



Rehabilitative Programs & Services
 Research & Decision Support Analysis Unit

IMPACT ANALYSIS & FISCAL NOTE

HOUSE BILL 339

Young Offenders Rehabilitation Act

September 24, 2015

Fiscal Research staff asked the Division of Adult Correctional & Juvenile Justice (DACJJ) to provide the impact, fiscal and otherwise of House Bill 399 **Young Offenders Rehabilitation Act [v.4]**, particularly the impact on the Juvenile Justice Section. House Bill 399 extends the jurisdiction of the Juvenile Justice System to individuals at least 16 years of age but less than 18 years. The bill amends numerous statutes with limited impacts on Adult Correction and significant impacts on Juvenile Justice. Research and Decision Support Analysis staff used data and analysis provided by the Administrative Office of the Courts (AOC), the North Carolina Sentencing and Policy Advisory Commission (SPAC) staffs, as well as DACJJ data to estimate the impact on juvenile court services, juvenile facilities, juvenile community programs, prison custody, and the adult community corrections population.

This bill expands the definition of a delinquent juvenile to include juveniles who are at least 16 years of age but less than 18 years and who commit a crime or infraction except for violations of the motor vehicle laws, gang-related offenses, Class A-G felonies, Class A1 misdemeanors where assault is an essential element of the offense, or indirect contempt. Though there are some anticipated impacts on the adult correctional system, the majority of impact on the Division is within juvenile justice.

Adult Correction

Based on fiscal year 2013-2014 court data, SPAC projects more than 5,100 individuals meeting the conditions for placement under juvenile jurisdiction will no longer enter the adult system. However, SPAC also report minimal impact to the adult prison system since very few of these individuals receive active prison sentences, and misdemeanors with active sentences would have served those terms in the State Misdemeanant Confinement Program.

The community corrections population is likely to decrease as a result of the proposed legislation since the majority of the offenders removed from the adult system will have received inactive sentences. Adult resources will be impacted if 60 high risk offenders or 120 low risk offenders within a single Judicial District are no longer convicted and sentenced to supervised probation or exit prison to post-release supervision. Table 1 shows the distribution of individuals entering community supervision meeting these conditions in fiscal year 2014-2015. Based on these figures, the Section expects a reduction of 5 probation officers throughout the state.

Table 1: Offenders Aged 16 or 17 Entering Supervision for a Qualifying Offense by Judicial District

| District | % 16/17 YO | Offenders Removed | % L1 & L2 | High Risk Cases | % L4 & L5 | Low Risk Cases |
|-------------|------------|-------------------|-----------|-----------------|-----------|----------------|
| Jud Dist 01 | 2.7% | 109 | 8.3% | 9 | 12.5% | 14 |
| Jud Dist 02 | 1.1% | 44 | 8.33 | 4 | 25.0% | 11 |
| Jud Dist 03 | 2.8% | 111 | 20.0% | 22 | 15.0% | 17 |

| District | % 16/17 YO | Offenders Removed | % L1 & L2 | High Risk Cases | % L4 & L5 | Low Risk Cases |
|---------------|------------|-------------------|-----------|-----------------|-----------|----------------|
| Jud Dist 04 | 1.7% | 70 | 19.2% | 13 | 15.4% | 11 |
| Jud Dist 05 | 5.5% | 216 | 23.0% | 50 | 10.4% | 22 |
| Jud Dist 06 | 2.4% | 95 | 12.0% | 11 | 32.0% | 30 |
| Jud Dist 07 | 4.4% | 174 | 29.5% | 51 | 11.8% | 20 |
| Jud Dist 08 | 3.6% | 141 | 28.0% | 40 | 13.8% | 19 |
| Jud Dist 09 | 1.2% | 49 | 41.0% | 20 | 17.6% | 9 |
| Jud Dist 10 | 9.1% | 360 | 27.0% | 97 | 6.7% | 24 |
| Jud Dist 11 | 4.6% | 181 | 29.0% | 52 | 6.3% | 11 |
| Jud Dist 12 | 3.2% | 125 | 3.8% | 5 | 7.7% | 10 |
| Jud Dist 13 | 1.7% | 67 | 27.2% | 18 | 9.1% | 6 |
| Jud Dist 14 | 3.7% | 146 | 26.8% | 39 | 9.8% | 14 |
| Jud Dist 15 | 1.7% | 70 | 13.3% | 9 | 13.3% | 9 |
| Jud Dist 16 | 3.8% | 151 | 17.0% | 26 | 17.1% | 26 |
| Jud Dist 17 | 1.4% | 58 | 20.0% | 12 | 10.0% | 6 |
| Jud Dist 18 | 3.3% | 130 | 25.0% | 33 | 11.1% | 14 |
| Jud Dist 19A | 7.7% | 304 | 31.3% | 95 | 17.9% | 54 |
| Jud Dist 19B | 2.7% | 109 | 38.4% | 42 | 11.5% | 13 |
| Jud Dist 20 | 2.9% | 114 | 26.6% | 30 | 6.7% | 8 |
| Jud Dist 21 | 5.6% | 220 | 30.9% | 68 | 3.6% | 8 |
| Jud Dist 22 | 5.4% | 213 | 26.2% | 56 | 11.5% | 25 |
| Jud Dist 23 | 2.7% | 109 | 26.6% | 29 | 26.7% | 29 |
| Jud Dist 24 | 0.7% | 28 | 42.8% | 12 | 28.6% | 8 |
| Jud Dist 25 | 1.4% | 56 | 25.0% | 14 | 0.0% | 0 |
| Jud Dist 26 | 6.1% | 241 | 22.9% | 55 | 4.6% | 11 |
| Jud Dist 27 | 1.7% | 70 | 16.6% | 12 | 5.6% | 4 |
| Jud Dist 28 | 1.1% | 46 | 53.3% | 25 | 0.0% | 0 |
| Jud Dist 29 | 2.0% | 81 | 43.4% | 35 | 8.7% | 7 |
| Jud Dist 30 | 0.7% | 30 | 22.2% | 7 | 11.1% | 3 |
| Totals | | 3,917 | | 991 | | 444 |

Juvenile Justice

Based on data from the Administrative Office of the Courts' Research and Planning Division (AOC), the juvenile justice system is likely to receive 24,667 additional complaints involving youth aged 16 or 17 whose charges meet these conditions each year. Based on FY 2014-2015 DACJJ data for youth aged 15 at the time of offense with complaints in these same classes, these complaints are estimated to represent 11,581 distinct juveniles (2.13 complaints per juvenile).

At-Risk Youth

In addition to these court figures, the continuum of services within local communities provided through Juvenile Crime Prevention Council programs (JCPC) will be impacted by an increase in referrals of the "at-risk" population of 16 and 17 year olds, otherwise stated as those that have no JJ complaint and need early intervention. These JCPC admissions are diverted from the juvenile justice system from referral sources such

as district court, schools and school resource officers (SRO’s). These at-risk youth also come to the attention of juvenile services as a court counselor consultation where no formal action on an allegation is needed. In FY2014-2015, of the 21,985 JCPC admissions there were 5,662 that were aged 15 at admission. Using state demographer’s age data for 2014, these youth represent approximately 4.3% of the total North Carolina 15 year old population (130,872)¹. Thirty percent (30%) of these 15 year old JCPC admissions in FY2014-2015 had a legal status of “at risk” (no JJ involvement).

To project the total number of 16 and 17 year old youth considered “at-risk”, the Section took the projected 2020 population of 16 and 17 year olds in North Carolina (270,516) and multiplied this figure by 4.3% to account for potential JCPC involvement.² This figure (11,633) was then multiplied by 30% to account for the proportion of projected JCPC participants anticipated to be in the “at-risk” category. In total, we project that approximately 3,490 additional youth aged 16 or 17 will require assignment to a JCPC each year.

Court Services Intakes

Based on FY 2014-2015 DACJJ data for juveniles aged 15 at the time of offense, complaints closed vary by offense class. Based on these statistics and the figures provided by AOC we estimate that 17% of complaints will be closed. In total, this formula estimates slightly fewer than 20,500 cases will be processed through Court Services. Based on methods used by the General Assembly Fiscal Research Division (FRD) for a similar bill (HB725, Session 2013), we estimate a need for an additional 68 court counselors to process these complaints (Table 2).

Table 2: Impacts to Courts Services Intakes

| Penalty Class | Complaints | Pct. Closed | Intakes | | |
|---------------|------------|-------------|---------|--------------------------------|---------|
| H | 2,055 | 2.6% | 2,002 | Complaints 2015 | 24,667 |
| I | 1,219 | 2.7% | 1,186 | Intakes | 20,331 |
| A1 | 172 | 0.0% | 172 | Estimated Hours for Intake | 6 |
| 1 | 9,081 | 14.1% | 7,801 | Total Hours | 121,986 |
| 2 | 5,279 | 20.2% | 4,213 | Annual Working Hours | 1,800 |
| 3 | 4,647 | 21.9% | 3,629 | Estimated Court Counselor Need | 68 |
| Infractions | 2,214 | 40.0% | 1,328 | | |
| | 24,667 | | 20,331 | | |

Diversion Supervision

Based on FY 2014-2015 DACJJ data for juveniles aged 15 at the time of offense; diversion from court varies by penalty class. Based on these statistics and the figures provided by AOC, we estimate that 21.5% of these complaints will be diverted. In total we estimate slightly more than 5,300 cases representing 2,494 distinct juveniles will be diverted from court with 998 (40.0%) of these youth spending an average of 120 days in a community program. Based on methods used by FRD for a similar bill (HB725, Session 2013), we estimate a need for an additional 55 court counselors to supervise these cases (Table 3).

¹ Office of State Budget and Management. *North Carolina Population by Age, 2010-2019*. http://www.osbm.state.nc.us/ncosbm/facts_and_figures/socioeconomic_data/population_estimates/demog/statesingleage_2010_2019.html. Accessed September 23, 2015: 12:20.

² Office of State Budget and Management. *North Carolina Population by Age, 2020-2029*. http://www.osbm.state.nc.us/ncosbm/facts_and_figures/socioeconomic_data/population_estimates/demog/statesingleage_2020_2029.html. Accessed September 23, 2015: 12:25.

Table 3: Impacts to Diversion Supervision

| Penalty Class | Complaints | Pct. Diverted | Intakes | | |
|---------------|------------|---------------|---------|---|-------|
| H | 2,055 | 3.3% | 68 | 2015 Percent Diverted Prior to Court | 22% |
| I | 1,219 | 3.7% | 45 | Number of Complaints Diverted | 5,313 |
| A1 | 172 | 20.0% | 34 | Average Complaints Per Juvenile | 2.13 |
| 1 | 9,081 | 21.4% | 1,943 | Number of New Juveniles | 2,494 |
| 2 | 5,279 | 23.9% | 1,262 | Average Days Under Supervision | 108 |
| 3 | 4,647 | 27.9% | 1,297 | Diversion Cases per Counselor | 45 |
| Infractions | 2,214 | 30.0% | 664 | Estimated Counselors Needed | 55 |
| | 24,667 | 21.5% | 5,313 | | |
| | | | | Percent of New Diverted Juveniles to JCPC Program | 40% |
| | | | | Number of Diverted Juveniles to JCPC (120 ADP) | 998 |

Detention

Juveniles whose cases come through intake may be placed in detention. Based on FY 2014-2015 DACJJ intake statistics and complaint figures provided by AOC we estimate that 83% of complaints, representing 9,545 distinct juveniles, will be processed through Court Services intake. Based on methods used by FRD for a similar bill (HB725, Session 2013), we estimate a need for 4,862 additional detention bed days, 13 detention beds, to house these juveniles (Table 4).

Table 4: Impacts on Detention Beds

| Penalty Class | Complaints | Pct. Closed | Intakes | | |
|---------------|------------|-------------|---------|--------------------------------|--------|
| H | 2,055 | 2.6% | 2,002 | Percent Sent to Detention | 3.0% |
| I | 1,219 | 2.7% | 1,186 | Average Days in Detention | 17 |
| A1 | 172 | 0.0% | 172 | Complaints Approved for Intake | 20,331 |
| 1 | 9,081 | 14.1% | 7,801 | Complaints per Juvenile | 2.13 |
| 2 | 5,279 | 20.2% | 4,213 | Number of Juveniles Charged | 9,545 |
| 3 | 4,647 | 21.9% | 3,629 | Juveniles in Detention | 286 |
| Infractions | 2,214 | 40.0% | 1,328 | Additional Detention Bed Days | 4,862 |
| | 24,667 | | 20,331 | Additional Beds | 13 |

Court Dispositions

Juveniles with complaints approved for court may have the complaint dismissed or adjudicated. The SPAC analysis does not project the disposition level of the 5,131 juveniles expected to enter the juvenile system from the adult system. In order to provide a scenario of potential impact, DACJJ made a number of assumptions about court dispositions for the 5,131 juveniles estimated by SPAC to be adjudicated as juveniles (see Assumptions section). The scenario applies the distribution of dispositions from the SPAC disposition data for juveniles aged 15 at the time of offense and assumes the dispositional distribution for juveniles aged 16 or 17 is equivalent. Combined with the figures on anticipated convictions from the adult system and gender statistics for actively sentenced youth, the scenario provides an estimate of the number of youth who may be adjudicated and disposed becoming eligible for community supervision, community programs, and/or commitment to a Youth Development Center (YDC).

These estimates from this scenario are the basis for projected additions to these populations. Based on methods used by FRD for a similar bill (HB725, Session 2013), we estimate these dispositions will create a need

for an additional 171 court counselors to supervise cases, three (3) additional Eight-Bed Multi-purpose Group Homes, two (2) Five-Bed Transitional Living Homes, and seven (7) Ten-Bed dorms to support the need for an additional 105 Level 2 residential contracted beds. Furthermore, additional contract funds to support 4,346 (290 residential assignments and 4,056 community-based contractual/JCPC program assignments), and 108 additional YDC beds, 97 of these for male and 11 for female juveniles. (Table 5)

Table 5: Disposition of Juveniles and Impacts on Community Supervision, Community Programs, and YDCs

| Penalty Class | Juveniles | Level 1 | Level 2 | Level 3 | | |
|--|-----------|---------|-------------|---------|---------------------------------|--------|
| Class H | 602 | 144 | 409 | 48 | Total Complaints | 24,667 |
| Class I | 144 | 35 | 98 | 12 | 2015 Percent Approved for Court | 60.2% |
| Class A1 | 47 | 11 | 32 | 4 | Convictions | 5,131 |
| Class 1 | 2,605 | 1,824 | 755 | 26 | Level 1 Disposition (62.9%) | 3,227 |
| Class 2 | 1,066 | 746 | 309 | 11 | Level 2 Disposition (35.0%) | 1,796 |
| Class 3 | 667 | 467 | 193 | 7 | Level 3 Disposition (2.1%) | 108 |
| Totals | 5,131 | 3,227 | 1,796 | 108 | | |
| Percentages | | 62.9% | 35.0% | 2.1% | | |
| Cases Per Court Counselor | | | | 30 | | |
| Estimated Counselor Need (Supervision) | | | | 171 | | |
| Percent Level 1 Juveniles to JCPC Programs | | | | 65.0% | | |
| Additional Level 1 Program Admissions | | | | 3,336 | | |
| Percent Level 2 Juveniles to JCPC Programs | | | | 56.2% | | |
| Additional Level 2 Admissions | | | | 1,010 | | |
| YDC Beds Needed | | | | 108 | | |
| | | | Male Beds | 97 | | |
| | | | Female Beds | 11 | | |

Estimated Funding Required

In addition to the population increase in the Juvenile Justice system requiring additional counselor staff and residential space, additional staff supervisory and administrative support, equipment and capital needs, as well as funds to support contracts for community programs have been identified.

Juvenile Court Services:

These estimates indicate that to provide adequate supervision to the additional population, Juvenile Justice will require 294 additional court counselors (68 for intakes, 55 for diverted cases and 171 for adjudicated juveniles). An additional 37 Juvenile Court Counselor Supervisors (8 counselors per supervisor) are required to adequately manage the additional staff. In addition, to provide adequate administrative support for the additional certified staff, 41 Office Assistants are needed (8 staff per Office Assistant).

Recurring non-personnel costs are calculated by prorating historical data, including transportation costs associated with work in the community and in homes of juveniles. Startup costs include purchasing 166 new vehicles (2 staff per vehicle), office furnishings, computers and other equipment and technology services. Annual operating costs include approximately \$20.6 million in personnel costs along with \$1.2 million (~ \$21.8 million); additional start-up costs amount to approximately \$5.1 million supporting a total of 372 positions. (Table 6)

Table 6: Estimated Court Services Costs

| ACCOUNT | DESCRIPTION | SALARY & FRINGE | ONE- TIME COSTS | RE-CURRING |
|-----------|---|-------------------|-----------------|-------------------|
| 531211 | SALARY AND WAGES | 15,070,879 | | 15,070,879 |
| | 37 COURT COUNSELOR SUPERVISOR 47,662 EACH 1,763,494 | | | |
| | 171 JUVENILE COURT COUNSELORS 40,885 EACH 6,991,335 | | | |
| | 68 INTAKE COURT COUNSELORS 40,885 EACH 2,780,180 | | | |
| | 55 DIVERSION COURT COUNSELORS 40,885 EACH 2,248,675 | | | |
| | 41 OFFICE ASSISTANT IV 31,395 EACH 1,287,195 | | | |
| | 372 TOTAL POSITIONS 15,070,879 | | | |
| 531511 | SOCIAL SECURITY CONTRIBUTIONS 7.65% | 1,152,922 | | 1,152,922 |
| 531521 | RETIREMENT CONTRIBUTIONS 15.32% | 2,308,859 | | 2,308,859 |
| 531561 | HOSPITALIZATION CONTRIBUTIONS 5,471 | 2,035,212 | | 2,035,212 |
| | TOTAL PERSONAL SERVICES | 20,567,872 | | 20,567,872 |
| | <i>**Based on minimum salaries**</i> | | | |
| 532140 | OTH INFORMATION TECH SVC | | | 16,993 |
| 532199 | MISC CONTRACTUAL SERVICE | | | 18,017 |
| 532199004 | MISC SVC-INTERPRETER SVC | | | 8,216 |
| 532199034 | MISC - INTERPT SVC-DEAF | | | 796 |
| 532430 | MAINT AGREEMENT OTHER EQUIPMENT | | | 11,336 |
| 532441 | MAINT AGRMT - OTHER SOFTWARE | | | 16,613 |
| 532521 | RENT/LEASE MOTOR VEHICLES | | | |
| 532523 | RENT/LEASE VOICE COMM EQUIPMENT | | | 173,622 |
| 532524 | RENT/LEASE GENERAL OFFICE EQUIPMENT | | | 44,721 |
| 532721 | LODGING - IN STATE | | | 29,968 |
| 532724 | MEALS - IN STATE | | | 12,287 |
| 532811 | TELEPHONE SERVICE | | | 157,060 |
| 532812 | TELECOMMUNICATION DATA CHARGE | | | 187,210 |
| 532814 | CELLULAR PHONE SERVICES (Monthly cell phone and air card) | | | 193,676 |
| 532826 | SOFTWARE SUBSCRIPTIONS | | | 224,685 |
| 532840 | POSTAGE, FREIGHT & DELIVERY | | | 33,932 |
| 532840003 | POST, FR&DEL - POSTAL METER | | | 1,982 |
| 533110 | GENERAL OFFICE SUPPLIES | | | 27,413 |
| 533120 | DATA PROCESSING SUPPLIES | | | 25,839 |
| 533150 | SECURITY & SAFETY SUPPLIES | | | 4,750 |
| 534511 | OFFICE FURNITURE | | 1,311,300 | |
| | 1 WORKSTATION 1500 EACH | | | |
| | 1 EXECUTIVE CHAIR 600 EACH | | | |
| | 1 SIDE CHAIRS 400 EACH | | | |
| | 1 FILE CABINETS 650 EACH | | | |
| | 1 BOOKCASE 375 EACH | | | |
| | 3,525 TOTAL/EA | | | |
| 534521 | EQUIPMENT - PERSONAL COMPUTERS LAPTOP & PRINTER | | 482,484 | |
| | 1 COMPUTER LAPTOP 949 EACH | | | |
| | 1 PRINTER 169 EACH | | | |
| | 1 LAPTOP MT FOR VEH 179 EACH | | | |
| | 1,297 TOTAL/EA | | | |
| 534534 | PC / PRINTER EQUIPMENT | | | 16,738 |
| 534539 | OTHER EQUIPMENT | | | 7,224 |
| 534541 | VEHICLES | | 3,281,200 | |
| | 144 SEDAN \$21,000 EACH \$3,024,000 | | | |
| | 10 4WD SUV \$25,000 EACH \$250,000 | | | |
| | 12 SCREENS \$600 EACH \$7,200 | | | |

| ACCOUNT | DESCRIPTION | SALARY & FRINGE | ONE- TIME COSTS | RE-CURRING |
|---------|--|-----------------|-----------------|-------------------|
| | TOTAL | | | |
| 166 | TOTAL POSITIONS | \$3,281,200 | | |
| | TOTAL NON-PERSONNEL COST | | | |
| | TOTAL REQUIREMENTS | 20,567,872 | 5,074,984 | 1,223,792 |
| | RECEIPTS | - | 5,074,984 | 21,791,664 |
| | APPROPRIATIONS | 20,567,872 | - | - |
| | NUMBER OF POSITIONS | 372 | 5,074,984 | 21,791,664 |
| | TOTAL FIRST YEAR OPERATIONAL REQUIREMENTS | | 372 | 26,866,648 |

Juvenile Community Programs

The following estimates address the increased need for capacity and contract funding for juvenile community programs. These figures are based on the statistics provided by the AOC, contained in the SPAC analysis of HB399 population impacts, OSB population projections and DACJJ data.

At-Risk and Diverted Youth: JCPC programs serve both at-risk and diverted youth using state funds awarded through local JCPC. During FY2014-2015 the annualized cost to serve a single child was \$857.46. Based on this figure, the Section will need approximately \$3.85 million to serve the projected 3,490 at-risk youth and 998 youth diverted from the juvenile justice system after having a complaint filed.

| | |
|------------------------------|------------------------|
| At-Risk Youth | 3,490 |
| Diverted Youth | 998 |
| Annualized Cost per Juvenile | \$ 857.46 |
| Total Cost | \$ 3,848,280.48 |

Adjudicated Youth: Although the SPAC analysis expects the number of youth requiring community services will increase, no estimate of the impact was made due to a lack of historical data for this population in the juvenile justice system. In order to provide a scenario of potential impact on community programs funding, DACJJ made a number of assumptions about dispositions for the 5,131 juveniles expected to enter the juvenile system from the adult system. The distribution of dispositions from the SPAC data for juveniles aged 15 at the time of offense was applied to the anticipated adjudications. The resulting scenario provided an estimate of the number of youth dispositioned in Level 1, Level 2 and Level 3. These figures (see Table 5) inform the cost estimates for adjudicated youth.

During calendar year 2014 there were 11,609 juveniles on some type of supervision. During that year approximately 65% of these youth were served in JCPC with legal status beyond diversion. Based on these figures, which are not based solely on the 15 year old only population, we estimate that 3,335 of the 5,131 juveniles aged 16 or 17 projected by SPAC to be adjudicated will be assigned to a community program. The annualized cost per juvenile in these JCPC programs was \$857.46 during FY2014-2015. Based on these figure, the Section will need approximately \$2.9 million to serve the projected populations.

Using the FY2014-2015 distribution of Level 2 juveniles admitted to contract programs, we estimated the number of Level 2 juveniles who will be assigned into one of the contractual program types. Costs were

determined by using the annualized cost per youth in that program type. Approximately \$10.3 million in total programming costs are estimated.

| Level 2 Program | Level 2 Pct. | Assignments | Cost/Youth | Total Cost |
|--------------------------------|--------------|--------------|-------------|------------------------|
| JCPC Endorsed | 11.9% | 214 | \$2,224.00 | \$475,936.00 |
| ACP Programs | 4.4% | 80 | \$5,632.00 | \$450,560.00 |
| Functional Family Therapy | 23.7% | 426 | \$4,076.00 | \$1,736,376.00 |
| Residential Facilities | 15.0% | 270 | \$25,965.83 | \$7,010,774.10 |
| Transitional Living Facilities | 1.1% | 20 | \$30,556.00 | \$611,120.00 |
| | | 1,010 | | \$10,284,766.10 |

In addition to programming costs, capital costs for residential programs and transitional programs are also anticipated. To serve the 290 juveniles each year, 105 additional beds for residential and transitional living facilities are needed. At a cost of \$200,000 for construction of 7 additional 10-bed dorms equaling \$1,400,000 and \$3,375,000 for construction of 3 Eight –Bed Multi-purpose Group Homes, 2 Five-Bed Transitional Living Homes (no capital cost needed/lease agreement built into programming cost), an additional \$4,775,000 million in total capital funds is required to fill anticipated Level 2 residential need.

Administrative Support: Staff, supervisory, transportation and other administrative support costs will be necessary to support the additional population. Based on methods used by the General Assembly Fiscal Research Division (FRD) for a similar bill (HB725, Session 2013), we estimate a need for 4 additional Program Coordinator/Area Consultants (9,123 youth/51served per program/41 program case load), 2 program assistants (179 programs/125 caseload), 2 contract administrators (\$10 mill expansion/\$5 million caseload), 1 quality assurance specialist and 1 data analyst. Startup costs include purchasing 5 new vehicles (1 for each new Area Consultant and 1 for the central office contract manager staff), office furnishings computers, and other equipment. Total startup costs amount to \$153,220. Annual operating costs include \$650,212 in personnel costs and \$153,220 in start-up costs totaling \$836,330. This budget supports a total of 10 positions (Table 7).

Table 7: Estimated Community Programs Costs

| ACCOUNT | DESCRIPTION | SALARY & FRINGE | ONE TIME COSTS | RECURRING |
|-----------|---|-----------------|----------------|-----------|
| 531211 | SALARY AND WAGES | 484,266 | | 484,266 |
| | 4 Area Consultants 53,666 EACH 214,664 | | | |
| | 2 Program Assistants 36,295 EACH 72,590 | | | |
| | 2 Contract Administrators 50,673 EACH 101,346 | | | |
| | 1 Quality Assurance Specialist 53,666 EACH 53,666 | | | |
| | 1 Data Analyst 42,000 EACH 42,000 | | | |
| | 10 TOTAL POSITIONS 484,266 | | | |
| 531511 | SOCIAL SECURITY CONTRIBUTIONS 7.65% | 37,046 | | 37,046 |
| 531521 | RETIREMENT CONTRIBUTIONS 15.32% | 74,190 | | 74,190 |
| 531561 | HOSPITALIZATION CONTRIBUTIONS 5,471 | 54,710 | | 54,710 |
| | TOTAL PERSONAL SERVICES | 650,212 | | 650,212 |
| | <i>**Based on minimum salaries**</i> | | | |
| 532140 | OTH INFORMATION TECH SVC | | | 457 |
| 532199 | MISC CONTRACTUAL SERVICE | | | 484 |
| 532199004 | MISC SVC-INTERPRETER SVC | | | 221 |

| ACCOUNT | DESCRIPTION | SALARY & FRINGE | ONE TIME COSTS | RECURRING |
|-----------|---|-----------------|----------------|------------------|
| 532199034 | MISC - INTERPRT SVC-DEAF | | | 21 |
| 532430 | MAINT AGREEMENT OTHER EQUIPMENT | | | 305 |
| 532441 | MAINT AGRMT - OTHER SOFTWARE | | | 447 |
| 532521 | RENT/LEASE MOTOR VEHICLES | | | |
| 532523 | RENT/LEASE VOICE COMM EQUIPMENT | | | 4,667 |
| 532524 | RENT/LEASE GENERAL OFFICE EQUIPMENT | | | 1,256 |
| 532721 | LODGING - IN STATE | | | 806 |
| 532724 | MEALS - IN STATE | | | 330 |
| 532811 | TELEPHONE SERVICE | | | 4,222 |
| 532812 | TELECOMMUNICATION DATA CHARGE | | | 5,033 |
| 532814 | CELLULAR PHONE SERVICES (Monthly cell phone and air card) | | | 5,440 |
| 532826 | SOFTWARE SUBSCRIPTIONS | | | 6,040 |
| 532840 | POSTAGE, FREIGHT & DELIVERY | | | 912 |
| 532840003 | POST, FR&DEL - POSTAL METER | | | 53 |
| 533110 | GENERAL OFFICE SUPPLIES | | | 737 |
| 533120 | DATA PROCESSING SUPPLIES | | | 695 |
| 533150 | SECURITY & SAFETY SUPPLIES | | | 128 |
| 534511 | OFFICE FURNITURE | | 35,250 | |
| | 1 WORKSTATION | 1500 | EACH | |
| | 1 EXECUTIVE CHAIR | 600 | EACH | |
| | 1 SIDE CHAIRS | 400 | EACH | |
| | 1 FILE CABINETS | 650 | EACH | |
| | 1 BOOKCASE | <u>375</u> | EACH | |
| | | 3,525 | TOTAL/EA | |
| 534521 | EQUIPMENT - PERSONAL COMPUTERS LAPTOP & PRINTER | | 12,970 | |
| | 1 COMPUTER LAPTOP | 949 | EACH | |
| | 1 PRINTER | 169 | EACH | |
| | 1 LAPTOP MT FOR VEH | <u>179</u> | EACH | |
| | | 1,297 | TOTAL/EA | |
| 534534 | PC / PRINTER EQUIPMENT | | | 450 |
| 534539 | OTHER EQUIPMENT | | | 194 |
| 534541 | VEHICLES | | | |
| | 5 SEDAN | \$21,000 | EACH | \$105,000 |
| | 0 4WD SUV | \$25,000 | EACH | \$0 |
| | 0 SCREENS | \$600 | EACH | \$0 |
| | TOTAL | | | <u>\$105,000</u> |
| | 5 TOTAL POSITIONS | | | |
| | TOTAL NON-PERSONNEL COST | | 153,220 | 32,898 |
| | TOTAL REQUIREMENTS | 650,212 | 153,220 | 683,110 |
| | RECEIPTS | - | - | - |
| | APPROPRIATIONS | 650,212 | 153,220 | 683,110 |
| | NUMBER OF POSITIONS | 10 | 10 | 10 |
| | TOTAL FIRST YEAR OPERATIONAL REQUIREMENTS | | | \$836,330 |

Juvenile Facility Operations

The following estimates address the increased need for capacity in juvenile facility operations. These figures are based on the statistics provided in the SPAC analysis of HB399 population impacts. Though the SPAC analysis expects the number of YDC beds needed to increase, no estimate of the impact was made due to a lack of historical data for this population in the juvenile justice system. The SPAC analysis also reports that the impact of the bill on the detention center populations is unknown.

In order to provide a scenario of potential impact on YDCs, DACJJ made a number of assumptions about dispositions for the 5,131 juveniles expected to enter the juvenile system from the adult system (see Court Dispositions section). Based on methods used by FRD for a similar bill (HB725, Session 2013), we also estimated the number of detention bed days and beds needed (see Detention Section). We estimate that to meet the projected additional Level 3 dispositioned population, we will need \$7.5 million for capital construction costs plus \$10 million recurring costs to operate an additional 64-bed youth development center.

Detention Center capacity: The projection figures would increase the average daily population in the regional juvenile detention center system by 13 youth on an annualized basis. The projected youth can be served without expansion within 6 state operated regional juvenile detention centers and the 2 county operated regional juvenile detention centers. The average daily population for FY2014-2015 was 152 youth. The overall operational capacity for the 8 regional youth detention centers is 194 beds. The year to date average available capacity is 42 beds.

Youth Development Center capacity: The figures from the scenario would increase the average daily population in the youth development centers by 108 youth on an annualized basis. Approximately 41% (44 youth) of the projected increase can be served within the current youth development center capacity. The FY2014-2015 average daily population was 219 youth; the overall operational capacity for youth development centers is 261 beds. The year-to-date average available capacity is 42 beds. Based on the projections in this scenario, the facility operations section recommend building a 64-bed youth development center in order to serve the additional youth. (Table 8)

Table 8: Youth Development Center Capital and Operational Needs with Estimated Costs

| | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> | <u>2019-20</u> | <u>2020-21</u> |
|---------------------------------|----------------|----------------|----------------|----------------|----------------|
| Projected Additional Population | - | - | 45 | 60 | 64 |
| Total Cost | - | \$3,828,300 | \$7,283,295 | \$9,711,060 | \$10,358,464 |
| Positions | - | 60 | 131 | 131 | 131 |
| Capital | \$1,000,000 | \$5,450,000 | \$1,000,000 | - | - |

Though the Division proposes new construction to accommodate the additional Level 3 juveniles that would need secure placement and educational / clinical treatment services offered at YDC's, there is uncertainty in the actual number of youth who may be committed under the proposed legislation.

The capital expenditure is estimated to be \$7.45 million to construct one (1) 64-bed YDC with planning starting during FY2016-2017 and a completion date in FY2018-2019. The Division proposes hiring staff six months prior to accepting juveniles to train and prepare for the additional population in the second year of implementation - FY2018-2019. At full implementation, DACJJ estimates it will cost \$8 million to staff the 64-bed center with an additional \$2 million in non-personnel costs.

DACJJ recommend additional study to project the number of additional vehicles needed to provide secure transportation for the additional 108 youth served in youth development centers. This study would also indicate the number of drivers needed to safely transport the additional youth. The results of the study may affect overall operating costs above those projected here.

General Assumptions:

- Reporting behavior for complaints laid against juveniles aged 16 and 17 once placed under the jurisdiction of the juvenile system will be similar to those currently practiced by law enforcement, schools, and the public in general; there will be no increase or decrease in reporting behavior due to the change in jurisdiction.
- There is no deterrent or inflationary effect in delinquent behavior due to the change in jurisdiction.
- The proportions of complaints laid against juveniles aged 16 and 17 that are closed, diverted, and approved for court will mirror those of 15 year olds with complaints in qualifying penalty classes.
- The behavior of the judiciary with respect to juveniles aged 16 and 17 will not be significantly different from that observed for 15 year olds with complaints in qualifying penalty classes.
- The proportion of complaints approved for court and adjudicated will mirror convictions of youth aged 16 and 17 in the adult system with the qualifying penalty classes.
- The proportion of males and females in the adjudicated Level 3 population will mirror that of the youth aged 16 and 17 who are given active sentences in the adult system.
- The proportion of youth aged 16 and 17 charged with Class G and H felons who will be detained is 3%, with an average length of stay of 17 days in detention.
- Youth aged 16 and 17 charged with offenses in non-qualifying penalty classes adjudicated to a lower qualifying penalty class will remain in the adult system.
- Includes any and all assumptions contained within the data provided to DACJJ by the AOC and SPAC.

Facility Operations

- School compulsory age stays at 16.
- Clinical services and educational administrative positions required in order to meet licensure requirements; federal and state.
- Detention and youth development centers required to accept youth throughout the state.
- Federal requirements regarding the conditions of confinement and education of youth do not change. Including any Prison Rape Elimination Act requirements (PREA).
- Offender specific facilities / programming not designated.
- Assumption that there will be available community placement for youth with severe mental health needs.
- No provision for separate male / female facility.
- Possible additional medical / dental costs associated with an older population have not been taken into account. Especially the older female population.
- Youth committed to the Department could be up to 21 years old.

Youth Development Centers

- Building of one (1) 64-bed facility.
- Staffing includes increase in educational positions. Increase in programming to address older youth's educational needs. (Community college, vocational / technical education, distance learning, and traditional high school course study).

Detention

- No additional capacity increase in required.
- Transportation drivers are NOT included. Volume of youth going to court and ability to transfer in a safe manner will increase.
- Durham and Guilford County Detention Centers remain open and at current capacity.

Capital Budget

- Department will have to acquire / purchase land for the facilities and infrastructure (electrical, sewer, gas). Land acquisition and associated costs NOT included in capital budget.
- YDC facility design would be based on current 44 bed designs.
- Capital budget numbers include equipment / furnishing requests.
- Increase will be provided to meet inflationary costs.