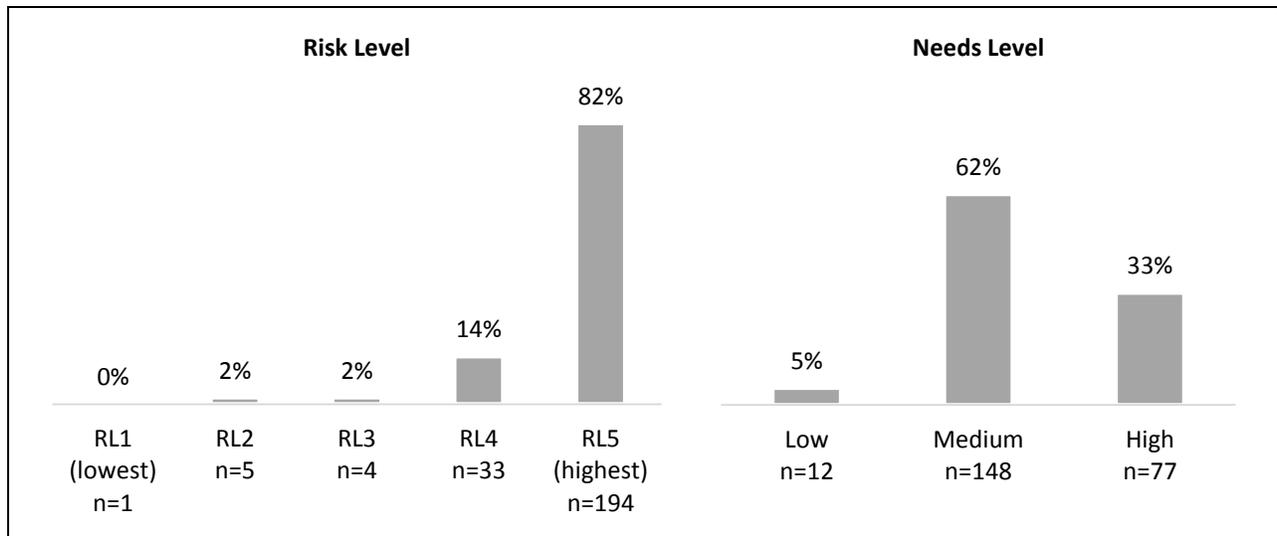
juveniles had school behavior problems, 92% had at least one prior intake referral, 21% had their first referral before age 12, and 62% had parents/guardians who were unwilling or unable to provide parental supervision.

The needs assessment revealed that very few juveniles had basic needs that were not being met (4%). Nearly all of the juveniles had mental health care indicated as a need (98%) and nearly three-quarters (74%) were functioning below academic grade level. Problems related to home-life were evident, with 59% of the juveniles having criminality in their family, 40% experiencing conflict in the home, and 30% having some history of victimization.

Combining risk and needs indicators, 80% of the juveniles had substance abuse problems and 44% reported some type of gang affiliation. Nearly all juveniles reported having negative peer relationships (95%).

Using the assessment instruments, separate risk and needs scores were computed for each juvenile, placing the juvenile in one of five levels of risk from RL1 (the lowest risk) to RL5 (the highest risk) and into low, medium, or high level for needs. Figure 5.5 shows the risk and needs levels for the YDC release sample. As expected, nearly all juveniles fell within RL4 and RL5 (14% and 82% respectively), with few juveniles in the lower risk levels (n=10). The majority of juveniles released from a YDC were medium needs (62%); very few juveniles were low needs (n=12).

**Figure 5.5
Risk and Needs Level**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

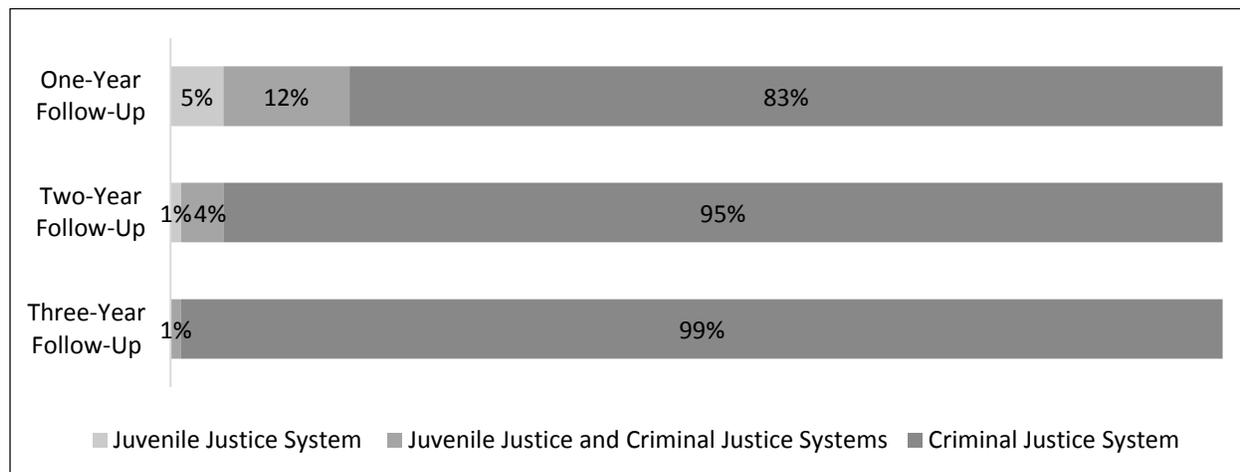
Follow-Up Period and Time at Risk

Each juvenile in the FY 2013 YDC release 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 YDC release date as the starting point.

Given that the age of adult jurisdiction in North Carolina is 16 years and the majority of juveniles were 16 to 17 years old at YDC release (79%), all of the juveniles in the FY 2013 sample reached the age of criminal responsibility during the three-year follow-up. As expected, the percentage of juveniles aging into the adult system increased during each year of the follow-up period – 83% during year one, 95% during year two, and 99% during year three (see Figure 5.6). A very small percentage of juveniles were solely under the jurisdiction of the juvenile justice system during year one and year two (5% and 1% respectively). Four percent of juveniles in year two and 1% of juveniles in year three were under both juvenile and adult jurisdiction. Overall, the sample was at risk under juvenile jurisdiction for an average of 1 month and at risk under adult jurisdiction for an average of 35 months.

A fixed follow-up period was used in an attempt to obtain the same “window of opportunity” for each juvenile to reoffend. However, the window of opportunity was not necessarily the same for each juvenile if confinement occurred during follow-up (e.g., admission to a detention center, commitment to a YDC, confinement in local jails or in prisons).

Figure 5.6
Age of Legal Jurisdiction during Each Year of Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

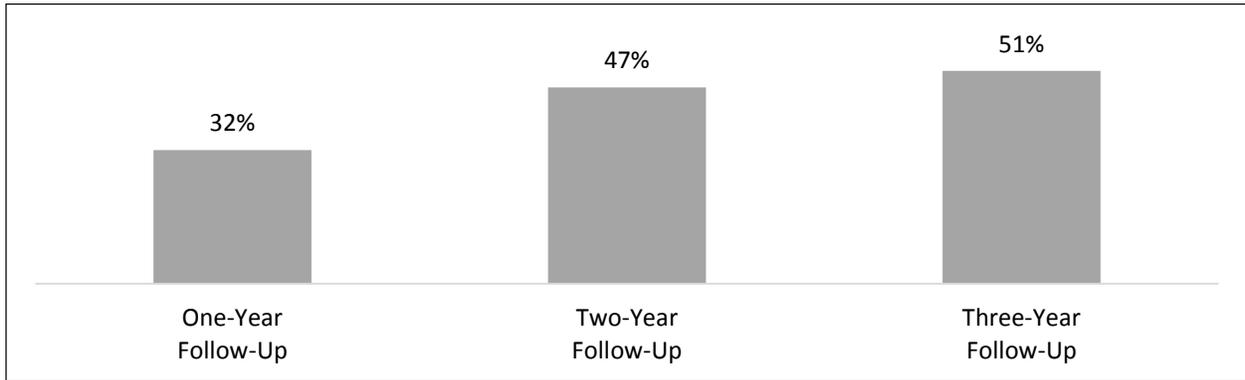
Juvenile and Adult Recidivism

As described in Chapter One, the Sentencing Commission uses subsequent delinquent complaints as the primary measure for juvenile recidivism, supplemented with information on subsequent adjudications that resulted from those recidivist complaints. Arrests are used as the primary measure for adult recidivism, supplemented with information on convictions. A combined measure of subsequent juvenile complaints and/or adult arrests was compiled to indicate any recidivist involvement in either system, which was supplemented by a similar measure for subsequent juvenile adjudications and/or adult convictions. Only the combined measure of subsequent juvenile complaints and/or adult arrests is reported (hereinafter referred to as recidivism).

Figure 5.7 examines recidivism rates for each year of the three-year follow-up period. Overall, 32% of the sample had at least one recidivist event during the one-year follow-up, 47% during the two-year follow-up, and 51% during the three-year follow-up. For those juveniles with a recidivist event, the first event occurred an average of 11 months after their YDC release. Half of the juveniles with a recidivist

event (61 of 122) recidivated within 8 months. The 122 juveniles with any recidivism accounted for a total of 402 recidivist events. For those juveniles who reoffended, the average number of recidivist events was 3.

**Figure 5.7
Recidivism Rates**

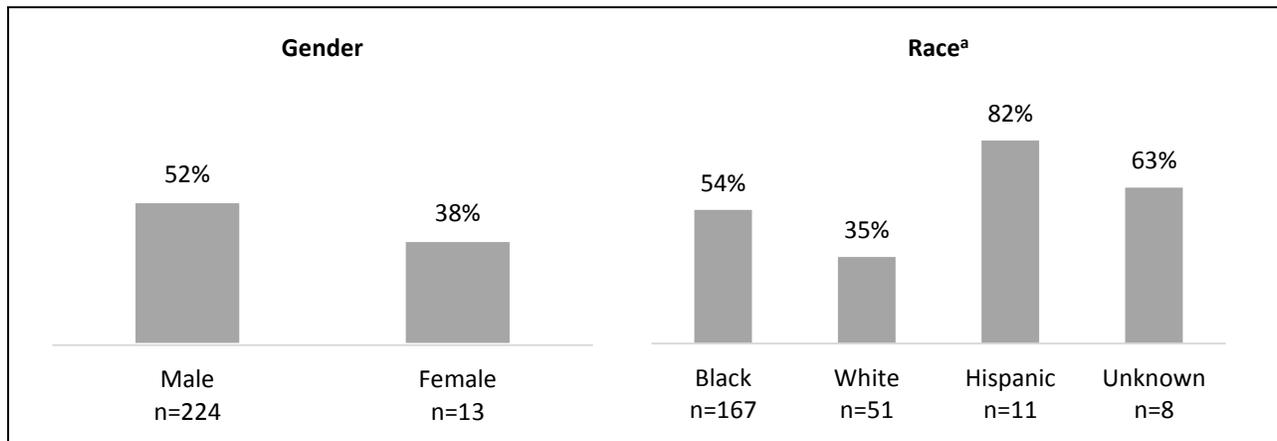


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

Personal Characteristics and Recidivism

Figures 5.8 and 5.9 provide recidivism rates during the three-year follow-up by the juvenile’s personal characteristics: gender, race, and age at the time of YDC release. Overall, males had higher recidivism rates than females (52% and 38% respectively). Hispanic juveniles had the highest recidivism rates at 82%, but also only accounted for 5% (n=11) of the sample. Black juveniles had a recidivism rate of 54% and white juveniles had a recidivism rate of 35%. Recidivism rates were highest for the youngest juveniles, and generally decreased as the juvenile aged (see Figure 5.10). Of juveniles released from a YDC at age 15 to 17, 16 year-olds had the highest recidivism rates (60%).

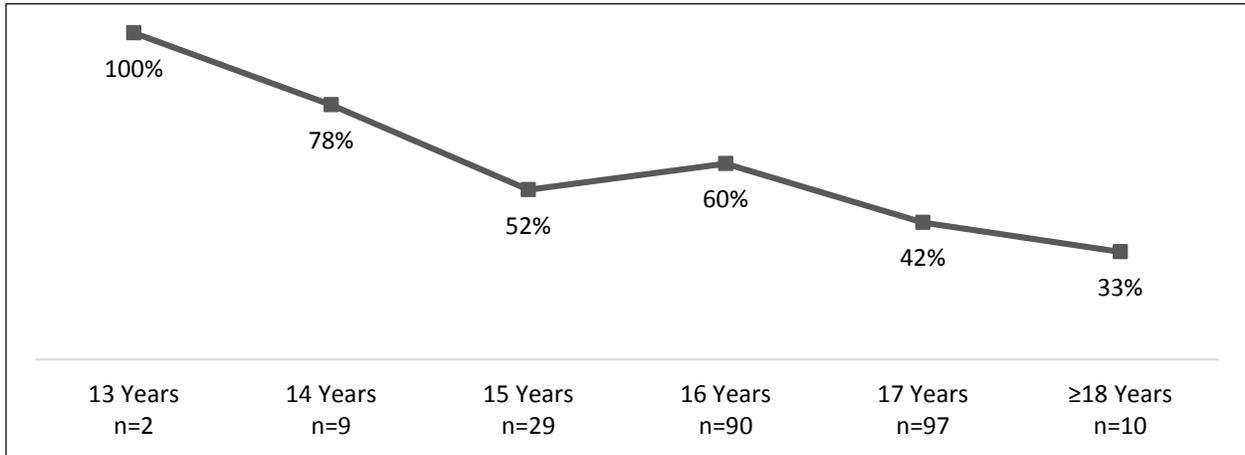
**Figure 5.8
Recidivism Rates by Personal Characteristics: Three-Year Follow-Up**



^a 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 2013 YDC Release Sample

Figure 5.9
Recidivism Rates by Age at YDC Release: Three-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

Prior Complaints and Recidivism

Overall, 95% (n=226) of the juveniles had at least one prior delinquent complaint before YDC entry. Table 5.6 examines recidivism rates for juveniles with at least one prior complaint in comparison to juveniles with no prior complaint. Fifty-four percent of the juveniles with at least one prior complaint had a recidivist event during the three-year follow-up. Only 9% of juveniles with no prior complaint had a recidivist event during the follow-up, but accounted for a very small percentage of the overall YDC release sample (5%). Compared to juveniles without a prior confinement, recidivism rates were higher for juveniles with a prior confinement (44% and 56% respectively). Recidivism rates were highest for juveniles with a medium delinquency history level and lowest for those with a low delinquency history level (62% and 19% respectively).

Table 5.6
Recidivism Rates by Prior Juvenile Justice Contacts: Three-Year Follow-Up

Recidivism Rates for Juveniles with:	#	%
Prior Complaint		
No	11	9
Yes	226	54
Prior Confinement		
No	88	44
Yes	149	56
Delinquency History Level		
Low	21	19
Medium	26	62
High	190	54
Total	237	51

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

Most Serious Adjudicated Offense and YDC Commitment Profile and Recidivism

In Table 5.7, recidivism rates are examined by the most serious adjudicated offense. Overall, juveniles with a misdemeanor as the most serious adjudicated offense had higher recidivism rates (58%) than juveniles with a felony (50%). A similar pattern was also found in the examination of recidivism rates by offense classification.

Juveniles with drug offenses had the highest recidivism rates at 83%, followed by those with an “other” offense, but those offenses only accounted for a small proportion of the sample (6% or n=13). When comparing juveniles with person and property offenses, those with a property offense had higher recidivism rates than those with a person offense (54% and 47% respectively). Juveniles with a length of stay of 6 months or more had recidivism rates equal to or greater than 50%. Juveniles with a length of stay of less than 6 months had the lowest recidivism rates (25%).

There was no variation in recidivism rates when examining YDC entry type (51% for both YDC admissions and probation/PRS violations) and little variation in recidivism rates for juveniles with a school-based referral versus those without a school-based referral (56% and 51% respectively).

Table 5.7
Recidivism Rates by Adjudicated Offense and Commitment Profile: Three-Year Follow-Up

	#	%		#	%
Offense Type			Crime Category		
Felony	199	50	Person	107	47
Misdemeanor	38	58	Property	117	54
Offense Classification			Drug	6	83
Violent	56	45	Other	7	57
Class A-E Felonies			YDC Length of Stay		
Serious			Up to 6 Months	8	25
Class F-I Felonies	172	53	6 to 12 Months	86	55
Class A1 Misd.			12 to 18 Months	92	50
Minor	9	56	Greater than 18 Months	51	53
Class 1-3 Misd.			YDC Entry Type		
School-Based Offense			New Admission	101	51
No	212	51	Probation/PRS Violation	136	51
Yes	25	56	Total	237	51

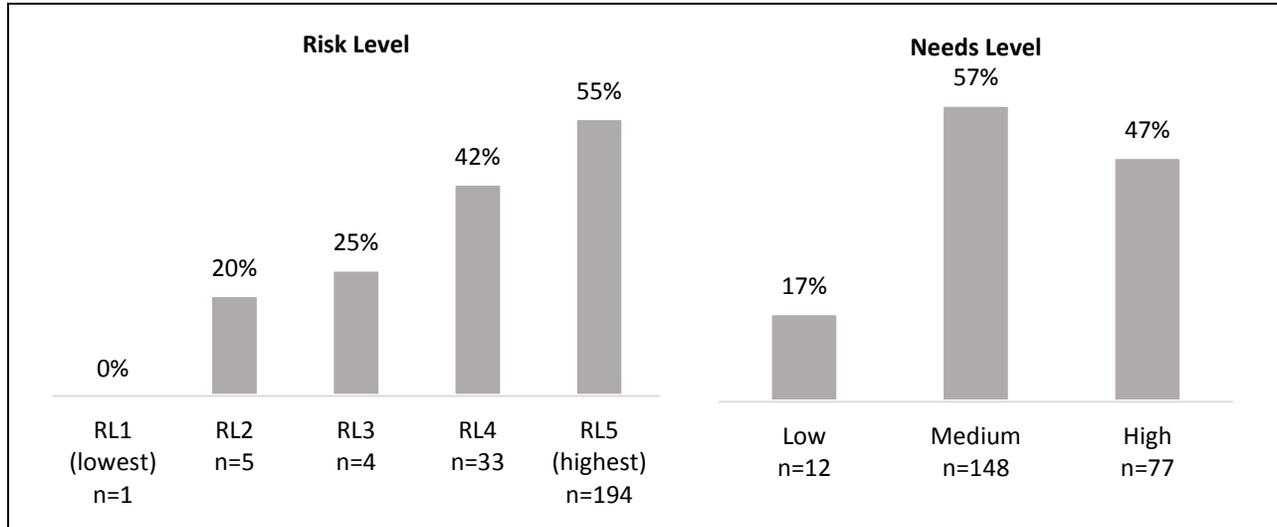
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

Risk/Needs Levels and Recidivism

As mentioned earlier, RNA were administered to all juveniles in the sample. The majority of juveniles were assessed as high risk (82%) and most juveniles were assessed as medium needs (62%). Figure 5.10 explores the relationship between the juvenile’s risk and needs levels and their recidivism rates. Recidivism rates increased in a stair-step progression as risk levels increased from RL1 (lowest risk) to RL5 (highest risk) juveniles. A stair-step progression was not evident when examining needs levels;

juveniles with medium needs had the highest recidivism rates (57%), followed by juveniles with high needs (47%).

Figure 5.10
Recidivism Rates by Risk and Needs Levels: Three-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 YDC Release Sample

Summary

Chapter Five examined juveniles who were released from a YDC in FY 2013. A statistical profile of these juveniles in North Carolina was provided and included the characteristics of the sample and their prior, current, and recidivist contacts with the juvenile justice and criminal justice systems.

The majority of the sample (95%) was male. The sample was mainly comprised of black and white juveniles; black juveniles had higher recidivism rates than white juveniles. Ninety-two percent of juveniles in the sample were between the ages of 15 and 17 at YDC release, with 16 year-olds having the highest recidivism rates.

Four measures were used to examine prior contacts with the juvenile justice system – prior complaints, adjudications, confinement (i.e., detention admission and/or YDC commitment), and delinquency history level. Nearly all juveniles had a prior complaint or prior adjudication and two-thirds had a prior confinement; most had a high delinquency history level. Juveniles with a prior confinement had higher recidivism rates than juveniles without a prior confinement. Recidivism rates were highest for juveniles with a medium delinquency history level and lowest for juveniles with a low delinquency history level.

Recidivism rates were examined by the juvenile’s most serious adjudicated offense and YDC commitment profile (including offense type and classification, crime category, YDC entry type, and YDC length of stay). Most juveniles (84%) had a felony as their most serious adjudicated offense; nearly three-fourths were adjudicated for a serious offense. Recidivism rates tended to be higher for juveniles with low-level felonies and misdemeanors.

Person and property offenses were the most common offenses. When comparing juveniles with person and property offenses, those with a property offense had higher recidivism rates than those with a person offense. Juveniles were more likely to enter a YDC for a violation of probation or PRS than a new admission; there was no variation in recidivism rates when examining YDC entry type. Nearly all juveniles had a YDC length of stay of greater than or equal to 6 months.

The majority of juveniles were assessed in the highest risk level (RL5) and most were assessed as medium needs. Recidivism rates increased in a stair-step progression as risk levels increased from RL1 (lowest risk) to RL5 (highest risk). A stair-step progression in recidivism rates was not evident when examining needs levels; juveniles with medium needs had the highest recidivism rates.

Given a large percentage of juveniles were 16 to 17 years old at YDC release, all of the juveniles in the FY 2013 YDC release sample aged into the adult system during the third-year of the follow-up. Overall, for the YDC releases the recidivism rate was 32% in year-one, 47% in year-two, and 51% in year-three.

CHAPTER SIX CONCLUSIONS

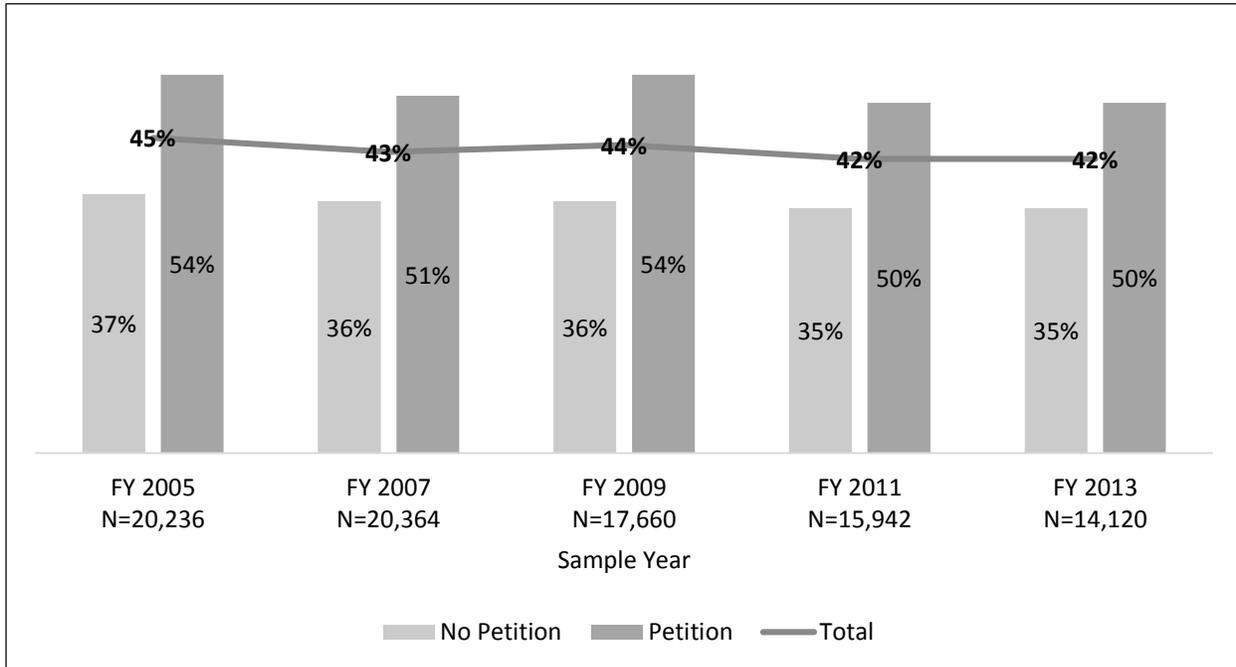
During the 2005 Session, the North Carolina General Assembly expanded the Sentencing and Policy Advisory Commission's mandate to include the preparation of biennial reports on statewide rates of juvenile recidivism. (Session Law 2005-276, Section 14.19.) This marks the sixth biennial report, submitted to the legislature on May 1, 2017. The study followed a sample of 14,120 juveniles who had a delinquent complaint processed in the juvenile justice system between July 1, 2012 and June 30, 2013 and tracked their subsequent contacts with the juvenile justice and criminal justice systems over the next three years. Recidivism was defined broadly to include all subsequent delinquent complaints and adult arrests.

In line with the decisions made within the juvenile justice system, the 14,120 juveniles in the sample were categorized into one of four groups – juveniles with closed (21%), diverted (34%), dismissed (12%), or adjudicated (33%) cases. For the first time, these four groups were combined into two groups – no petition and petition – based on their court status. Of the FY 2013 sample, there were 7,820 juveniles whose cases did *not* have a petition filed for a court hearing by a court counselor (i.e., their cases were either closed or diverted) and 6,300 juveniles whose cases did have a petition filed for a court hearing (i.e., their cases were either dismissed or adjudicated). Altogether, the mean age of the sample was 13.4 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 2013 were largely misdemeanors (89%); 2% were charged with a violent delinquent act. Thirty-two percent of the sample juveniles had at least one prior delinquent complaint.

The Sentencing Commission's previous juvenile recidivism reports provide a framework to examine trends in recidivism rates and related factors for North Carolina juveniles. Figure 6.1 presents overall recidivism rates (i.e., subsequent complaints and adult arrests) for all juveniles for the Commission's past four studies and the current study, and presents the rates by court status (i.e., petition, no petition). When comparing the findings from this study (FY 2013 sample) to the Commission's previous studies with a three-year follow-up period, recidivism rates were between 42-45% for all five samples with slight increases and decreases some years. The FY 2013 sample had the same overall recidivism rate compared to the FY 2011 sample; the petition and no petition groups also had the same overall recidivism rates compared to the FY 2011 study.

The series of studies indicates that statewide recidivism rates have been consistent over the past eight years, with an overall decrease from FY 2005. Both the no petition and petition groups experienced decreases in their overall recidivism rates during this timeframe. Also of note, when comparing the previous Commission studies, is the decreasing sample size. Since FY 2005, the number of juveniles studied has decreased over 30%. The shrinking sample size is likely the result of declines in a number of demographic and juvenile justice trends over the past ten years, including substantial decreases in juvenile complaints.

Figure 6.1
Recidivism Rates for North Carolina Juveniles: Three-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission

Table 6.1 presents recidivism rates for juveniles by level of involvement for the past four studies and the current study. The differences between the recidivism rates of juveniles by their level of involvement remained stable, with the highest rates for the adjudicated group, followed by the dismissed, diverted, and closed groups. There is a decrease in the recidivism rates for two of the four groups of the FY 2013 sample (i.e., dismissed and diverted) compared to the FY 2011 sample, with a slight increase in the recidivism rates for the closed group of juveniles. The recidivism rate for adjudicated juveniles remained the same as reported for the FY 2011 sample.

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 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 33% for juveniles with closed cases and 37% for juveniles diverted to 43% for juveniles dismissed and 53% for 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. This finding was also made clear when viewing the recidivism rates by court status (see above) – with the petition group having higher rates of recidivism compared to the no petition group.

**Table 6.1
Recidivism Rates for North Carolina Juveniles: Three-Year Follow-Up**

Sample Year	Sample Size	Level of Involvement				Total %
		Closed %	Diverted %	Dismissed %	Adjudicated %	
FY 2005	20,236	36	39	48	56	45
FY 2007	20,364	35	38	46	53	43
FY 2009	17,660	34	38	46	57	44
FY 2011	15,942	32	39	44	53	42
FY 2013	14,120	33	37	43	53	42

SOURCE: NC Sentencing and Policy Advisory Commission

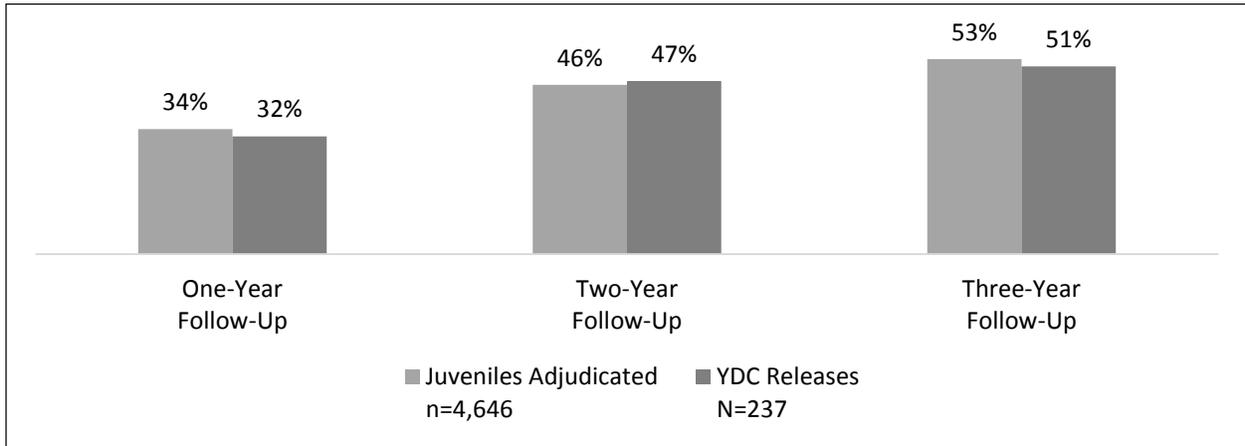
Findings demonstrated a complex relationship between age and recidivism for juveniles in the sample. Juveniles between the ages of six and nine had very low recidivism rates, those aged 10-11 showed gradually increasing rates with the highest recidivism observed for 12-14 year-olds; age 15 showed a considerably decreased recidivism rate. More examination is needed to fully understand this dynamic between juvenile age and recidivism.

A direct relationship was also observed between the juveniles' assessed risk and needs and their recidivism. Generally, as risk and needs levels increased, so did the recidivism rates. A juvenile's prior delinquency, a component of risk, was also directly linked to the probability of recidivism. However, findings from this report related to risk and needs assessments point to one area for timely recommendation. Of great importance to the juvenile justice system, is the accurate identification of needs, including an accurate assessment of needs levels for juveniles. Needs levels should not be used to predict recidivism. However, an accurate measurement of needs is an essential component in identifying the proper treatment programs, and determining whether the programs are targeting the appropriate juveniles for services. The needs levels currently used by DACJJ may need to be revisited. A large majority (70%) of the juveniles studied in this report were assessed as "low needs" –suggesting the levels may not be accurately reflecting the true level of needs of juveniles involved with the system. A refinement to the levels (similar to recent efforts made by DACJJ in re-norming risk level cutoffs) may assist the system in better understanding the true level of needs for juveniles and tailoring appropriate system responses and interventions based on those needs.

Examination of the new YDC release sample, studied for the first time in this report, yielded some promising findings. Juveniles released from a YDC in FY 2013 had a slightly lower recidivism rate when compared to the FY 2013 adjudicated juvenile group (51% compared to 53%). (See Figure 6.2.) The similarity in rates is surprising, given the large proportion of juveniles in the YDC release sample assessed in the highest risk level (82%), the number of juveniles with a prior complaint (nearly all), and the percentage with a high delinquency history level (80%) – factors that are all associated with an increased likelihood of future offending. In contrast, 17% of the adjudicated juveniles in the FY 2013 sample were assessed in the highest risk level, 57% had a prior complaint, and less than 10% had a high delinquency history level. Future studies that further examine the relationship between commitment to

a YDC (including programs and services provided during commitment) and recidivism may better inform this promising finding.

Figure 6.2
A Comparison of Recidivism Rates:
Juveniles Adjudicated and Juveniles Released from a YDC in FY 2013



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample and FY 2013 YDC Release Sample

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 the lowest levels of recidivism corresponded to the least invasive systemic responses of the juvenile justice system, particularly by processing and intervening with youths short of adjudication. It is important to recognize that there are several possible explanations for this. While the depth of the system’s response may contribute to a juvenile’s probability of reoffending, another possibility is that the system’s increasingly invasive, restrictive response is elicited by the most troubled youths affected by family dynamics, psychological issues, and school problems. The explanation to recidivistic behavior, more likely, lies in some interaction of all of these factors.

Whatever the reason for the relationship between deeper involvement in the juvenile justice system and recidivism, this report and past report findings indicate the most efficient investment of sufficient resources is in the community, at the front-end of the juvenile justice system. Community resources are more easily accessible to juveniles and their families and have a proven track record of successfully intervening with the complex issues associated with delinquent youth. 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 12-14), and at the earliest possible point of their contact with the juvenile justice system, it might affect their rate of reoffending.

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

APPENDIX A

Risk and Needs

Risk Assessment

NORTH CAROLINA ASSESSMENT OF JUVENILE RISK OF FUTURE OFFENDING

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

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

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

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

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

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

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

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

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

R10.

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

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

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

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

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

COMMENTS:

Needs Assessment

NORTH CAROLINA ASSESSMENT OF JUVENILE NEEDS

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

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

YOUTH NEEDS
Score

Y1. Peer Relationships

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

Name of gang _____

Y2. School Behavior/Adjustment

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

Y3. General Academic Functioning

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

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

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

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

_____ **Y5. Juvenile Parent Status**

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

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

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

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

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

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

_____ **Y8. Mental Health**

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

Check all behaviors that apply:

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

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

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

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

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

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

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

F1. Conflict in the Home Within Past 12 Months

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

F2. Supervision Skills

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

F3. Disabilities of Parent, Guardian or Custodian

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

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

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

F5. Family Criminality

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

Total Needs Score

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

Sources of information: Check all that apply

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

ASSESSMENT OF NEEDS COMMENTS:

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

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

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

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

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

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

Comments:

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

Level of Involvement	N	No Risk or Needs		Risk Only		Needs Only		Both Risk and Needs	
		#	%	#	%	#	%	#	%
Closed	3,031	375	12	47	2	22	1	2,587	85
Diverted	4,789	71	1	27	1	30	1	4,661	97
No Petition Subtotal	7,820	446	6	74	1	52	0	7,248	93
Dismissed	1,654	257	16	3	0	30	2	1,364	82
Adjudicated	4,646	60	1	10	0	40	1	4,536	98
Petition Subtotal	6,300	317	5	13	0	70	1	5,900	94
Total	14,120	763	5	87	1	122	1	13,148	93

Note: Risk and/or needs assessments were counted if the assessment was completed within a year of the date the complaint was received.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

APPENDIX B

Juvenile Disposition Chart

Juvenile Disposition Chart

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

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

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

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

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

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

Points

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

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

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

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

Levels

Low – No more than 1 point.

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

High – At least 4 points.

APPENDIX C

Dispositional Options

Dispositional Options

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

APPENDIX D

Additional Recidivism Tables

Table D.1
Recidivism Rates for Juvenile Complaints and Adult Arrests: Three-Year Follow-Up

Court Status	Subsequent Complaints		Adult Arrests		Overall Recidivism	
	n	%	n	%	N	%
Closed	2,907	26	2,226	17	3,031	33
Diverted	4,665	30	3,655	16	4,789	37
No Petition Subtotal	7,572	28	5,881	17	7,820	35
Dismissed	1,356	33	1,370	27	1,654	43
Adjudicated	4,147	42	4,067	29	4,646	53
Petition Subtotal	5,503	40	5,437	28	6,300	50
Total	13,075	33	11,318	22	14,120	42

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample

Table D.2
Recidivism Rates for Juvenile Adjudications and Adult Convictions: Three-Year Follow-Up

Court Status	Subsequent Adjudications		Adult Convictions		Adjudications and/or Convictions	
	n	%	n	%	N	%
Closed	2,907	12	2,226	5	3,031	15
Diverted	4,665	18	3,655	6	4,789	20
No Petition Subtotal	7,572	16	5,881	5	7,820	18
Dismissed	1,356	21	1,370	12	1,654	26
Adjudicated	4,147	32	4,067	12	4,646	36
Petition Subtotal	5,503	29	5,437	12	6,300	34
Total	13,075	21	11,318	9	14,120	25

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Juvenile Recidivism Sample