

Governor-Elect Perdue
Transition Advisory Group Sessions
Session Summary 5

Crime Control and Juvenile Justice

November 25, 2008

Session Arranged by the
Governor-Elect Perdue Transition Team

Session Facilitated by the
Small Business and Technology
Development Center (SBTDC)

Report Prepared by the
UNC-Chapel Hill School of Government

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Crime Control and Juvenile Justice

SECTION 1. Executive Summary

After hearing reports from the N.C. Department of Crime Control and Public Safety (CCPS) and the N.C. Department of Juvenile Justice and Delinquency Prevention (DJJDP) on the significant activities of the departments and the issues that they face, session participants focused their discussion on six broad topics. Those topics included (1) prevention and reentry; (2) demographic changes and race; (3) workforce development, training, and professionalism; (4) interdepartmental communication; (5) program performance measurement; and (6) information systems. The issues within those broad topics that generated the most interest among the participants are listed below.

1. Prevention and Reentry
 - With respect to juveniles, a lack of coordination among state agencies and systems, including the Department of Correction, the DJJDP, the Crime Commission, the courts, and the schools
 - Variability (in terms of programs and quality) among the Juvenile Crime Prevention Councils
 - Lack of family accountability
2. Demographic Changes and Race
 - Understanding Disproportionate Minority Contact (DMC), including identifying its causes (discrimination, poverty, etc.) and understanding its implications in the schools and as to crime
 - The impact of criminal records on minorities
3. Workforce Development, Training, and Professionalism
 - Training
 - Discipline and dismissal
 - Dealing with perceptions
4. Interdepartmental Communications
 - Accountability as to performance
 - Sharing of information about violent crimes and public safety
 - Services to children are in separate “silos”
5. Program Performance Measurement
 - The need for evaluation of juvenile programs, including recidivism rates and the severity of recidivism
 - Clear and accurate measurements of issues such as recidivism, judicial accountability, professionalization, and intervention

6. Information Systems

- Administrative Office of the Courts (AOC) software is often out of date and does not interface with the system used by law enforcement
- Need for ongoing public input
- Review rules on sharing of juvenile information
- Self-evaluation of programs

As reported below, in some cases participants offered a solution or solutions to address the identified issue.

SECTION 2. Process Used in Session

The session began with presentations by CCPS and DJJDP, summarizing activities of the departments and the significant issues that they face. A question-and-answer period followed. During the lunch break, the two facilitators, two School of Government staff members, and the transition team member assigned to this session identified the six broad topics for expanded discussion in the afternoon. During the afternoon session, the participants worked in small groups to identify issues relating to each broad topic, with each group spending ten minutes on each of the six broad topics. In some cases, the participants offered proposed solutions. There was no consensus as to the relevant issues or solutions; rather, this was a brainstorming exercise in which all ideas were captured, even if the idea generated disagreement among the participants or was of interest to only one person. All of this work was recorded on flip charts. In order to prioritize the identified issues, the participants then “voted” for the issues of greatest importance. Participants recorded their votes by placing adhesive dots on the flip charts by the issues they determined to be most important. Finally, participants were invited to submit index cards and worksheets identifying other issues of importance to them. A summary of those submissions is included in the electronic supplementary material, along with comments submitted after the session by those who could not attend.

SECTION 3. Participant List

SBTDC facilitators: Tim Janke and Kevin McConnaghy

UNC-Chapel Hill School of Government reporters: Janet Mason and Jessica Smith

Perdue Transition Team representative: Will Polk

Attendees:

| | | |
|---------------------|------------------|------------------------|
| Reed Adams | Tim Amburn | Jerry Braswell |
| Marie Brodie | Brandy Bynum | Eddie Caldwell |
| Roger Dail | Sam Eberts | Dennis Gaddy |
| Richard Glaser | Kit Gruelle | Randy Hagler |
| Linda Hayes | Bob Hensley | Sheriff Worth Hill |
| Chief William Hogan | Robin Jenkins | Monika Johnson Hostler |
| Gordon Keith | Joe Kennedy | Hamid Kusha |
| Donald Mial | Shari Miller | Sheriff Jerry Monette |
| Judge Marcia Morey | Charlene Norwich | Jenni Owen |

| | | |
|------------------|------------------|------------------|
| Todd Owen | Frank Palombo | Ricky Parks |
| Dennis Patterson | Mike Petty | Dave Quigley |
| Pat Redmond | Suzanne Reynolds | Kyle Ross |
| Rudy Rudisill | Sorien Schmidt | Brian Short |
| Mike Sprayberry | Bruce Stanley | Kerry Sutton |
| Mitchell Tyler | Lynne Walter | Janet Ward Black |

SECTION 4. **Significant Issues, Opportunities, and Challenges Identified in Morning Sessions about Current Administration Efforts**

Crime Control and Public Safety

Jon Williams, Deputy Secretary of CCPS, identified the following issues for specific divisions within the department. For more detail on these issues and others that were not discussed at the meeting, see the department's transition document, included in the electronic supplementary material.

- State Highway Patrol
 - Recruitment and retention of troopers and the need for more troopers
 - Funding full implementation of the Voice Interoperability Plan for First Responders (VIPER)
 - Responding to the Kroll Report (an evaluation of the Highway Patrol's policies, procedures, and protocols, concentrating on selection and hiring, ethics training, and training of supervisors)
 - Dealing with demographic changes (including population growth, increasing number of older drivers, immigration, etc.)
- Governor's Crime Commission
 - Interrelation between the criminal justice system and other major systems, such as mental health, education, and social services
 - Technology offers opportunities for information sharing but also poses challenges in terms of cost, access, and change to operating cultures
 - Evolving criminal challenges presented by gangs, the Internet, and drugs
 - The unknown long-term impact (on society, the economy, and families) of mass incarceration
- Emergency Management
 - Development and integration of disaster response plans and mutual aid response capabilities
 - Interoperable communications
 - Teaching disaster preparedness in schools
 - Serving special populations, such as the elderly and disabled persons
 - Preparation for new emergencies, such as food and fuel shortages, terrorism, and pandemic disease.

- Dealing with demographic changes, such as communicating with non-English-speaking residents
- National Guard
 - Activation of National Guard members affects the Guard's ability to respond to emergencies in North Carolina

Deputy Secretary Williams also identified several issues that cut across the entire department and state government generally. They include

- Resources: The need for more resources, better resources, and shared resources
- Technology: Technology that is more adaptable, secure, distributed, and interoperable; new analysis tools
- Collaboration and leveraging: Collaboration and leveraging are needed and must be supported and coordinated
- Demographic changes: Challenges presented by demographic change
- Increased complexity: The increased complexity of all environments magnifies bad outcomes and resists change

Department of Juvenile Justice and Delinquency Prevention

Joanne McDaniel, Chief of Staff of DJJDP, identified five issues for the new administration, highlighting the issue of expanding juvenile jurisdiction as the most important one facing the department. The five issues identified are summarized below. For more information on these issues, see the department's transition document, included in the electronic supplementary material.

- Transformation and Transition
 - Facility safety and security: Need to replace old buildings
 - Juvenile programming: Eliminate programming that is not evidence-based; implement Model of Care programming
 - Staffing and training: Staffing levels, quality of staff, and transition from "guard" to youth counselor
 - Management controls: Incident prevention, reporting, and investigation
- Prevention Programming: Juvenile Crime Prevention Councils (JCPCs)
 - Address conflict-of-interest concerns
 - Allocation of JCPC funding
 - Evaluate effectiveness
- Juvenile Court Services
 - Reduce workload of court counselors
 - Funding to fully implement the North Carolina Juvenile On-Line Information Network (NC-JOIN)

- Dealing with the confidentiality of juvenile information, including information sharing
- Disproportionate Minority Contact (DMC)
 - Address racial disparities in the juvenile justice system
- Expand Juvenile Jurisdiction
 - If jurisdiction is expanded, more resources will be needed
 - Consider public safety implications of a change

Department Secretary George L. Sweat then provided his own list of important issues for the department. They included the following points, some of which were mentioned in McDaniel's presentation:

- The best path to future success is delinquency prevention (as opposed to suppression), and prevention must be adequately funded
- Spending decisions should be made locally
- Programs should be based on research
- The DMC issue must be addressed
- Staff
 - More light should be shed on facilities—such as with cameras in new facilities—to ensure that staff meet high professional standards
 - Staffing is inadequate, even in new facilities
 - The legislative cap on facility staffing is problematic
 - Funding is needed for staff training
 - More court counselors are needed
 - There is a need for an internal system for investigating staff problems
- Need to get rid of dangerous old facilities and migrate to smaller, more therapeutic units
- A greater focus must be put on reentry, including changing the juvenile's living environment
- Expansion of the juvenile jurisdictional age would require additional funding and a system for segregating juveniles by age
- Continue using a performance-based standards system to evaluate work
- Preventing sexual abuse and sexual interactions between juveniles in custody must be a priority
- The Adam Walsh Act, an unfunded federal mandate, presents issues that need to be addressed

See the electronic supplementary material for more detailed information.

SECTION 5. Key Issues and Solutions/Recommendations

Within the six broad topics chosen for expanded discussion, the participants identified numerous issues. A full listing of all identified issues is provided in the electronic supplementary material. This report summarizes only those issues that garnered one or more priority “votes” by the participants. If a solution was proposed for an issue, it is listed below. As noted above, these issues and solutions were generated as part of a brainstorming process in which all ideas were recorded, even if there was disagreement as to the merits of the idea.

1. Prevention and Reentry

- Issue: Lack of coordination between the Department of Correction, the DJJDP, the Crime Commission, and the court system (5 votes)
 Proposed solution(s): Reconvene State Advisory Council
- Issue: County variability in programs and quality with respect to Juvenile Crime Prevention Councils (4 votes)
 Proposed solution(s): State level standardization of “model” programs
- Issue: Lack of connection among systems (schools, juvenile systems, and criminal systems); kids out of school (4 votes)
 Proposed solution(s): Pair schools and the DJJDP; expand alternative schools; require alternative education plans for expelled and/or suspended students
- Issue: Lack of family accountability (3 votes)
 Proposed solution(s): Incentives for school attendance and good parenting practices
- Issue: Too few reentry programs, especially those that are culturally competent (2 votes)
 Proposed solution(s): Winston-Salem model—Darryl Hunt mentoring
- Issue: Family alienation (2 votes)
 Proposed solution(s): Reconciliation services; keep juvenile in the same area to facilitate visits
- Issue: Distance and transportation problems (1 vote)
 Proposed solution(s): Mecklenburg jail model—child visits/parents
- Issue: Lack of family involvement and absence of family (1 vote)
 Proposed solution(s): Have evening court
- Issue: Juveniles fail to take juvenile court seriously (1 vote)
 Proposed solution(s): Graduated sanctions and sure consequences
- Issue: A juvenile must commit an offense to enter the system and get services (1 vote)
 Proposed solution(s): None
- Issue: Both the schools and the mental health system need to play critical roles (1 vote)
 Proposed solution(s): More focus on lower grade levels

2. Demographic Changes and Race

- Issue: DMC, including identifying its causes (discrimination, poverty, etc.) and understanding its implications in the schools and as to crime (8 votes)
Proposed solution(s): Annual DMC Conference
- Issue: Impact of criminal records (including arrest records) on minorities (3 votes)
Proposed solution(s): Examine expungement laws; make drug possession a misdemeanor
- Issue: Cultural issues for immigrants and minorities (e.g., how to behave in school, trust of officers and of government, view of lawyers, and understanding as to the role of lawyers) (2 votes)
Proposed solution(s): Education (including English language training, education in K–12 schools, colleges, and churches, and education about citizenship and civic responsibility); engaging children; provide an alternative to gang involvement; strategies that go beyond law enforcement; evaluate strategies to ensure they work and are cost effective
- Issue: Disproportionate arrests, charging decisions, and sentencing (2 votes)
Proposed solution(s): Study; training of judges
- Issue: Education for local and state workers, teachers, and private people who support the system (2 votes)
Proposed solution(s): Online language training; education about appropriate cultural terminology; teacher training on appropriate responses to problems
- Issue: Fear of deportation for self or family (2 votes)
Proposed solution(s): Separate immigration and criminal justice systems
- Issue: Juvenile's setting (e.g., family, school, peer group, and community) dictates outcome (2 votes)
Proposed solution(s): Juvenile courts need jurisdiction over school placement; family planning; open discussion
- Issue: DMC and demographic change, generally (1 vote)
Proposed solution(s): Diversity in government and community leadership; socialization between law enforcement and the public; leadership from the top (e.g., Governor's office; raise juvenile jurisdiction age; involve faith-based groups; community-oriented (racial, geographic, and cultural) policing; engaging people in community activities
- Issue: Disproportionate number of juvenile offenses committed by minorities (1 vote)
Proposed solution(s): Intervention at an earlier age; intervention based on hard data, including indicators for suspension; look at success stories for lessons for at-risk children; create incentives for change; ensure that the same consequences attach for same conduct regardless of race; effective school discipline; get children involved in honor programs; provide education that meets each child's needs; have minority groups at the table to offer solutions; assess and meet all of the child's

needs (e.g., anger management, trauma); develop a solution that goes beyond the schools; develop English language skills; examine criteria for suspension and look at alternatives to suspension (in-school suspension, etc.).

3. Workforce Development, Training, and Professionalism

- Issue: Training (9 votes)
Proposed solution(s): Include state employees and relevant actors in the nonprofit and private sectors
- Issue: Discipline and dismissal (8 votes)
Proposed solution(s): Need ways to dismiss underperforming employees
- Issue: Dealing with perceptions (3 votes)
Proposed solution(s): Training, including cross-agency training; continue staff development
- Issue: Recruitment (1 votes)
Proposed solution(s): Efficient recruiting and hiring process; salaries should match requirements of the job; “sell” the work of public safety agencies
- Issue: Antiquated laws (1 vote)
Proposed solution(s): Update certifications, qualifications, and disqualifications
- Issue: Lack of personal investment in work (1 vote)
Proposed solution(s): More de-selection when appropriate; hire people with a sense of pride in their work
- Issue: Compensation (identified as salary, in-service training, and recognition)
Proposed solution(s): Performance-based incentive system; cross-training tied to merit

4. Interdepartmental Communication

- Issue: Accountability as to performance (7 votes)
Proposed solution(s): Incentives; center for cost and budget analysis; technical assistance; external measure of outcome
- Issue: Sharing of information about violent crime (felonies) and public safety (5 votes)
Proposed solution(s): Sharing juvenile records with all law enforcement officers, the courts, the juvenile system, and adult probation officers
- Issue: Services to children are in separate silos (5 votes)
Proposed solution(s): Implement juvenile justice treatment continuum
- Issue: Lack of interdepartmental communication (1 vote)
Proposed solution(s): Governor must take the lead; blended funding streams; avoid duplication of effort and funding; state advisory panel
- Issue: Lack of informal dialogue (1 vote)
Proposed solution(s): Extending invitations; brown bag lunches
- Issue: Schools do not cooperate with the juvenile justice system (1 vote)
Proposed solution(s): Publish school statistics of delinquency adjudications

- Issue: See the big picture (1 vote)
Proposed solution(s): Online resource directory; centralized/decentralized; “Network Government”
 - Issue: Local responsibility and state funding (1 vote)
Proposed solution(s): Control at local level; community-level planning and control
5. Program Performance Measurements
- Issue: Need meaningful juvenile program evaluation, including recidivism rates and severity of recidivism (9 votes)
Proposed solution(s): None
 - Issue: Clear and accurate measurements of issues such as recidivism, judicial accountability, professionalization, and intervention (4 votes)
Proposed solution(s): None
 - Issue: Retention of Employees (1 vote)
Proposed solution(s): Increase salaries and funding
6. Information Systems
- Issue: AOC software is often out of date and does not interface with the system used by law enforcement (7 votes)
Proposed solution(s): New software needs to be more user friendly, coordinated with other agencies, frequently updated, and must ensure interface capability
 - Issue: Need for ongoing public input (5 votes)
Proposed solution(s): Focus groups across the state; facilitators should have relevant expertise
 - Issue: Review rules on sharing of juvenile information (4 votes)
Proposed solution(s): Policy review and guidelines
 - Issue: Self-evaluation of programs (4 votes)
Proposed solution(s): Independent program evaluators; qualified experts
 - Issue: Community-based programs need access to NC-JOIN (2 votes)
Proposed solution(s): Better communication between the department (and its NC-JOIN database), the AOC, and the Department of Correction
 - Issue: Implementation of VIPER (2 votes)
Proposed solution(s): No politics; standard statewide policy; state money spent only on VIPER-compatible items
 - Issue: Criminal justice information system database needs to stay under criminal justice supervision (2 votes)
Proposed solution(s): None
 - Issue: Privacy (1 vote)
Proposed solution(s): Bright-line rules for information on citizens

- Issue: Multiple software programs that do not interface (1 vote)
Proposed solution(s): Standards to promote communication
- Issue: Fax controlled substance warrant information to NC sheriff's office/revenue collection issue (1 vote)
Proposed solution(s): None
- Issue: Access to state criminal justice information network data (1 vote)
Proposed solution(s): Mindset of how to do it versus why we should not do it

Electronic Supplementary Material

- Appendix 1: Facilitator agenda provided by the Small Business and Technology Development Center (SBTDC)
- Agency transition reports and other documents provided for session