

Putting Justice
in North
Carolina's
Juvenile System



Youth Justice Project
Southern Coalition for Social Justice

October 2017

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**Youth Justice Project (YJP) of the
Southern Coalition for Social Justice**

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The Southern Coalition for Social Justice (SCSJ), a 501(c)3 nonprofit organization, partners with communities of color and economically disadvantaged communities in the south to defend and advance their political, social and economic rights through the combination of legal advocacy, research, organizing and communications.

Through its Youth Justice Project (YJP), SCSJ works to ensure equity, fairness, and justice for North Carolina youth in high-quality education, juvenile, and criminal systems. The YJP's current focus is on dismantling the school-to-prison pipeline — a system of laws, policies, and practices that push students out of school and into the juvenile and criminal systems — through collaboration, community education, communication, and resource development.

For more information, visit www.southerncoalition.org and www.youthjusticenc.org.

Introduction

In North Carolina, during 2016, 27,522 juvenile complaints were filed against 12,303 children under the age of 16. Over 60% (5,655) of those young people ended up going to juvenile court to face potentially life-altering prosecution. A large percentage of those who went to court became further entangled in the juvenile system – detained prior to and after their hearings; adjudicated delinquent and placed on supervised probation; or committed to a so-called “Youth Development Center”¹ for a term that may last for years.²

Such widespread impact on so many precious young lives necessitates careful scrutiny of the juvenile system. This scrutiny is even more critical now. With the recent passage and signing into law of the Juvenile Justice Reinvestment Act, North Carolina, beginning in December 2019, will no longer automatically charge all 16- and 17-year-olds as adults in the criminal system.³ It is estimated that, once implemented, this reform will save over 5,500 young people each year from entering the criminal system and facing the short- and long-term negative consequences of an adult criminal record.⁴

Raising the age of juvenile court jurisdiction to include 16- and 17-year-olds is undoubtedly a positive development for youth. However, to ensure that children and adolescents are treated fairly, additional changes need to occur. This issue brief highlights some of the challenges and offers recommendations for improving outcomes for youth without compromising public safety.

The five major barriers examined in this issue brief are that North Carolina’s current juvenile system:

1. Continues to have developmentally inappropriate limits on jurisdiction;
2. Is too often used as a dumping grounds for students that schools consider difficult to serve;
3. Lacks adequate defense representation for all youths;
4. Ties harmful, potentially lifelong collateral consequences to youths; and
5. Is characterized by persistent, large racial, gender and geographic disparities.

This issue brief comes with four caveats. First, the list of obstacles described herein is not exhaustive. Other significant challenges that affect the system and its ability to effectively treat youths include:

- The impacts of poverty on youths involved in the system;⁵
- Inadequate funding for preventative and rehabilitative services;⁶
- Budget cuts for the juvenile system;⁷
- Overzealous prosecutors who prioritize adjudications (*i.e.*, convictions) over justice;⁸
- Judges who lack expertise in juvenile law, adolescent development, and best practices in juvenile delinquency; and
- Widespread violations of the Prison Rape Elimination Act (PREA) and its requirement to keep youth safe from sexual assault while incarcerated.⁹

Approximately one-in-four North Carolina children live in poverty; and half live in low-income families. (KidsCount Data Center)

Second, reducing the number of youth referred to juvenile court for low-level offenses is essential; however, it is not addressed in detail in this issue brief. In 2016, approximately 10% of juvenile

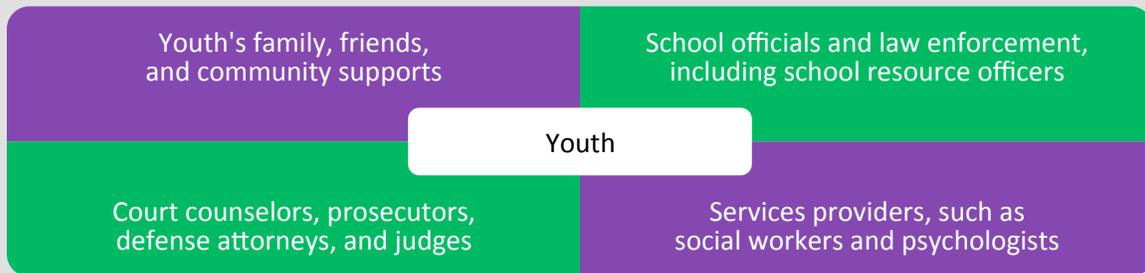
complaints were for infractions and status offenses (e.g., truancy); and 63% were for “minor” delinquency offenses under state law – Class 1, 2, and 3 misdemeanors.¹⁰ These low-level, non-violent offenses should be handled with community-based alternatives to arrest and court, such as restorative justice, restitution, counseling, community service, and substance abuse treatment. Such diversion programs are more rehabilitative, and thus, better for public safety than traditional processing of youths in the juvenile system. They are also less expensive, allowing funding to be redirected toward serving higher risk youths who enter the system. Finally, community-based alternatives are more conducive to youths building long-term relationships with supportive adults and other positive connections in their communities. Decreasing reliance on juvenile court to handle infractions, status offenses, and other low-level misdemeanors is critical.

Third, many caring, smart, dedicated people work in North Carolina’s juvenile system. This issue brief is in no way meant a critique of them.

Fourth, despite the concerns with North Carolina’s juvenile system described in this issue brief, prosecuting youths in the adult criminal system is not an appropriate alternative. In fact, the problems with the adult system are significantly worse than those in the juvenile system. Raising the age of juvenile court jurisdiction was the right decision for North Carolina and must be expanded to include all young people and all crimes.

North Carolina's Juvenile Delinquency System

Common Actors in the Delinquency System



Summary of the Delinquency Court Process



North Carolina's Division of Juvenile Justice

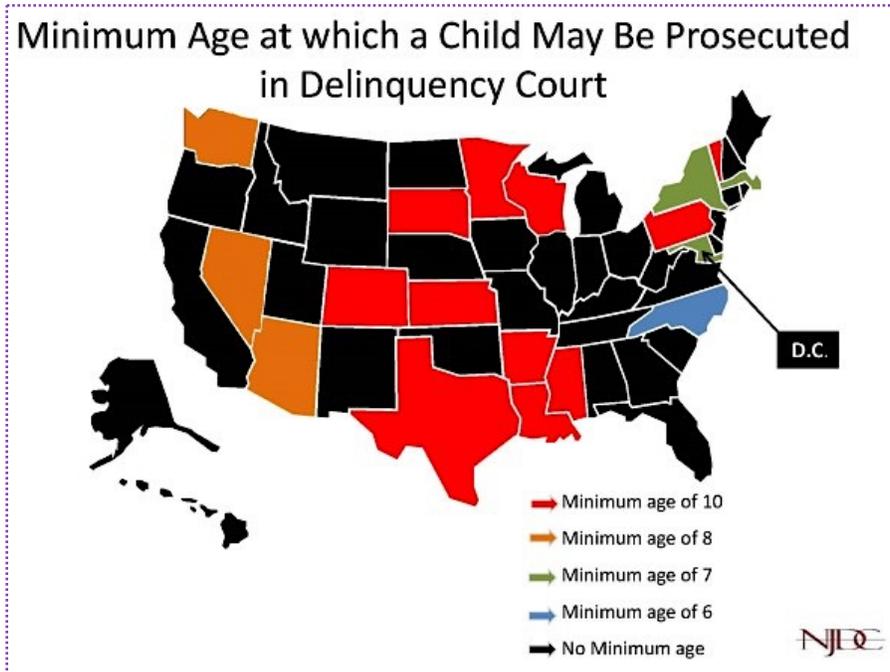
Approximately **\$130,000,000** budget and **1,290** staff positions¹¹
 Court counselors in juvenile court offices in **30** Court Services districts¹²
 Partnerships with Juvenile Crime Prevention Councils in each of the State's **100** counties¹³
 Contracts with over **500** community programs, such as therapeutic and residential programs¹⁴
6 state-run detention centers, **2** county-operated detention centers, and **5** youth development centers¹⁵
\$97,981 annual cost per youth development center bed (State Fiscal Year 2013-14)¹⁶
27,522 complaints against **12,303** juveniles (2016)¹⁷
2,749 detention center admissions and **187** youth development center commitments (2016)¹⁸

#1: Developmentally Inappropriate Limits on Juvenile Court Jurisdiction

In late June 2017, with the passage and signing into law of the Juvenile Justice Reinvestment Act, North Carolina finally committed to raising the upper limit of juvenile court jurisdiction to age 17 for most offenses.¹⁹ Previously, state law had set the upper limit at age 15, making North Carolina the only state in the country to automatically treat *all* youths age 16 and older as adults when charged with a criminal offense.²⁰ While the increase in age is a victory for youths, families, and advocates, the statutory change does not fully address the problems with North Carolina's ages of juvenile court jurisdiction and continues to allow developmentally inappropriate uses of adult courts for children. Specifically:

- The new statutory provisions increasing the upper age of juvenile court jurisdiction to include 16- and 17-year-olds do not go into effect until December 2019.²¹ This means that, for more than two years, thousands of 16- and 17-year-olds will continue to suffer the negative consequences of being treated as adults.²²
- Once the new law goes into effect, certain felonies (Classes A-G) and traffic offenses will continue to be handled in adult court for all 16- and 17-year-olds.²³ This contradicts growing evidence that, in most instances, handling youth who have committed more serious crimes in the juvenile system is better for public safety and the individual young person.²⁴
- There is ambiguity as to how the new law will impact youth who are already in the adult system when the law goes into effect.²⁵ Youths involved in the adult criminal system before December 2019 may have to stay in that system. Further, 16- and 17-year-olds who have an adult criminal record prior to December 2019 may be sent to the adult system instead of the juvenile system for subsequent offenses because North Carolina has historically been known as a “once an adult, always an adult” state.²⁶
- In North Carolina, the *minimum* age of juvenile court jurisdiction is six;²⁷ meaning that children as young as six years old can be prosecuted and labeled “delinquent,” including for offenses like disorderly conduct in school. North Carolina has the lowest age of juvenile court jurisdiction among *all* states that specify a minimum age.²⁸ See Figure 1.

Figure 1: Map from the National Juvenile Defender Center (2015)²⁹



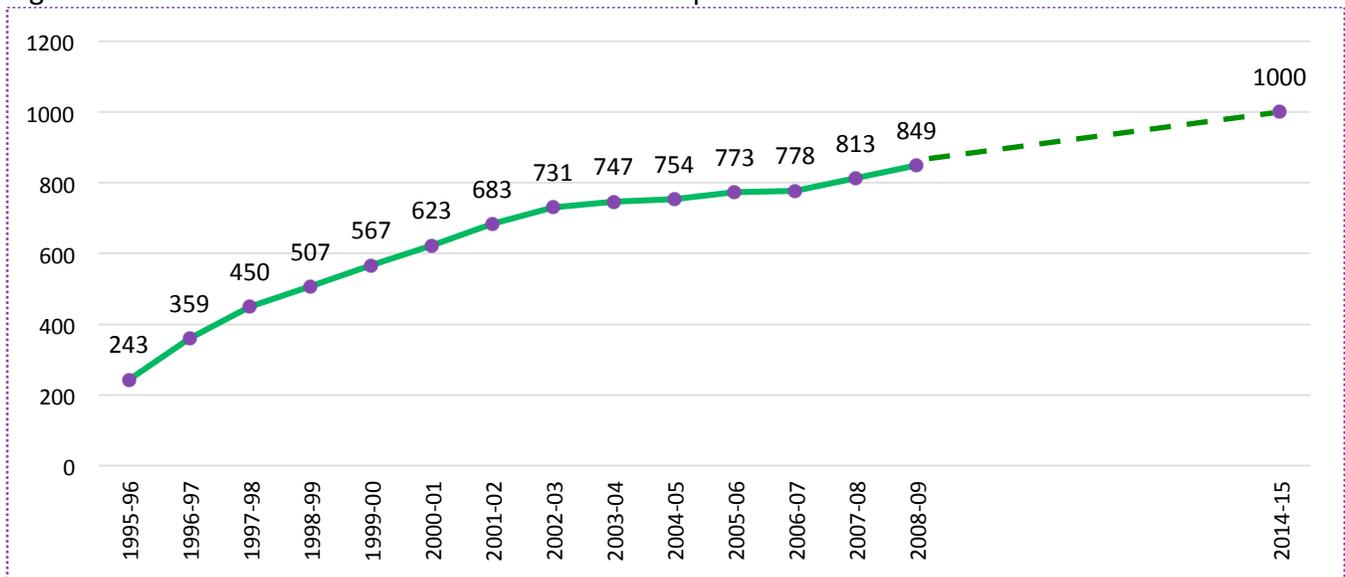
To put JUSTICE in North Carolina’s juvenile system, North Carolina must continue to enact policy and statutory changes that will increase the number of youth who are handled in the juvenile system instead of the adult system and raise the minimum age of juvenile court jurisdiction to at least age 10.

#2: Dumping Grounds for Schools

The juvenile system is often treated as a dumping ground for North Carolina’s public school students. Students are pushed out of school and onto a path toward the juvenile and criminal systems as a result of suspension, school policing, and other punitive disciplinary practices – a phenomenon known as the “school-to-prison pipeline.”

School Policing: There are approximately 1,000 law enforcement officers patrolling North Carolina’s public schools on a full-time basis – called “school resource officers” or SROs.³⁰ This represents a 312% increase since the first recorded census of SROs in 1995-96.³¹ See Figure 2. Additionally, some districts have their own security staff and/or contract with private security corporations that supply guards.³² In the vast majority of localities, there are no school-based limitations on whether and when SROs, other security personnel, or school staff may interrogate, arrest, or file complaints against students.

Figure 2: Law enforcement officers in North Carolina public schools on a full-time basis³³



Given such a large law enforcement presence, compounded by few limitations on school-based arrests and court referrals, it is unsurprising that in 2016, there were 11,630 school-based delinquency complaints, which accounted for 42% of all juvenile complaints.³⁴ “Disorderly conduct at school” was the third most common type of delinquency complaint.³⁵ In 13 counties, two-thirds or more of delinquency complaints were school-based.³⁶ Most delinquency complaints are filed for offenses occurring between noon and 4:00 p.m. during weekdays³⁷ – *i.e.*, during school hours.³⁸ Finally, only 8% of school-based complaints were for alleged felonies, compared to 40% of non-school-based complaints.³⁹

Suspension: Moreover, research shows that when students are out of school, they are much more likely to become court-involved.⁴⁰ During the 2015-16 school year, North Carolina public schools issued: 216,895 short-term suspensions (*i.e.*, out-of-school suspensions lasting one to 10 school days) to 116,467 different students; and 1,036 long-term suspensions (*i.e.*, out-of-school suspensions lasting

11 school days up to the remainder of the school year) to 1,005 students. Students missed over one million combined days of classroom instruction as a result of in-school and out-of-school suspension.⁴¹ Notably, the Juvenile Justice Reinvestment Act contains a provision related to excessive school policing and exclusionary discipline. The Act requires that the Administrative Office of the Courts “prescribe policies and procedures for chief district court judges to establish school-justice partnerships with local law enforcement agencies, local boards of education, and local school administrative units with the goal of reducing in-school arrests, out-of-school suspensions, and expulsions.”⁴² If done correctly, these school-justice partnerships have the potential to keep students accused of minor offenses in school and out of court.

**To put JUSTICE in North Carolina’s juvenile system,
we must dramatically reduce school suspensions and school-based court referrals.**

#3: Inadequate Defense Representation System

Youths facing delinquency prosecution have a constitutional and statutory right to an attorney.⁴³ Fifty years ago, the U.S. Supreme Court wrote: “The juvenile needs the assistance of counsel to cope with problems of law, to make skilled inquiry into the facts, to insist upon regularity of the proceedings, and to ascertain whether he has a defense and to prepare and submit it. The child ‘requires the guiding hand of counsel at every step in the proceedings against him.’”⁴⁴ However, states nationwide, including North Carolina, fail to provide meaningful, timely, and qualified legal defense for the one million delinquency cases that appear in juvenile courts each year.⁴⁵

North Carolina does not have a statewide system of juvenile defense. Instead, it has a county-based system – a hodgepodge of types of representation across 100 counties.⁴⁶ Depending on the locale, there are six primary types of attorneys who represent youths in delinquency court:

1. Private attorneys who are hired and paid directly by someone on behalf of the young person;⁴⁷
2. Private attorneys who sign up to be on a local list of attorneys who are appointed in delinquency cases, and then bill the State, through the Office of Indigent Defense Services (IDS), for their services in each case (called “privately assigned counsel”);
3. Private attorneys who enter into contracts with IDS to handle delinquency cases in a given geographic area;
4. Assistant public defenders who are on salary in a traditional public defender’s office;
5. Attorneys who work at a nonprofit organization that has a contract with IDS to handle delinquency cases in a given geographic area; and
6. Professors and students in law school clinics at the University of North Carolina and North Carolina Central University.⁴⁸

Challenges Associated with Privately Assigned Counsel (according to IDS)

- Less ability to ensure quality and to provide resources and training
- Inefficiency, particularly if local lists are too large or too small for caseloads
- Unpredictability of costs
- Incentive for attorneys to overwork cases to increase hours
- Retention of qualified, experienced attorneys
- Administrative burden on clerks and judges

An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings in North Carolina, published in 2003 by the American Bar Association’s Juvenile Justice Center, found widespread:

- Unequal representation across counties and attorneys;
- Confusion about the role of counsel;
- Inadequate training, standards, investigative services, client contact, motions practice, advocacy for detained youth, advocacy at adjudication and disposition, post-dispositional advocacy and collateral representation, and system resources; and
- Few notices of appeal.⁴⁹

“[T]he right to counsel is the right to effective assistance of counsel.” – U.S. Supreme Court, *Strickland v. Washington*, 466 U.S. 668 (1984)

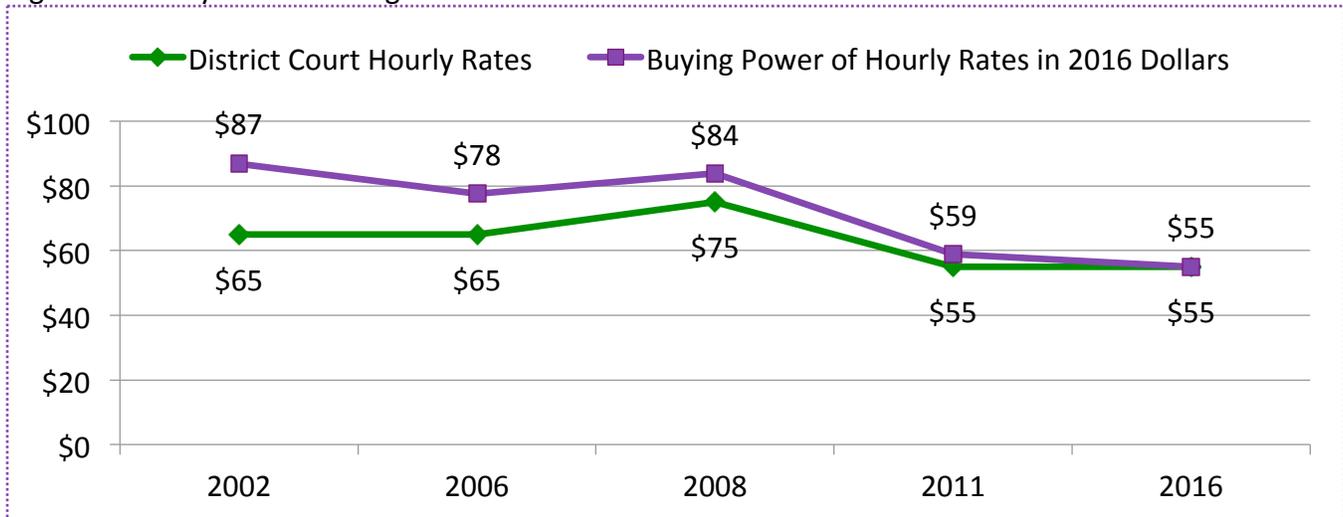
In response, the Office of the Juvenile Defender (OJD) was created within IDS. Since its inception in 2005, the OJD has made important strides in changing the culture captured in the Center’s report.⁵⁰ The University of North Carolina (UNC) School of Government has also aided in providing improved training and resources for juvenile defenders.⁵¹ Additionally, there are some excellent juvenile defense attorneys in North Carolina.

However, juvenile defense representation on the whole continues to suffer many of the problems identified in 2003. In sum, juvenile defense in North Carolina lacks adequate resources, specialization, and accountability.

Lack of Resources: Funding for the OJD is grossly inadequate. In State FY 2014-15, expenses for the entire OJD totaled only \$274,157 (0.2% of IDS’ total costs).⁵² Moreover, payment of juvenile defense attorneys is insufficient. The current hourly rate for most juvenile defense cases is \$55.⁵³ In State FY 2014-15, the State paid, on average, only \$255.62 to privately assigned counsel for an *entire* delinquency case.⁵⁴ In contrast, in 2013-14, the median *hourly* rate for North Carolina firm attorneys was \$300.⁵⁵ In a 2011 survey by the North Carolina Bar Association, over 80% of attorneys reported billing clients over \$100 per hour; more than half billed over \$175 per hour.⁵⁶

In 2011, the hourly rate for juvenile cases was slashed by 27%.⁵⁷ In a survey conducted by IDS following the cuts, over 80% of attorneys reported that the rate cut resulted in lower quality representation. Other themes among survey responses included a resulting emphasis on quantity rather than quality, inadequate time spent on cases, and a decline in the level of experience among attorneys taking cases. The survey report reads, “The net result is that there are more indigent cases and less available qualified attorney hours to devote to them.”⁵⁸ IDS “conservatively” estimates that “the rate at which attorneys are leaving indigent defense has increased at least 33% and probably closer to 50%.”⁵⁹ Taking into account inflation, assigned attorneys are earning 37% less today than they were in 2002.⁶⁰ See Figure 3.

Figure 3: Hourly rates for assigned counsel in district court⁶¹



Lack of Specialization: The OJD has promoted training and specialization, including coordinating contracts for private attorneys to handle the majority of delinquency cases in a jurisdiction, initiating a juvenile delinquency law sub-specialty certification with the North Carolina State Bar,⁶² organizing an annual juvenile defender conference with the UNC School of Government,⁶³ and compiling resources for juvenile defenders.⁶⁴

“Attorneys must specialize in the field of juvenile defense in order to effectively represent clients in delinquency court.” – *National Juvenile Defense Standards, Rule 1.3 Commentary*

In 2007, the OJD published *Juvenile Delinquency Performance Guidelines* that call for juvenile defense counsel to possess specific training and expertise.⁶⁵ Various national standards promulgated by the American Bar Association,⁶⁶ National Juvenile Defender Center,⁶⁷ and the National Council of Juvenile and Family Court Judges⁶⁸ similarly emphasize the importance of juvenile defense attorneys having knowledge and experience, not only with juvenile law and court practice, but also adolescent development, communicating with youths, child-serving institutions, community resources for youths, and related areas of law, such as special education.

Despite the best efforts of the OJD and national standards, there is no statewide requirement that attorneys representing youths in delinquency cases have specialized training and knowledge. Consequently, in some jurisdictions, attorneys who have little to no knowledge of or experience with juvenile law or working with youths take delinquency cases.

Lack of Accountability: Due largely to the aforementioned resource starvation, juvenile defense in North Carolina also suffers from insufficient accountability. The OJD is responsible for “evaluating the current system of representation.”⁶⁹ However, the OJD has only two attorneys, those attorneys have a multitude of other responsibilities,⁷⁰ and the “current system” involves hundreds of attorneys handling thousands of juvenile cases in dozens of courts.⁷¹ Accordingly, the OJD does not have the resources, for example, to regularly observe and evaluate attorneys or to survey youths, parents, judges, court counselors, and others about the performance of defense counsel.

“[D]efenders should be supervised and periodically evaluated for competence and efficiency.” – *ABA, 10 Principles of a Public Defense Delivery System, #10*

Even if the OJD had more resources, its authority to increase accountability may remain limited – chiefly because of overemphasis on local control in courts. For instance, it cannot establish mandatory and enforceable statewide training and performance requirements for attorneys handling juvenile cases or remove private attorneys from local appointment lists for underperformance.

As the state prepares to raise the age in the next two years, there is opportunity to improve upon a system that is incredibly varied in both quality of and resources for juvenile defense representation across the state. OJD, in partnership with IDS, should identify measures to address the imminent increase of youth in the juvenile system in need of adequate representation.

**To put JUSTICE in North Carolina’s juvenile system,
we must dramatically increase funding, specialization, and accountability
for attorneys representing youth in delinquency cases.**

#4: Harmful Collateral Consequences

Youths entangled with North Carolina’s juvenile system face harmful collateral consequences,⁷² which the American Bar Association defines as “the results of arrest and court involvement that go beyond the juvenile justice system and may affect a youth’s access to public education, employment, public housing, public benefits, voting rights, and other sources of opportunity and support.”⁷³ Examples of collateral consequences include:

- **School Enrollment:** School districts may deny enrollment to any student who has been “convicted” of a felony.⁷⁴ Although “juveniles” are not technically “convicted” in juvenile court (rather, they are “adjudicated”),⁷⁵ many students, parents, and school district personnel are unaware of the distinction. Consequently, youths are wrongly denied enrollment.
- **School Exclusion:** If a petition is filed alleging that a juvenile committed a felony, other than a motor vehicle offense, juvenile court counselors must notify the principal of the juvenile’s school.⁷⁶ Schools can suspend or expel students based on the notification by the juvenile court of a *pending* delinquency petition – before any meaningful due process or formal finding of responsibility – if the act violates school rules or if the juvenile is considered a danger to himself or others.⁷⁷
- **High School Athletics:** Any high school student who is convicted of a felony or adjudicated delinquent for an offense that would be a felony if committed by an adult is not eligible to participate in any North Carolina High School Athletic Association sports programs.⁷⁸
- **College Admissions:** Some college and university applications ask about juvenile court adjudications.⁷⁹ See Figure 4.



Figure 4: Excerpt from the “Common Application” used by Duke,⁸⁰ NC State,⁸¹ UNC Chapel Hill,⁸² UNC Wilmington,⁸³ and others (NC A&T⁸⁴ and Winston Salem State⁸⁵ ask the same question on their own applications. Wake Forest asks a similar question.⁸⁶)

Disciplinary History

① Have you ever been found responsible for a disciplinary violation at any educational institution you have attended from the 9th grade (or the international equivalent) forward, whether related to academic misconduct or behavioral misconduct, that resulted in a disciplinary action? These actions could include, but are not limited to: probation, suspension, removal, dismissal, or expulsion from the institution. Yes No

② Have you ever been adjudicated guilty or convicted of a misdemeanor, felony, or other crime? Yes No
 [Note that you are not required to answer “yes” to this question, or provide an explanation, if the criminal adjudication or conviction has been expunged, sealed, annulled, pardoned, destroyed, erased, impounded, or otherwise ordered by a court to be kept confidential.]

If you answered “yes” to either or both questions, please attach a separate sheet of paper that gives the approximate date of each incident, explains the circumstances, and reflects on what you learned from the experience.

- **Driver’s License:** If a youth is adjudicated delinquent, the court can decide that he or she may not possess a driver’s license for as long as the court has jurisdiction over her or for a shorter period as determined by the court.⁸⁷
- **Employment:** Some job applications ask about prior arrests, but do not specify whether juvenile arrests are included.⁸⁸
- **Housing:** Public housing authorities may evict families of delinquent children, even if their delinquent conduct does not occur on public housing property.⁸⁹ Housing applications may ask about arrests, which could include juvenile arrests.⁹⁰ See Figures 5.

Figure 5: Greensboro Housing Authority Application⁹¹

G. Criminal Background History

Have you or any member of your household ever been charged or convicted of any crime(s)?

Yes No

If yes, explain:

- **Immigration:** A juvenile adjudication is not considered a conviction for immigration purposes.⁹² However, certain grounds of inadmissibility and deportability do not depend upon conviction; mere “bad acts” can trigger inadmissibility (e.g., preventing a finding of “good moral character” in naturalization cases) or deportability.⁹³ In addition, merely appearing in court subjects an undocumented youth to surveillance from state actors that could lead to the deportation of her or her family.
- **Military Service:** All branches of the military are required to do criminal background checks on applicants, which include juvenile citations, arrests, and adjudications.⁹⁴ Juvenile adjudications may negatively impact a prospective enlistee’s “moral fitness.”⁹⁵ Even delinquency charges that do not result in an adjudication may require a waiver for enlistment.⁹⁶
- **Sex Offender Registry:** In any case in which a youth was at least 11 years of age at the time of the offense and is adjudicated delinquent for committing a specific type of sexual offense,⁹⁷ the judge, upon a finding that the youth is a danger to the community, may order that the youth join the Sex Offender Registry.⁹⁸

- **Future Punishment:** Juvenile adjudications may come back to haunt individuals involved in criminal proceedings, including in pre-trial release decisions, plea negotiations, and sentencing.⁹⁹ Additionally, certain juvenile adjudications may be used as evidence of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake, entrapment, or accident in criminal prosecutions¹⁰⁰

**To put JUSTICE in North Carolina’s juvenile system,
we must eliminate barriers to successful re-entry and adulthood.**

#5: Large Disparities

Whether a youth becomes involved and how deep a youth is ensnared in North Carolina’s juvenile system depends, in part, on the youth’s race, gender, and hometown.¹⁰¹ Further, while North Carolina does not maintain data on the sexual orientation or gender identity of the young people in the juvenile system, national data make clear that, across the country, lesbian, gay, bisexual, and transgender youth are disproportionately represented throughout the juvenile process.¹⁰²

Racial Disparities: In 2016, African American youths were 25% of the population under age 18,¹⁰³ but subjected to 49% of delinquency complaints,¹⁰⁴ 63% of detention center admissions,¹⁰⁵ 76% of youth development center (YDC) commitments.¹⁰⁶ See Figure 6. These disparities have been similar for many years. See Figure 7.

Figure 6: African American youths in North Carolina’s juvenile system (2016)¹⁰⁷

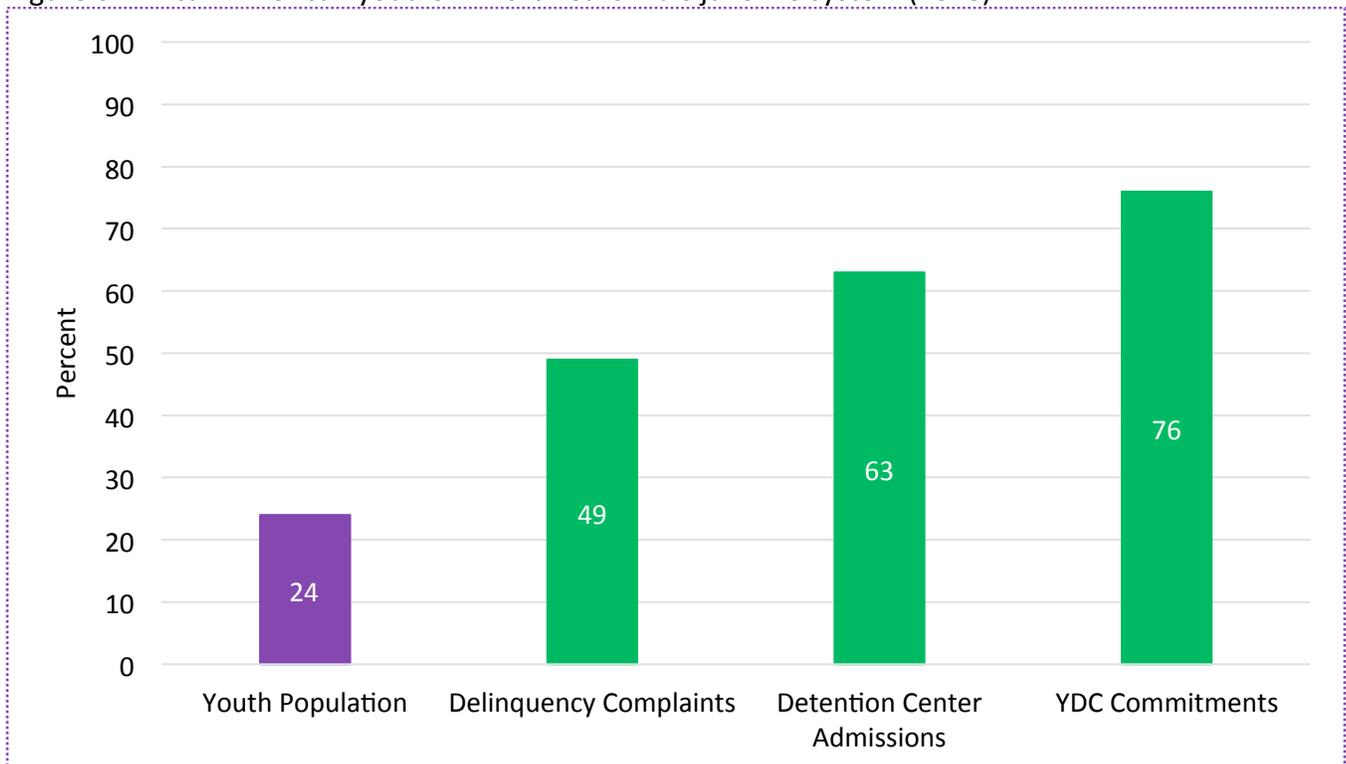
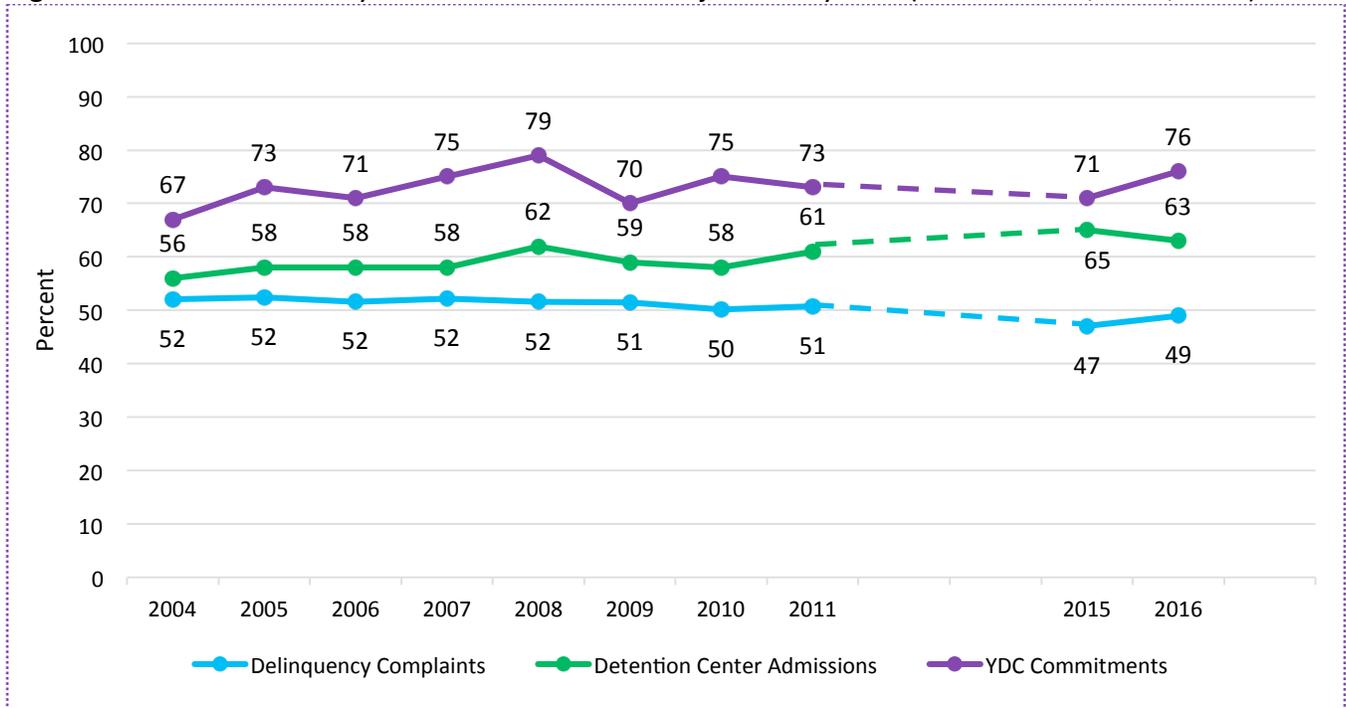
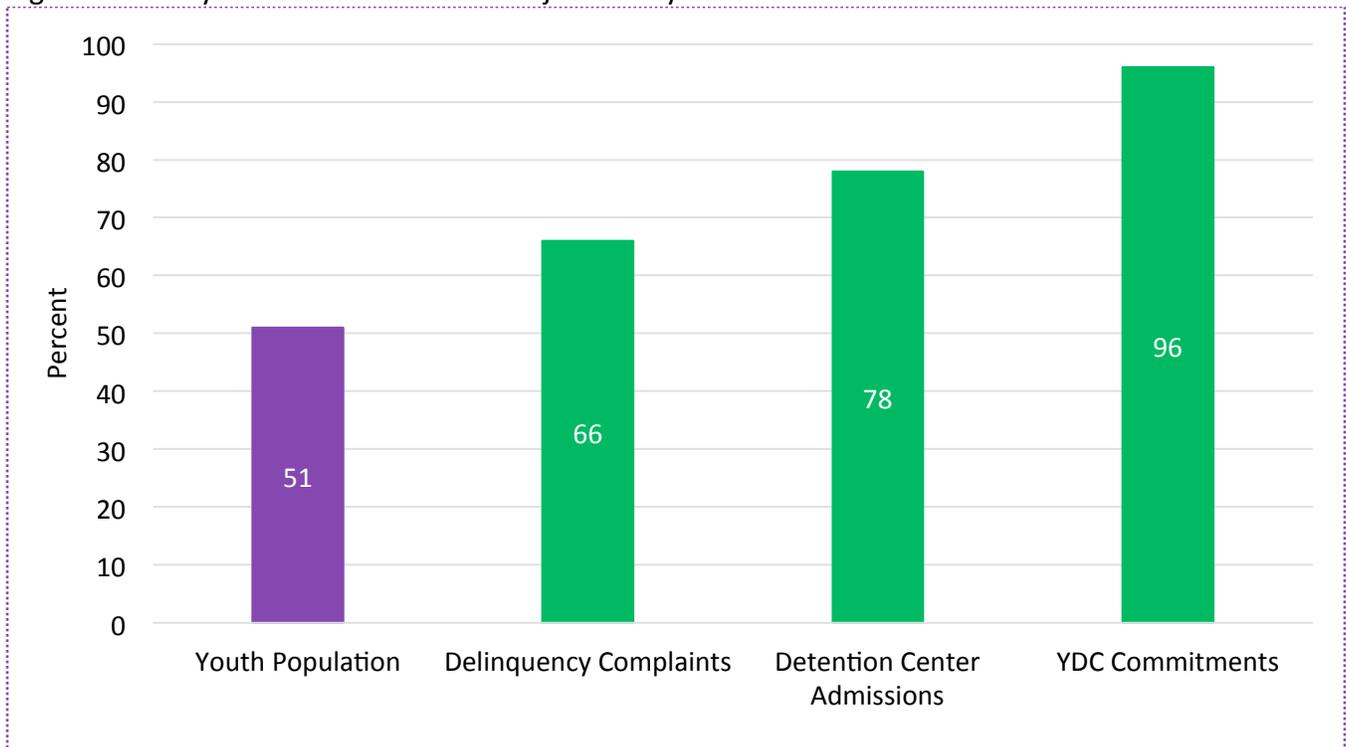


Figure 7: African American youths in North Carolina’s juvenile system (2004 to 2011, 2015, 2016)¹⁰⁸



Gender Disparities: In 2016, male youths were 51% of the statewide youth population,¹⁰⁹ but were subjected to 66% of delinquency complaints,¹¹⁰ 78% of detention center admissions,¹¹¹ and 96% of YDC commitments.¹¹² See Figure 8.

Figure 8: Male youths in North Carolina’s juvenile system¹¹³



Geographic Disparities: Among North Carolina’s 100 counties in 2016, delinquency rates varied dramatically, ranging from 1.47 to 73.78 per 1,000 youths age six to 15.¹¹⁴ See Figure 9.

Figure 9: Counties with lowest and highest delinquency rates per 1,000 youths age six to 15 (2016)¹¹⁵

Counties with the Lowest Rates				Counties with the Highest Rates			
County	Rate	County	Rate	County	Rate	County	Rate
Camden	1.47	Clay	6.92	Macon	34.15	Cleveland	39.76
Orange	5.39	Greene	7.34	Lenoir	37.78	Martin	44.12
Johnston	6.06	Washington	7.35	Lee	38.30	Avery	49.22
Bladen	6.35	Vance	8.05	Pitt	38.92	Halifax	50.35
Gates	6.43	Montgomery	8.47	Scotland	39.38	Chowan	73.78

**To put JUSTICE in North Carolina’s juvenile system,
we must eliminate disparities.**

Conclusion

This issue brief is intended to draw attention to and stimulate dialogue about the systemic problems with North Carolina’s juvenile system. As the juvenile system begins planning to implement the changes mandated by the Juvenile Justice Reinvestment Act, it is essential to focus on improving the system so it is able effectively serve all youths, including the 16- and 17-year-olds who will soon enter the system. Resolving the issues described herein will not be without challenges; they are complicated and deeply entrenched, and necessitate large investments of resources. However, North Carolina has a community of advocates who are deeply committed to youth justice; examples from other states and extensive research provide roadmaps to a better system; and reform will produce long-term savings for the state. In the months and years to come, the Southern Coalition’s Youth Justice Project and its partners will continue working diligently to advance common sense solutions and to put justice in North Carolina’s juvenile system.

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Endnotes

¹ N.C. Dep't of Pub. Safety., Dep't of Juvenile Justice, *Juvenile Facility Operations: Youth Development Centers* (last visited Sept. 15, 2017), <https://www.ncdps.gov/Juvenile-Justice/Juvenile-Facility-Operations/Youth-Development-Centers> (Youths who are adjudicated for offenses that occurred prior to their 16th birthday may be committed to the Juvenile Justice section and assigned to a youth development center, which is the most restrictive, intensive dispositional option available to North Carolina's juvenile courts. A commitment is typically for an indefinite period of at least six months and may continue until the youth's 18th birthday. The commitment period may be extended until the youth's 19th or 21st birthday if the youth was committed for a particular violent offense. A youth must be at least 10 years old to be committed.).

² N.C. Dep't of Pub. Safety., Div. of Adult Corr. and Juvenile Justice, *Juvenile Justice: 2016 Annual Report* 14 (2017) (<https://files.nc.gov/ncdps/documents/files/JJ%20Annual%20Report-web-small.pdf>) (In 2016, 12,303 juveniles were involved in 27,522 complaints received, and 5,655 youth had one or more complaints approved for court.) [hereinafter *DJJ 2016 Report*].

³ N.C. Gen. Stat. § 7B-1601(b) (2001).

⁴ Will Doran, *Fact checking the debate over whether to 'Raise the Age' for North Carolina's teenage suspects*, *The News & Observer*, May 3, 2017, <http://www.newsobserver.com/news/politics-government/state-politics/article148369584.html>.

⁵ Annie E. Casey Found., *North Carolina: Children in Poverty*, KidsCount Data Center (last visited Sept. 15, 2017), <http://datacenter.kidscount.org/data/tables/2238-children-in-poverty?loc=35&loct=2#detailed/2/35/false/36,868,867,133,38/any/12873,4680> (Over 500,000 children (approximately one-quarter of all children) live in poverty, and over one million children (approximately half of all children) live in low-income families, which is defined as living below 200% of the federal poverty level.).

⁶ Laila A. Bell, *When It Comes to Child Well-Being, State Investments Matter*, NC Child (last visited Sept. 15, 2017), <http://www.ncchild.org/news/comes-child-well-state-investments-matter/>; Action for Children, NC Child, *Building Brighter Futures: Renewing North Carolina's Commitment to Children and Youth* 2 (http://www.ncchild.org/wp-content/uploads/2014/05/2012_Building-Brighter-Futures-Renewing-North-Carolinas-Commitment-to-Children-and-Youth.pdf).

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