



NORTH CAROLINA SHERIFFS' ASSOCIATION

Position Paper

2011 - 2012

Opposed to Legislation to Raise the Juvenile Age from 16 to 18

The North Carolina Sheriffs' Association strongly opposes – as we have for years – legislation that would raise the juvenile age from 16 to 18.

- The state's present juvenile justice system cannot handle an influx of 16- and 17-year-olds unless the state spends hundreds of millions of dollars to provide new facilities and programs. (See cost estimates below.)
- It would be irresponsible and dangerous to change the juvenile age without providing the necessary resources.
- The sudden injection of 16- and 17-year-olds into the juvenile justice system would present a significant danger to younger juveniles – some of them aged 13 and 14. Also, the younger children would be at risk of learning criminal behavior from the older offenders.

North Carolina's sheriffs support real rehabilitation programs that help juveniles who have committed crimes turn their lives around. However, raising the juvenile age from 16 to 18 with no programming, no facilities, and most importantly, no additional funding is a recipe for disaster and would hurt the children we are trying to help.

Background

House Bill 632, Juvenile Age to 18, introduced in the 2011 Session of The General Assembly, would raise the juvenile age over four years: during the first year from 16 to 16 1/2, in the second year from 16 1/2 to 17, in the third year from 17 to 17 1/2, and in the fourth year from 17 1/2 to the age of 18.

The same bill was introduced in 2009 as House Bill 1414, The Youth Accountability Act. The fiscal note prepared by the legislative staff then said: "DJJDP seeks to separate the older juvenile population from the young offenders. DJJDP estimates the need for six additional 64 bed facilities to meet the needs of this expanded population." Each 64 bed facility will cost the state \$8.1 million to construct, for a total construction cost of \$48.6 million, plus added annual operating costs for the facility and staff to manage it.

Sheriffs' Opposition

The North Carolina Sheriffs' Association urges the legislature to consider the following and to not mandate such a dramatic change:

- The original Secretary of the Department of Juvenile Justice and Delinquency Prevention (DJJDP), former Winston-Salem Police Chief George Sweat, and Linda Hayes, current Chief Deputy Secretary of the North Carolina Department of Public Safety Division of Juvenile Justice and former Chair of the Governor's Crime Commission, both have said publicly that the Division

of Juvenile Justice has always been underfunded and cannot provide adequate resources for the children in their jurisdiction now.

- Supporters of the bill do not say how this massive project will be funded. Division of Juvenile Justice funding has been cut from \$160 million and 1,973 full time employees in 2008 to \$135 million and 1,602 full time employees in 2011 with another \$4 million in cuts expected in 2012 – an overall loss of \$25 million and 371 full time positions in the last four years.
- There are no juvenile justice programs in place to serve 16- and 17-year-olds. Programs for 13- and 14- year-olds are dramatically different. Adequate funding for additional programs will be needed.
- New facilities will be needed to house 16- and 17-year-olds. Otherwise, shared housing will become a training ground for younger children to learn criminal behavior from older offenders.
- Supporters of raising the juvenile age argue that brains are not fully developed at age 16 or 17; however, to say that is to argue that young people should not be allowed to get a driver's license, take the SAT (in preparation for college) or take a gun hunting until they are 18.
- Law enforcement officers, district attorneys and other criminal justice professionals know that many young criminals start what becomes a career criminal path at age 12 or 13. By the time they are 16 or 17, the juvenile justice system has no significant leverage over them.

Cost

In the 2009 bill, House Bill 1414, The Youth Accountability Act, the fiscal note showed the actual cost to the state:

Year	Annual Cost	One-Time Cost	Total Cost
Year One	\$ 0	\$39,000,000	\$ 39,000,000
Year Two	\$ 24,404,415	\$32,539,000	\$ 56,943,415
Year Three	\$ 73,381,354	\$51,309,400	\$124,690,754
Year Four	\$120,699,613	\$53,435,208	\$174,134,821

In the fourth year of implementation, it would cost the state a total of **\$120.7 million** each and every year to maintain 16- and 17-year-olds in the juvenile justice system.

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