

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2013

Legislative Fiscal Note

BILL NUMBER: House Bill 725 (Third Edition)

SHORT TITLE: Young Offenders Rehabilitation Act.

SPONSOR(S): Representatives Avila, Moffitt, Mobley, and D. Hall

FISCAL IMPACT					
(\$ in millions)					
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Estimate Available					
State Impact	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
General Fund Revenues:					
General Fund Expenditures:					
State Positions:					
NET STATE IMPACT	\$0.0	\$0.0	\$0.0	\$0	\$0

PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:
 Department of Public Safety - Division of Juvenile Justice; Administrative Office of the Courts; Indigent Defense Services

EFFECTIVE DATE Varies

TECHNICAL CONSIDERATIONS:
 None

FISCAL IMPACT SUMMARY

This bill has phased and delayed dates of implementation. The provisions in the bill which are most likely to incur costs to the State are effective in FY 2019-20 and FY 2020-21, which places them outside the five-year timeline given above. However, whenever this legislation is implemented, there will be significant future estimated costs: \$16.5 million in the first year of implementation, and \$55.5 million in the second year of implementation (annual operating costs, adjusted for inflation). In the first year, approximately \$900,000 in capital costs will be required; in the second year, \$7.9 million in capital costs are required. These totals reflect the cost of building and staffing a new Youth Development Center, two multi-purpose group homes, and increasing the number of court counselors and community-based programs that will be needed for this new population in the juvenile system.

**Summary of Total Funding Required
FY 2019-20 and FY 2020-21**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Department of Public Safety	\$15,592,473	\$53,293,270
Indigent Defense Services	\$955,745	\$2,214,596
Administrative Office of the Courts	\$0	\$36,441
Subtotal Operating Costs	\$16,548,218	\$55,544,307
Department of Public Safety Capital Costs	\$903,955	\$7,992,577
Total Cost All Agencies Operating and Capital	\$17,452,173	\$63,536,884

**Summary of Total FTE Required
FY 2019-20 and FY 2020-21**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Department of Public Safety	131.0	449.5
Administrative Office of the Courts	0.0	0.5
Total FTE All Agencies	131.0	450.0

BILL SUMMARY:

Sections 1(a) through (j) of this bill establish the Juvenile Jurisdiction Advisory Committee within the Division of Juvenile Justice of the Department of Public Safety. The Committee would be charged with developing a specific plan for raising the age for misdemeanors to include 16-and 17-year-olds, including cost estimates. The Committee would also establish a Juvenile Civil Citation Subcommittee to develop and implement a juvenile civil citation process, conduct a two-year pilot program, and establish a statewide program by July 1, 2019. The Division of Juvenile Justice shall use up to \$25,000 of funds appropriated to the Division to develop and implement the plan required by this section. This does not increase funding to or expenditures by the Department of Public Safety.

Sections 2(a) and (b) amend the definition of a delinquent juvenile under G.S. 7B-1501(7) in the following ways:

- Effective July 1, 2019, including any juvenile who commits a misdemeanor or infraction while being less than 17 years of age but at least 16 years of age.
- Effective July 1, 2020, including any juvenile who is less than 18 years of age but at least 16 years of age.

The amended statute does not apply to juveniles who commit indirect contempt or violate motor vehicle laws.

Section 3 defines “holdover facility” as it applies to juveniles housed in local jails.

Sections 4(a) through (c) delineate and clarify jurisdictional authority over juveniles and their parents, guardians or custodians. These changes conform to the changes in the definition of a delinquent juvenile.

Sections 5(a) and (b) amend G.S. 7B-1640, Limitations on juvenile court jurisdiction, in section (a) to correspond to the changes in the definition of a delinquent juvenile and in section (b) to limit the juvenile court's jurisdiction to exclude a juvenile who was either (i) transferred to and convicted in superior court or (ii) previously convicted in either district or superior court for a felony, including a violation of the motor vehicle laws under State law. If either of these criteria is met, the juvenile shall be prosecuted as an adult for any criminal offense the juvenile commits after the district or superior court conviction.

Section 6 amends G.S. 7B-1901(a) to allow for the release of a juvenile without the presence of a parent, guardian or custodian, provided that the juvenile is at least 16 years old and has been taken into custody without a court order,.

Section 7 is a conforming change to G.S. 7B-2506, Dispositional alternatives for delinquent juveniles, and removes the 12-month limitation on ordering a juvenile to cooperate with a community-based program, an intensive substance abuse program or a treatment program.

Section 8 amends G.S. 7B-2507, Delinquency history levels, effective July 1, 2016, by adding new subsections. Subsection 2(a) specifies that for each prior conviction of a Class A1 misdemeanor, excluding conviction for violation of the motor vehicle laws, a juvenile shall receive 2 points. Subsection 2(b) states: for each prior misdemeanor conviction of impaired driving (G.S. 20-138.1), impaired driving in a commercial vehicle (G.S. 20-138.2) and misdemeanor death by vehicle (G.S. 20-141.4(a2)), a juvenile shall receive 2 points. Subsection (3a) provides for each prior conviction of a Class 1, 2, or 3 misdemeanor offense, excluding conviction for violation of the motor vehicle laws, the juvenile shall receive 1 point. The rest of this section makes other conforming changes to the statute.

Sections 9(a) through (c) amend G.S. 7B-2513, Commitment of delinquent juvenile to Division, to conform multiple sections with the change in the definition of a delinquent juvenile and establishes the length of time a juvenile may be held in a youth development center.

Section 10 clarifies procedures for releasing a juvenile who committed an offense before the age of 16 but who may be held beyond that juvenile's 18th birthday.

Section 11 specifies that juveniles may be considered for pretrial release and that the juvenile shall be detained pursuant to G.S. 7B-2204, pending release.

Sections 12(a) and (b), Sections 13(a) and (b), and Sections 14(a) and (b) make confirming changes.

Section 15 rewrites G.S. 143-806(b) to include providing transportation to any individuals who are under the jurisdiction of the juvenile court to and from any State or local juvenile facility as one of the responsibilities of the Secretary of the Department of Public Safety.

Sections 16(a) and (b) amend G.S. 14-316.1, Contributing to the delinquency and neglect by parents and others, to conform with the change in the definition of a delinquent juvenile.

Except for the specified dates above, this bill is effective when it becomes law.

Background on the Current Juvenile System

There are significant differences between the juvenile and adult criminal justice systems. The Department of Public Safety, Division of Adult Correction (DAC) has no involvement in arrest, court, or sentencing decisions. Once an individual is sentenced, DAC has some discretion in the actual length of time served,

but cannot alter the minimum or maximum length of a sentence. DAC determines where the individual will serve their sentence and the level of custody (minimum, medium, or close) they will serve.

The Department of Public Safety, Division of Juvenile Justice (DJJ), on the other hand, has significant discretion from the time that the court counselor receives a complaint. DJJ employs court counselors who oversee all juvenile complaints. The court counselor decides whether to file a juvenile petition (for serious delinquency cases, the counselor *must* approve the filing of a petition), dismiss the complaint, or divert the juvenile into a community program. The court counselor also recommends a disposition to the court. Under G.S. 7B, Juvenile Code, juveniles committed to a youth development center (YDC) are committed for a term of at least six months (with some exceptions) up to the age of 21, at the discretion of the Division. DJJ may also release juveniles for home visits.

The Juvenile Code (G.S. 7B) provides that juveniles are committed to DJJ and shall be placed in a YDC that "would best provide for the juvenile's needs." After an assessment, if the Division decides a setting other than a YDC or Detention Center is better for the juvenile, the court counselor files a motion with the court detailing the recommendation for an alternative placement.

After the minimum six-months, the juvenile's commitment status is under the discretion of DJJ, but they can only hold the juvenile up to their 21st birthday. In contrast, in the adult system active prison sentences have a range from a minimum to a maximum sentence. All prisoners start their incarceration period serving the maximum sentence and earn time credit toward their minimum based upon their behavior and other factors.

Major Differences between Adult & Juvenile Criminal Justice Systems

Item	Adult	Juvenile
Point of Entry	Arrests by law enforcement officer	Complaints from law enforcement officer and citizens
Court Venue	Superior Court & District Court	District Court only
Court Proceeding	Trial	Adjudicatory hearing
Trial/Hearing Outcome	Guilty or not guilty	Adjudicated delinquent or not
Sentencing Grid	Specific Sentencing option and length for each felony or misdemeanor	Disposition combining felonies and misdemeanors into three categories
Sentencing Length	Ranges from eight months to Life Without Parole	Minimum of six months and then up to the Department's discretion up to the juvenile's 21 st birthday
Institutions	County and local jails (113) State Prisons (66)	Youth Development Centers (4) State and County Detention Centers (10) Multipurpose Group Homes (5) Eckerd Camps (2)

The point of entry in the Juvenile Justice system is the court counselor. An intake court counselor receives the complaint and determines whether the complaint has merit and requires further action. If not, the case is dismissed and no further action is taken. If the counselor determines that the juvenile's act would be delinquent (would be a crime if committed by an adult) if proved true or if the severity of the activity alleged in the complaint is serious enough, a juvenile can be held in temporary custody at a detention center awaiting an initial court hearing.

The intake court counselor interviews the parties involved. Their evaluation takes between 15 to 30 days, and determines whether to file a petition. The petition presents the facts in the complaint to determine whether the juvenile is alleged to be delinquent or undisciplined. Instead of proceeding to court, a counselor may divert the case and refer the juvenile to community-based resources or release the juvenile from the system. For serious delinquency cases the counselor *must* approve a filing of a petition.

Juveniles can be held in secure custody in a detention center to await their court appearance or they may make their first appearance in court without being held in custody. At the hearing, either the allegations are found to be true, or the case is dismissed. A juvenile 13 years old and above accused of committing a felony may be transferred to Superior Court to be tried as an adult.

If the allegations are found to be true, the juvenile is adjudicated delinquent (the equivalent of being found guilty in the adult system). The case proceeds to a dispositional hearing where the judge metes out punishment. The disposition depends upon the seriousness of the offense, the juvenile's delinquency history, and recommendations of the court counselor. The dispositions include Level 1, community-based sanctions, Level 2, intermediate sanctions, or Level 3, commitment to a YDC or an alternative to commitment program. The chart below outlines specific sanctions available for each disposition level.

OFFENSE	DELINQUENCY HISTORY		
	LOW 0 - 1 pts.	MEDIUM 2 - 3 pts.	HIGH 4+ pts.
VIOLENT (A-E Felonies)	<u>LEVEL 2</u> <u>LEVEL 3</u> 1. Commitment	<u>LEVEL 3</u> 1. Commitment	<u>LEVEL 3</u> 1. Commitment
SERIOUS (F-I Felonies and A1 Misd.)	<u>LEVEL 1</u> 1. Community-Based Program 2. Victim-Offender Reconciliation Program 3. Community Service (up to 100 hours) 4. Restitution (up to \$500) 5. Suspension of driver's license 6. Curfew 7. Counseling, including intensive substance abuse treatment 8. Vocational or Educational Program 9. Regular Probation 10. Residential Placement with relative or group home 11. Intermittent Confinement (up to five days) 12. Fine 13. Eckerd Wilderness Camp 14. Structured Day Program <u>LEVEL 2</u> 1. Wilderness Camp 2. Structured Day Program 3. Community Service (up to 200 hours) 4. Restitution (+\$500) 5. Regimented Training Program 6. Intensive Supervision Probation 7. House Arrest with/without electronic monitoring 8. Multi-purpose Group Home 9. Residential Placement in treatment facility or group home 10. Placement in an intensive nonresidential treatment program or intensive substance abuse program 11. Short-term Secure Confinement (up to 14 days)	<u>LEVEL 2</u>	<u>LEVEL 2</u> <u>LEVEL 3</u>
MINOR (1, 2 & 3 Misd.)	<u>LEVEL 1</u>	<u>LEVEL 1</u> <u>LEVEL 2</u>	<u>LEVEL 2</u>

ASSUMPTIONS AND METHODOLOGY:

Department of Public Safety – Division of Juvenile Justice (DJJ)

The bill would place 16- and 17-year-olds charged with misdemeanors in the juvenile system. To determine the impact of this change, Fiscal Research looked at the number of misdemeanor charges against individuals aged 16 and 17 in FY 2012-13, the most recent data available. The following chart shows the number of charges by age group.

Age	Misdemeanor Charges
16-17	10,050
17-18	12,797
Total	22,847

The figures above reflect the number of charges, not the number of distinct juveniles. Some juveniles may have more than one charge. In FY 2011-12, each juvenile in the 15-year-old misdemeanor juvenile population had an average of 1.78 complaints per juvenile (rounded up to two in subsequent analyses).

Although juveniles may have more than one charge, the charges may come in on different days, so it is reasonable to assume that each charge may require a separate intake. However, once the intake process is complete, it is also reasonable to assume that separate charges against an individual can be consolidated for the purposes of continued supervision and community programming. Therefore, to calculate the costs associated with intake, Fiscal Research used the total number of charges. To calculate the costs associated with diversion supervision, community programming, court supervision, and detention, Fiscal Research used the number of distinct juveniles. Sentencing and Policy Advisory Commission estimates were used to calculate the costs associated with Level 1, 2, and 3 dispositions.

Once the base numbers were determined, cost estimates were calculated for each step of the juvenile process. The table below summarizes the total estimate for the Division of Juvenile Justice. Detailed explanations for each step follow.

**Summary of Total Division of Juvenile Justice Funding Required
FY 2019-20 and FY 2020-21**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
<u>Court Services</u>		
Court Counselors	\$9,801,090	\$24,592,953
Court Counselor Supervisors	\$0	\$685,334
Administration	\$0	\$0
Subtotal Court Services	\$9,801,090	\$25,278,287
<u>Facility Services</u>		
YDC Operating Costs	\$0	\$13,299,129
Subtotal Facility Services	\$0	\$13,299,129
<u>Community Programs</u>		
JCPC Funding	\$1,789,768	\$4,475,547
Level 2 Dispositions Services	\$3,323,274	\$8,423,351
Administration	\$167,502	\$445,266
Subtotal Community Programs	\$5,280,544	\$13,344,164
Subtotal Operating Costs for DJJ	\$15,081,634	\$51,921,580
YDC Construction Cost	\$0	\$7,067,648
Multipurpose Group Home Construction	\$903,955	\$924,929
Subtotal Capital	\$903,955	\$7,992,577
Total Cost Division of Juvenile Justice	\$15,985,589	\$59,914,157

**Summary of DJJ FTE Required
FY 2019-20 through FY 2020-21**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Court Counselors	124.0	296.0
Court Counselor Supervisors	0.0	6.5
YDC Staff	0.0	129.0
Central Administration	2.0	5.0
Total DJJ FTE	126.0	436.5

Intake

In the juvenile system charges are referred to as complaints. When a complaint is taken out on a juvenile, an intake counselor collects information about the juvenile, decides whether to recommend him to court, prepares predisposition reports with a risk and needs assessment, and contacts the juvenile's parents.

In FY 2011-12, 20 percent of complaints against 15-year-old juveniles were closed prior to intake. The remaining 80 percent of complaints resulted in an intake. DJJ estimates that each intake takes

approximately six hours for a court counselor to process. To estimate the cost of the additional juveniles on the court counselor workload, the estimated number of complaints for each year of implementation is multiplied by 80 percent to determine the number that would result in an intake. That number is multiplied by six hours, and then divided by annual working hours (1,800) to arrive at the number of additional full time equivalent (FTE) court counselor positions required.

In the first year of implementation, for example, 80 percent of 10,050 charges equals 8,040 complaints requiring intake. 8,040 times six hours equals 48,240 hours. 48,240 hours divided by 1,800 gives 26.8 FTE. Therefore, an additional 27 FTE would be required for intake work the first year of implementation (FTE numbers are rounded to the nearest half position).

The cost per FTE was calculated using the FY 2011-12 starting court counselor total position cost (salary plus estimated benefits and operating costs, adjusted each year for inflation). For the first year of implementation, the total position cost will be \$76,879 (adjusted for inflation) for a total of \$2,075,733 in the first year (\$76,879 times 27 FTE equals \$2,075,733).

The table below shows the calculations for each year of implementation. The complaints are cumulative, meaning the previous year's number is added to the next year to determine the total additional costs per year.

Estimated Cost for New Intake Counselors FY 2019-20 and FY 2020-21		
Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Cumulative Complaints	10,050	22,847
80% of Complaints Result in Intakes	8,040	18,278
DJJ Est. Court Counselor Hours per Intake	6	6
Total Hours	48,240	109,668
Annual Working Hours	1,800	1,800
Est. Court Counselors Needed for Intake	27.0	61.0
Average CC Salary	\$52,136	\$55,039
Social Security	\$3,988	\$4,211
Health Insurance	\$7,569	\$7,991
Retirement	\$7,461	\$7,876
Subtotal Salaries and Benefits	\$71,154	\$75,117
Position Operating Costs	\$5,725	\$5,858
Total Position Cost	\$76,879	\$80,975
Cost for New Intake Counselors	\$2,075,733	\$4,939,475

DJJ currently has approximately one court counselor supervisor for every eleven counselors. The cost for new court counselor supervisors is calculated later in the analysis based on the sum total of all counselors added. Please see the *Court Counselor Supervisor* section for more information.

Diversion Supervision

At intake, court counselors make a determination about whether or not to approve a case for court, close the case without further action, or divert it to a community program. If a juvenile is diverted, the court counselor prepares a diversion plan or contract, which may include referring the juvenile to a community program. In FY 2011-12, 20 percent of juvenile cases were diverted.

Diversion prior to referral to court generally requires juveniles to participate in some sort of community program. Community programs are funded by the State through the Juvenile Crime Prevention Councils (JCPC). In FY 2011-12, the General Assembly appropriated \$21,712,707 to serve 29,027 juveniles through the JCPCs. Allocations to individual JCPCs used to be based on the juvenile population in the county or counties served by the JCPC. However, that formula has been frozen for several years and is no longer an accurate calculation for JCPC funding. If the formula is revised, the addition of 16 and 17 year old misdemeanants would require an increase in the per capita funding of the JCPCs. Since the formula is not in use, a per juvenile expenditure amount was calculated. For FY 2011-12, JCPC expenditures per juvenile were \$748 per juvenile served ($\$21,712,707$ divided by 29,027 juveniles served equals \$748), or \$2.05 per day ($\$748$ divided by 365). Adjusted for inflation, the cost per day in the first year of implementation will be \$2.47.

To calculate the additional resources that will be needed by JCPCs as a result of this bill, Fiscal Research multiplied the number of juveniles requiring diversion supervision by the average number of days a juvenile remains under diversion supervision. The product was then multiplied by the cost per day in FY 2011-12, adjusted for inflation. For example, in FY 2019-20, 1,210 juveniles requiring supervision times 108 average days under diversion supervision times \$2.47 equals \$268,094 in additional funding required for JCPCs to serve juveniles diverted prior to court referral. (Please note: this is only the JCPC cost associated with diversion supervision. There will also be JCPC costs associated with dispositions for youth adjudicated delinquent for misdemeanor offenses. Those costs are calculated later in this document.)

DJJ reports that the diversion supervision caseload for court counselors is 45 cases per counselor. To determine the number of new court counselors needed, the number of juveniles requiring diversion supervision was divided by 45 for each year. The result was then multiplied by the total position cost for a new court counselor to determine the cost for new court counselors for diverted cases. For example, in the first year of implementation, it is estimated that 1,210 juveniles would be diverted. That number divided by 45 equals 22.5 new court counselor FTE (rounded to the nearest 0.5 FTE). Using the total position cost calculated in the previous section, \$1,729,778 would be required for new counselors in the first year of implementation (22.5 FTE times \$76,879 total position cost equals \$1,729,778).

The total cost for diversion supervision in the first year of implementation will be \$1,997,872 ($\$1,729,778$ plus \$268,094 equals \$2,080,472). The following table shows the calculations for each stage of implementation.

**Estimated Cost for Diversion Supervision
FY 2019-20 and FY 2020-21**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
2012 Percent of Complaints Diverted Prior to Court	20.0%	20.0%
Number of New Complaints Diverted	2,010	4,569
Average Complaints per Juvenile	2	2
Number of New Juveniles	1,005	2,285
Avg. Number of Days Under Diversion Supervision	108	108
Diversion Program Cost per Day*	\$2.47	\$2.53
Subtotal Community Programming	\$268,094	\$624,353
Diversion Supervision Cases per Court Counselor	45	45
Est. Court Counselors Needed	22.5	51.0
Total Position Cost per Court Counselor	\$76,879	\$80,975
Subtotal Court Counselor Costs for Diverted Cases	\$1,729,778	\$4,129,725
Total Cost Diverted Complaints	\$1,997,872	\$4,754,078

Detention

In its *Cost Benefit Analysis of Raising the Age of Juvenile Jurisdiction in North Carolina* (January 10, 2011), the Vera Institute of Justice estimated that three percent of misdemeanants would be sent to detention for an average of 17 days each. This figure includes those who are sent to a detention center pending a disposition, those who serve their sentence in a detention center, and those who violate their probation terms. The table below shows the number of juveniles that would serve in detention, assuming the Vera Institute's estimate is correct.

**Estimated Number of Juveniles Placed in Detention
FY 2019-20 and FY 2020-21**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Number of Misdemeanant Complaints Approved for Intake	8,040	18,278
Average Complaints per Juvenile	2	2
Number of Juveniles Charged with a Misdemeanor	4,020	9,139
Vera Institute Est. Percentage Serving in Detention	3%	3%
Number of Juveniles Placed in Detention	121	274

To calculate the additional detention costs associated with this bill, Fiscal Research first determined what the current detention bed capacity is. There are 10 detention centers in North Carolina (three county facilities and seven State-run facilities) with a bed capacity of 204. From FY 2011-13 the average detention population was 170. The need for new beds is determined based on bed days available versus bed days required. Because of recent closures, it should be assumed that the detention centers operated by DJJ are currently near capacity. The average number of days in detention for the new population is 17 days each, or 2,057 bed days in the first year of implementation (121 juveniles times 17 days equals 2,057 bed days) and

4,658 in the second year of implementation. There remain an excess number of bed days available. No new detention facilities would be required as a result of this bill.

Est. New Bed Days Required vs. Est. Existing Bed Days Available FY 2019-20 and FY 2020-21		
Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Number of Juveniles Placed in Detention	121	274
Average Days in Detention	17	17
Additional Detention Bed Days Required	2,057	4,658
Existing Detention Bed Capacity	34	34
Bed Days	365	365
Existing Bed Days Available	12,410	12,410
Difference (Remaining Bed Days Available)	10,353	7,752

Dispositions

Juveniles whose cases are not closed or diverted are considered “approved for court”. In FY 2011-12, 58 percent of all juvenile cases were approved for court. The table below shows the number of complaints that would be approved for court assuming this percentage applies to the 16 and 17 year-old population.

Estimated Cases Approved for Court FY 2019-20 and FY 2020-21		
Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Total Misdemeanor Complaints	10,050	22,847
DJJ 2012 % Approved for Court	58.0%	58.0%
Number of Complaints Approved for Court	5,829	13,251

Once in court, if a juvenile is found to have committed the offense for which he is charged, the juvenile is adjudicated delinquent. Article 25 of Chapter 7B of the General Statutes lays out the dispositions available for juveniles. For juveniles adjudicated delinquent for misdemeanors 1, 2, or 3, dispositional options are limited to Level 1 or Level 2. Juveniles adjudicated delinquent for an A1 misdemeanor may get a Level 3 disposition if they have a significant prior history. Level 1 and 2 dispositions primarily consist of court supervision (by the court counselor) and participation in one or more community programs run through the JCPCs. Level 2 dispositions can also include placement in a group home or an Eckerd Camp program. Level 3 dispositions can include placement in a Youth Development Center (YDC) followed by community supervision by a court counselor.

The Sentencing and Policy Advisory Commission (SPAC) provides projections based on the number of misdemeanor convictions of 16 and 17 year-olds in adult court. The following table shows the projected number of convictions (juveniles adjudicated delinquent) based on the bill.

**Misdemeanor Conviction Projections for Offenders Aged 16 to less than 18 Years
FY 2019-20 and FY 2020-21**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Class A1 Misdemeanor	137	313
Class 1 Misdemeanor	1,294	3,262
Class 2 Misdemeanor	620	1,409
Class 3 Misdemeanor	328	908
Total	2,379	5,892

SPAC also projected the disposition distribution for the new juvenile population. The distribution is similar to what is seen with the current juvenile population: 70.9 percent will receive a Level 1 disposition, 28.3 percent will receive a Level 2 disposition, and less than one percent will receive a Level 3 disposition. The following chart shows the number of dispositions by type for each stage of implementation.

**Projected Disposition Distribution for Juveniles Aged 16 to less than 18 Years
FY 2019-20 and FY 2020-21**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Level 1 Disposition (70.9%)	1,687	4,177
Level 2 Dispositions (28.3%)	673	1,667
Level 3 Disposition (0.8%)	19	48
Total Misdemeanor Convictions (Cumulative)	2,379	5,892

All disposition levels will require court counselor supervision. For disposition supervision, Fiscal Research used a court counselor caseload of one court counselor for every 32 cases. This is the rate at which court counselors were funded in S.L. 2011-145, 2011 Appropriations Act. In the first year of implementation, 74.5 new court counselors FTE will be required (2,379 convictions divided by 32 cases per counselor equals 74.5). All FTE are rounded to the nearest half position. The FTE are then multiplied by the total position cost per court counselor to determine the cost for additional counselors for disposition supervision. In the first year of implementation, the estimated cost is \$5,727,486. When the bill is fully implemented, the estimated cost is \$14,899,400 (184 FTE total). The following chart shows the calculations for new court counselors for disposition supervision.

**Est. Court Counselors Needed for Disposition Supervision
FY 2019-20 and FY 2020-21**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Misdemeanor Convictions (All Disposition Levels)	2,379	5,892
Supervision Cases per Court Counselor	32	32
Est. Court Counselors Needed for Supervision	74.5	184.0
Total Position Cost per Court Counselor	\$76,879	\$80,975
Total Counselor Costs for Convictions (All Dispositions)	\$5,727,486	\$14,899,400

Level 1 dispositions are primarily community programs funded by the local JCPC. As calculated previously in this analysis, the cost per participant is currently \$748 per year. Adjusting for inflation, the annual cost of JCPC programming in the first year of implementation is \$902. For the purposes of this analysis, it is assumed that juveniles adjudicated delinquent and receiving Level 1 or 2 dispositions will require some level of community programming for one year. To the extent that this assumption is incorrect, this estimate may be overstated. To calculate the additional JCPC costs for Level 1 dispositions, the cost per day is multiplied by the number of Level 1 dispositions. The estimated cost in the first year of implementation is \$1,521,674 (1,687 Level 1 dispositions times \$902 JCPC cost per participant equals \$1,521,674). When fully implemented in the second year, the estimated cost is \$3,851,194.

Estimated Additional Funding Required for JCPCs for Level 1 Dispositions FY 2019-20 and FY 2020-21		
Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Level 1 Dispositions	1,687	4,177
JCPC Cost per Participant (adj. for inflation)	\$902	\$922
Additional JCPC Funding Required	\$1,521,674	\$3,851,194

Level II dispositions can include stays in residential care facilities including State-owned group homes or Eckerd Camps. In FY 2011-12, the General Assembly appropriated \$14,792,421 for programs primarily directed at Level II dispositions. DJJ is in the process of transitioning or revamping some of these programs to provide more intensive services in the community rather than in residential homes. Therefore, at this time Fiscal Research cannot project what percentage of Level 2 dispositions will receive which type of service. To estimate the additional cost for Level 2 services, the number of Level 2 dispositions in FY 2010-11 was divided into the appropriation (the amount was the same in FY 2010-11) to get a very rough estimate of the expenditure per participant. The result was \$4,097 per juvenile (\$14,792,421 divided by 3,610 Level 2 dispositions equals \$4,097 per juvenile).

Once the estimated cost per participant is calculated, that number is multiplied by the additional Level 2 dispositions that may result from this bill to determine the total cost for Level 2 dispositions. In the first year of implementation, the estimated cost is \$3,323,274 (673 Level 2 dispositions times \$4,938 expenditure per participant equals \$3,323,274). In the second year of implementation the estimated cost is \$8.4 million. The table below shows the calculations for each year of implementation.

Estimated Additional Funding Required Level 2 Dispositions FY 2019-20 and FY 2020-21		
Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Level 2 Dispositions	673	1,667
Level 2 Expenditure per Participant (adj. for inflation)	\$4,938	\$5,053
Additional Level 2 Funding Required	\$3,323,274	\$8,423,351

Group homes are just one of several dispositional alternatives available for Level 2 juveniles, and their use is largely policy driven by DJJ. In 2011, approximately 1.3 percent of Level 2 juveniles went to a group home. That would translate to nine juveniles in the first year of implementation of this bill (673 Level 2

dispositions times 1.3 percent equals 9 juveniles, rounded to the next whole number). DJJ has indicated that they are transitioning from nine-month stays to six months, which means the total number of beds that may be required by the new population in the first year is 4 (9 juveniles times 180 days equals 1,620 days divided by 365 equals 4.44, rounded to whole beds equals 4). When fully implemented, the bill would require 11 beds.

There are currently five multipurpose group homes with eight beds each, for a total of 40 beds. Assuming any new homes built will also have eight beds each, the maximum number of new homes required would be two. DJJ estimated the cost to construct a new eight bed group home is \$1.2 million in FY 2011-12. However, Fiscal Research finds that additional cost savings in new construction can be realized by using inmate labor from the Division of Adult Correction. Therefore, for the purposes of this analysis, Fiscal Research is using a cost per square foot of \$250 times 375 square feet per bed for a cost of \$93,750 per bed. For an eight-bed group home, the total cost would be \$750,000, adjusted for inflation. Additional multipurpose group homes will not be needed until FY 2019-20, or the first year of implementation. The cost to construct one group home in that year is \$903,955. When fully implemented, the bill will require two group homes for a total capital expenditure of \$1.8 million (\$903,955 in FY 2019-20 plus \$924,929 in FY 2017-18 equals \$1.8 million). This estimate assumes the homes will be built on State-owned property and will not require additional land acquisition. To the extent that there are property costs, this estimate may be understated. No additional operating costs are calculated here, as they are included in the average cost per participant for Level 2 dispositions in the previous table.

Estimated Additional Multipurpose Group Home Beds Required FY 2019-20 and FY 2020-21		
Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Level 2 Dispositions	673	1,667
Percent Admitted to Group Home	1.3%	1.3%
Additional Admissions	9	22
Average Length of Stay	180	180
Additional Beds Needed	4	11
Additional Eight-bed Group Homes	1	1
Construction Cost per Home (adj. for inflation)	\$903,955	\$924,929
Total Cost for New Group Homes	\$903,955	\$924,929

The dispositional alternative for Level 3 dispositions is admission to a youth development center (YDC). There are currently four YDCs with a bed capacity of 277. The Sentencing and Policy Advisory Commission (SPAC) has estimated that there will be 329 YDC commitments in FY 2015-16, which means there is currently a shortage of beds available for new Level 3 dispositions. We assume that there will be no space for the additional juveniles committed to a YDC following implementation of this bill, so a new facility will be required. The calculations for an additional YDC facility are shown in the table below.

**Estimated Construction Costs for Youth Development Centers
FY 2019-20 and FY 2020-2021**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Level 3 Dispositions	19	47
Total YDC Beds Needed	19	47
Additional Beds Required	19	47
Number of 64-bed Facilities	0	1
Construction Cost per Bed	\$0	\$110,432
Construction Cost per 64-bed Facility	\$0	\$7,067,648
Total Construction Cost per Year	\$0	\$7,067,648

Funding for operations of the new YDC will be needed beginning in the second year of implementation. DJJ estimated the staffing needs of a new 64-bed facility would be 129 FTE. The total position costs for one YDC in FY 2020-21 are estimated to be \$10,931,223. Other operating costs for the facility will be \$2,367,906, for a total operating cost of \$13,299,129 for one YDC in FY 2019-20. The table below shows the calculation for the estimated operating costs for a new youth development center.

**Estimated Operating Costs for Youth Development Centers
FY 2019-20 and FY 2020-2021**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Salaries, Benefits and Operating Costs for 129 FTE	\$10,532,726	\$10,931,223
Other YDC Operating Costs	\$2,314,212	\$2,367,906
Subtotal Operating Costs for One 64-bed YDC	\$12,846,938	\$13,299,129
Number of 64-bed YDCs	0	1
Total Operating Costs for New YDCs	\$0	\$13,299,129

Court Counselor Supervisors

Fiscal Research estimates that the bill will require 310 new court counselor FTE positions when fully implemented. DJJ currently has approximately one court counselor supervisor for every eleven counselors. However, it is reasonable to assume that some economy of scale can be realized with the addition of new counselors. Therefore, Fiscal Research has used a ratio of one supervisor for every 15 counselors to estimate the number of additional supervisors that may be required. There are currently 401 court counselors and 40 court counselor supervisors. In FY 2019-20, the total number of court counselors is estimated to be 525 FTE (401 existing court counselors plus 124 new court counselors equals 525 FTE). In the first year of implementation, 525 FTE counselors generate a need for 35 FTE supervisors (525 divided by 15 equals 35). There are currently 40 supervisors. Therefore, no additional supervisors will be needed in the first year of implementation. (This estimate assumes that none of the existing supervisor positions will be eliminated.) In the second year of implementation, 697 FTE counselors will be required (697 counselors divided by 15 equals 46.5 minus 40 existing positions equals 6.5 FTE). The total position cost

for one supervisor in the second year of implementation is \$105,436. The total cost for new counselor supervisors will be \$685,334 (6.5 FTE times \$105,436 equals \$685,334). To the extent that a ratio of one supervisor for every 15 counselors is too high, this estimate may be understated. The table below shows the calculation for the estimated cost for new court counselor supervisors.

Estimated Cost for New Counselor Supervisors FY 2019-20 and FY 2020-2021		
Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Additional Intake Counselors Required	27.0	61.0
Additional Diversion Supervision Counselors Required	22.5	51.0
Additional Supervision Counselors Required	74.5	184.0
Total Additional Court Counselors	124.0	296.0
Existing Court Counselor Positions	401.0	401.0
Total Court Counselors	525.0	697.0
Court Counselors per Supervisor	15	15
Total Supervisors Required	35.0	46.5
Existing Supervisors	40.0	40.0
Additional Supervisors Required	0.0	6.5
Average Supervisor Salary and Benefits	\$94,450	\$99,711
Position Operating Costs	\$5,595	\$5,725
Total Position Cost	\$100,045	\$105,436
Cost for New Counselor Supervisors	\$0	\$685,334

Community Programs Administration

DJJ uses community program specialists, processing assistants and contract administrators to oversee JCPC funds and Level 2 disposition contracts. Approximately 45 juveniles are served by each JCPC program, and community program specialists oversee approximately 61 programs each. To determine the number of positions required to administer new JCPC funding, the number of youth served by JCPCs (diversion and Level 1 dispositions) was divided by the number of youth per program. That number was then divided by the number of programs per community program specialist position. In the first year of implementation, 2,929 juveniles will be served by 65 programs (2,929 divided by 45 equals 65). All positions were rounded to the nearest half position, so 1.0 community program specialist FTE will be required in the first year (65 programs divided by 61 programs per FTE equals 1.0 FTE, rounded to the nearest half position). The number of FTE was then applied to the total position cost to calculate the estimated cost for community program specialists. In the first year of implementation, the estimated cost is \$93,578. In the second year of implementation 2.5 additional community program specialists will be required at an estimated cost of \$243,050 (2.5 FTE times \$97,220 equals \$243,050).

The DJJ processing assistant workload is 152 programs per FTE. Based on this caseload, DJJ will need one half-time assistant in the first year of implementation (65 new programs divided by 152 programs per FTE equals 0.43, rounded to the nearest half position equals 0.5 FTE). In the second year of implementation, one additional processing assistant will be required with a total position cost of \$56,386.

DJJ contract administrators oversee, on average, \$5 million in contractual services each. Assuming all of the funding for Level 2 services will be distributed on a contractual basis (as has historically been the case),

DJJ will need one half-time contract administrator in the first year of implementation (\$3.3 million in contracts divided by \$5 million average amount per FTE equals 0.46 FTE, rounded to the nearest half position equals 0.5 FTE). The total cost in the first year will be \$46,789 (\$93,578 total position cost times 0.5 FTE equals \$46,789). In the final year of implementation, 1.5 contract administrator FTE will be required for a cost of \$145,830.

In summary, in the first year of implementation, DJJ will need a total of two FTE for community program administration. When the bill is fully implemented in the second year, five FTE will be required for a total cost of \$445,266. The table below shows the calculations for each year of implementation.

**Estimated Cost for Additional Community Program Administration
FY 2019-20 and FY 2020-21**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Est. Number of Youth Served by JCPC	2,929	7,001
Avg. Number of Youth Served per Program	45	45
Number of Additional JCPC Programs	65	156
Avg. Programs per Position	61	61
New Positions Required	1.0	2.5
Average Salary and Benefits	\$83,943	\$87,383
Position Operating Costs	\$9,635	\$9,837
Total Position Cost	\$93,578	\$97,220
Cost for New Community Program Specialists	\$93,578	\$243,050
Number of Additional JCPC Programs	65	156
Avg. Programs per Position	152	152
New Positions Required	0.5	1.0
Average Salary and Benefits	\$49,903	\$51,948
Position Operating Costs	\$4,366	\$4,438
Total Position Cost	\$54,269	\$56,386
Cost for New Processing Assistants	\$27,135	\$56,386
Additional Level 2 Funding Required	\$3,323,274	\$8,423,351
Value of Contracts per Administrator	\$5,000,000	\$5,000,000
New Positions Required	0.5	1.5
Average Salary and Benefits	\$83,943	\$87,383
Position Operating Costs	\$9,635	\$9,837
Total Position Cost	\$93,578	\$97,220
Cost for New Contract Administrators	\$46,789	\$145,830
Total Community Program Administration FTE	2.0	5.0
Total Cost All Community Program Positions	\$167,502	\$445,266

Department of Public Safety – Division of Adult Correction (DAC)

This bill will have no impact on the Division of Adult Correction (DAC). S.L. 2011-192, Justice Reinvestment Act, changed the law to require misdemeanants whose sentences are six months or less to serve in county jails. According to DAC, there are currently no misdemeanor offenders in the State prison system with a total sentence length of greater than six months. Only two misdemeanor 16 or 17 year-old offenders had sentences longer than six months in 2011. Therefore, there will be no savings to the State prison system as a result of this bill.

Officers supervising high risk offenders have a caseload of 60 while officers supervising low risk offenders have a caseload of 120, therefore the loss of 60 high risk offenders or 120 low risk offenders in a single judicial district will result in the need for one fewer officer. In FY11-12 there were 1,877 entries to supervised probation of misdemeanors offenders age 16 and 17. Of these offenders 676 were age 16 and

1,201 were age 17. Based on FY11-12 entries to supervised probation, if the proposed bill becomes law the result would have no impact on officer caseloads, because it is unlikely that there will be a loss of 120 offenders in any one judicial district.

Administrative Office of the Courts (AOC)

To determine the impact of the bill on the court system, the Administrative Office of the Courts (AOC) used the same base number of misdemeanor charges from FY 2012-13 used to calculate the costs to the Juvenile Justice System. In 2012, 20 percent of juvenile complaints were closed and 22 percent were diverted. 58 percent of complaints went to court. These percentages were used previously in this analysis to estimate the impact on the Department of Public Safety’s Division of Juvenile Justice. For consistency, these percentages are used to estimate the impact on the Administrative Office of the Courts as well.

A 2007 study of North Carolina court workload provided estimates of the minutes per case required for judges and clerks handling juvenile and adult cases. Because the case category for juvenile cases included abuse/neglect/dependency cases, AOC conducted a survey of district attorneys’ offices and found that assistant district attorneys spent approximately 1.75 times longer on a juvenile delinquent case than on a comparable adult misdemeanor case. Therefore the minutes used to calculate the number of additional judges, deputy clerks, and assistant district attorneys required by this bill have been raised by a factor of 1.75. For example, the number of minutes per adult case for a district court judge is 32. Multiplying 32 by 1.75 yields an estimated 56 minutes per juvenile case. The table below shows the minutes per case in the adult system for each position compared to the estimated minutes per case that will be required in the juvenile system.

Additional Minutes Required for Juvenile Cases for AOC Positions			
AOC Position	Minutes per Adult Case	Increased Time Factor	Estimated Minutes per Juvenile Case
District Court Judge	32	1.75	56.00
Deputy Clerk	97	1.75	169.75
Assistant District Attorney	20	1.75	35.00

To determine the number of positions required as a result of the increased workload for juveniles, the number of minutes per case for each position was multiplied by the number of cases that would be approved for court (58%). Since it can be assumed that the all of the misdemeanor cases would be heard in adult court if not for the bill, the number of minutes per adult cases was multiplied by the total number of misdemeanor cases to determine the current staffing requirements in the adult system. Total minutes were then divided by the number of minutes in a year for each position. The result was then subtracted from the total number of FTE required in the juvenile system to determine the additional positions that would be required if these cases were juveniles. (All FTE were rounded to the nearest half position, except for judges, which were rounded to the nearest whole position.) Once the number of FTE for each type of position was determined, position costs (adjusted for inflation) were applied to derive the cost for the additional FTE. In the second year of implementation, AOC will require \$36,441 for one half of a deputy clerk position. No other additional court personnel are required. The charts below show the amounts required for each position type.

Estimated Cost: District Court Judges FY 2019-20 and FY 2020-21		
Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Misdemeanant Complaints	10,050	22,847
DJJ 2012 % Approved for Court	58%	58%
Number of Complaints Approved for Court	5,829	13,251
Minutes Required per Juvenile Case	56.00	56.00
Total Additional Minutes Required - Judge	326,424	742,056
Minutes per FTE - Judge	83,328	83,328
FTE Required for Juvenile Cases - Judge	3.92	8.91
Current Minutes Required for Adult Cases	321,600	731,104
FTE Required for Adult Cases	3.86	8.77
FTE Difference (Juvenile less Adult) - Judge	0.00	0.00
Salary and Benefit Costs - Judge	\$229,766	\$242,564
Other Recurring Position Costs	\$20,440	\$20,914
Non-Recurring Position Costs	\$11,135	\$11,393
Total Position Cost - Judges	\$0	\$0

Estimated Cost: Deputy Clerks FY 2019-20 and FY 2020-21		
Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Misdemeanant Complaints	10,050	22,847
DJJ 2012 % Approved for Court	58%	58%
Number of Complaints Approved for Court	5,829	13,251
Minutes Required per Juvenile Case	169.75	169.75
Total Additional Minutes Required - Clerk	989,473	2,249,357
Minutes per FTE -Clerk	85,426	85,426
FTE Required for Juvenile Cases - Clerk	11.58	26.33
Current Minutes Required for Adult Cases	974,850	2,216,159
FTE Required for Adult Cases	11.41	25.94
FTE Difference (Juvenile less Adult) - Clerk	0.00	0.50
Salary and Benefit Costs - Clerk	\$57,155	\$60,339
Other Recurring Position Costs	\$9,227	\$9,441
Non-Recurring Position Costs	\$3,032	\$3,102
Total Position Cost - Clerk	\$0	\$36,441

**Estimated Cost: Assistant District Attorneys
FY 2019-20 and 2020-21**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
Misdemeanant Complaints	10,050	22,847
DJJ 2011 % Approved for Court	58%	58%
Number of Complaints Approved for Court	5,829	13,251
Minutes Required per Juvenile Case	35	35
Total Additional Minutes Required - ADA	204,015	463,785
Minutes per FTE - Asst. District Attorney	90,720	90,720
FTE Required for Juvenile Cases - ADA	2.25	5.11
Current Minutes Required for Adult Cases	201,000	456,940
FTE Required for Adult Cases	2.22	5.04
FTE Difference (Juvenile less Adult) - ADA	0.00	0.00
Salary and Benefit Costs - Asst. District Attorney	\$133,714	\$141,162
Other Recurring Position Costs	\$23,992	\$24,548
Non-Recurring Position Costs	\$4,012	\$4,106
Total Position Cost - ADA	\$0	\$0

**Total AOC Position Costs
FY 2019-2020 and FY 2020-21**

Fiscal Year	FY 19-20	FY 20-21
Age of Juvenile at Time of Offense	16-17	16-18
District Court Judge FTE	0.00	0.00
District Court Judge Position Cost	\$0	\$0
Deputy Clerk FTE	0.00	0.50
Deputy Clerk Position Cost	\$0	\$36,441
ADA FTE	0.00	0.00
ADA Position Cost	\$0	\$0
Total New FTE	0.00	0.50
Total Cost All AOC Positions	\$0	\$36,441

Indigent Defense Services (IDS)

The Office of Indigent Defense Services (IDS) provides public defenders for defendants found to be indigent. In FY 2010-11, 45.1 percent of adults charged with a non-traffic misdemeanor were found to be indigent. IDS currently pays the same hourly rate (\$55) to private assigned counsel (PAC) for juvenile and adult cases. However, IDS reports that there may be some change in per case expenditures based on the average amount of time PAC spend on misdemeanor cases in district court compared to juvenile court. In

FY 2010-11, the average cost per adult misdemeanor case was \$228.24 compared to \$265.58 for juvenile misdemeanor cases, a difference of \$37.34.

To determine the impact of the bill on IDS, Fiscal Research assumed that 45.1 percent of the new population approved for court (2,629 in the first year of implementation) would have been found indigent in adult court. This number was multiplied by \$37.34 (the difference in the cost per case for juveniles versus adults) to calculate the increased cost for existing indigent cases that would be moved to juvenile court. For example, in the first year of implementation, 2,629 cases times the difference in case costs adjusted for inflation (\$45) equals \$118,305.

However, G.S. 7B-2000 states that “[a]ll juveniles shall be conclusively presumed to be indigent”. So, it is reasonable to assume that more than 45.1 percent of the new juvenile cases will require PAC counsel. Assuming that the parents will retain private counsel in ten percent of the cases, 90 percent of juvenile cases will require indigent defense services. The costs for 45.1 percent (the number receiving services in adult court) have been calculated above, leaving 44.9 percent that will require new services (45.1 percent plus 44.9 percent equals 90 percent). The cost for the new cases requiring services can be calculated by multiplying the number of new cases times the cost per case. For example, in the first year of implementation 44.9 percent of the cases equals 2,617 cases. 2,617 times the cost per case adjusted for inflation (\$320) equals \$837,440.

Finally, the total cost for the existing indigent cases was added to the cost for the new indigent cases to determine the total cost for IDS. In the first year of implementation, that cost will be \$955,745 (\$118,305 plus \$837,440 equals \$955,745). When the bill is fully implemented, the cost is estimated to be \$2.2 million.

Estimated Costs: Indigent Defense Services			
FY 2019-2020 and FY 2020-21			
Fiscal Year		FY 19-20	FY 20-21
Age of Juvenile at Time of Offense		16-17	16-18
DJJ 2012 % Approved for Court		58%	58%
Number of Complaints Approved for Court		5,829	13,251
Percentage of Adult Cases Found Indigent		45.1%	45.1%
Number of Complaints Indigent in Adult Court		2,629	5,976
Increase in per Case Amount for Juvenile Court (adj. for inflation)		\$45.00	\$46.00
Subtotal Additional Cost for Juveniles		\$118,305	\$274,896
Percentage of Additional Indigent Juvenile Cases		44.9%	44.9%
Number of Additional Indigent Juvenile Cases		2,617	5,950
Cost per Case (adj. for inflation)		\$320	\$326
Subtotal Cost for Additional Indigent Juveniles		\$837,440	\$1,939,700
Total IDS Costs		\$955,745	\$2,214,596

General Assumptions

General assumptions used throughout this analysis are listed below. In instances where an assumption was used only for a particular calculation, that assumption is noted in the appropriate section of the analysis.

1. The bill transfers 16- and 17-year-olds who commit misdemeanors or infractions to the juvenile system, except in the case of violations of motor vehicle laws. Most infractions are violations of

motor vehicle laws. Any non-motor vehicle infractions would have a negligible impact on the juvenile system and therefore were not included in the calculations of new complaints.

2. Policies and practices currently in place in the Division of Juvenile Justice will be used to manage and treat the new population. This analysis assumes no significant changes will be made to the current system if 16- and 17-year-olds are added.
3. The bill does not describe what will happen in cases where a 16- or 17-year-old is charged with both a misdemeanor and a felony. For the purposes of this analysis, it is assumed that all misdemeanors will be heard in the juvenile system; none will be transferred to the adult system in conjunction with additional felony charges.
4. All costs have been adjusted for inflation based on the rates found on Moody's economy.com, downloaded in March, 2012.
5. All full-time equivalent (FTE) numbers have been rounded to the nearest half position, except for judges, which were rounded to the nearest whole position.
6. No funding was estimated prior to the first year of implementation. It is assumed that there will be gradual build-up of services required throughout the year, as not everyone in the projected population will commit a crime and have a complaint filed against them on July 1, 2019. Since the increase in population will be gradual, there is time during the first year of implementation for hiring and training of new staff.

SOURCES OF DATA: North Carolina Sentencing and Policy Advisory Commission, Department of Public Safety, Administrative Office of the Courts, Indigent Defense Services, Vera Institute of Justice *Cost Benefit Analysis of Raising the Age of Juvenile Jurisdiction in North Carolina*, January 10, 2011.

TECHNICAL CONSIDERATIONS: None.

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