



MECKLENBURG
COUNTY, NC

MECKLENBURG BOARD OF
COUNTY COMMISSIONERS
PUBLIC POLICY
WORKSHOP

Tuesday, September 10th, 2019
2:30 pm



Presentation on Juvenile Detention Feasibility Study

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Presentation on Juvenile Detention Feasibility Study

Scope of Work

- Task 1: Meet with Officials in Mecklenburg County and Department of Public Safety to Clarify Proposal to Use Detention Center North as a Statewide Juvenile Detention
- Task 2: Tour Detention Center North
- Task 3: Meet with County and State Officials to Review Operations, Capacities and Growth Trends and Juvenile Population Profile Characteristics
- Task 4: Define Juvenile Detention Population to be Housed at Detention Center North
- Task 5: Present Standards, Trends, and Best Practice in Juvenile Detention Operation and Design
- Task 6: Define Juvenile Detention Operational Requirements Based on Capacity to be Served
- Task 7: Define Juvenile Detention Facility Space Requirements
- Task 8: Develop and Analyze Options to Meet Juvenile Detention Capacity Requirements at Detention Center North
- Task 9: Make Recommendation/Prepare Study Findings



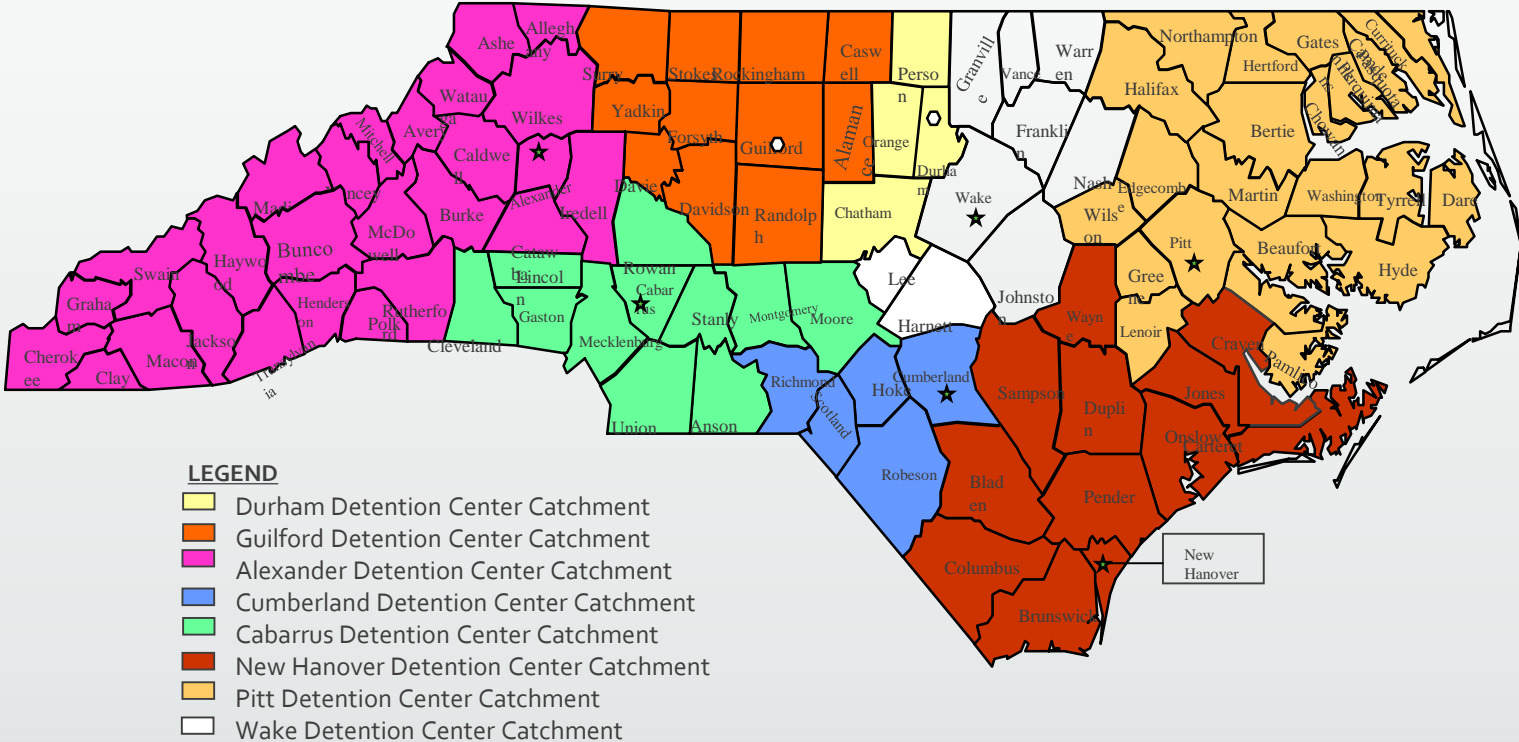
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Raise The Age North Carolina

- Effective December 1, 2019, 16 and 17-year-olds individuals who commit crimes in North Carolina will no longer automatically be charged in the adult court system.
- The new definition of “delinquent juvenile” includes 16 and 17-year-olds who commit crimes, infractions or indirect contempt by a juvenile. It excludes some motor vehicle offenses, previous convictions in superior court, and married or emancipated individuals.
- Maximum age of jurisdiction: for 16-year-olds until age 19; for 17-year-olds up to age 20; beyond maximum age the Juvenile Court has indefinite jurisdiction over felonies and related misdemeanors to either transfer the case to Superior Court or dismiss the petition.
- Effective December 1, 2019 all “criminal cases” for juveniles up to the age of 18 will begin in juvenile court.
- For Class A-G felony complaints, transfer to adult (superior) court is mandatory upon notice of an indictment, or a finding of probable cause after notice and a hearing.
- For Class H or I felonies transfer to adult (superior) court requires a transfer hearing.



Juvenile Detention Catchment Counties



- There are 8 Juvenile Detention Centers in North Carolina, with a total capacity of 190 beds.
- Mecklenburg County places youth in the (30) Bed Cabarrus County Juvenile Detention Center. Mecklenburg County uses about 22-24 of those beds each day, at a shared total cost of \$244 per day.



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Raise the Age Detention Bed Projections

- The NC Department of Public Safety estimates the need for an additional 226 juvenile detention beds statewide based on the Raise the Age legislation.
- The estimated additional juvenile detention capacity requirement for Mecklenburg County is 59 detention beds, for a total 2023 juvenile detention population of 82 youth.

County	FY 15-16 Detention ADP	RTA NEW Detention Beds	Total Beds Projected (ADP + New)	County	FY 15-16 Detention ADP	RTA NEW Detention Beds	Total Beds Projected (ADP + New)
Alamance	3.75	5.68	9.43	Jones	0.18	0.36	0.54
Alexander	0.25	0.46	0.72	Lee	2.43	3.55	5.98
Alleghany	0.98	0.32	1.30	Lenoir	3.18	2.70	5.88
Anson	0.46	1.93	2.39	Lincoln	0.51	1.01	1.52
Ashe	0.07	0.16	0.23	Macon	0.52	0.84	1.36
Avery	0.55	0.09	0.64	Madison	0.87	0.49	1.36
Beaufort	0.55	1.89	2.44	Martin	3.60	2.43	6.02
Bertie	0.23	0.60	0.83	McDowell	0.86	1.00	1.86
Bladen	0.23	1.29	1.52	Mecklenburg	22.76	58.64	81.40
Brunswick	0.70	2.41	3.11	Mitchell	0.01	0.00	0.01
Buncombe	2.10	6.04	8.13	Montgomery	0.12	0.92	1.04
Burke	1.19	2.45	3.64	Moore	0.31	1.98	2.29
Cabarrus	0.46	3.78	4.25	Nash	2.68	4.97	7.64
Caldwell	0.80	1.03	1.83	New Hanover	2.63	6.69	9.31
Camden	0.08	0.23	0.30	Northampton	0.00	0.15	0.15
Carteret	0.95	1.17	2.12	Onslow	3.04	1.48	4.52
Caswell	0.02	0.13	0.15	Orange	0.31	3.08	3.40
Catawba	1.86	5.89	7.75	Pamlico	0.02	0.05	0.07
Chatham	0.09	0.78	0.87	Pasquotank	1.13	0.82	1.95
Cherokee	0.20	0.05	0.25	Pender	0.42	0.47	0.89
Chowan	0.11	0.12	0.23	Perquimans	0.14	0.21	0.35
Clay	0.00	0.03	0.03	Person	0.51	0.64	1.15
Cleveland	1.13	2.01	3.14	Pitt	6.95	6.63	13.58
Columbus	0.76	2.70	3.46	Polk	0.00	0.25	0.25
Craven	1.27	2.56	3.83	Randolph	0.61	1.64	2.26
Cumberland	8.70	10.78	19.48	Richmond	0.54	3.51	4.04
Currituck	0.39	0.16	0.55	Robeson	0.79	5.71	6.50
Dare	0.07	0.35	0.42	Rockingham	1.47	2.15	3.62
Davidson	1.98	3.50	5.48	Rowan	1.86	2.94	4.81
Davie	0.22	1.05	1.27	Rutherford	0.60	0.91	1.50
Duplin	0.39	1.26	1.65	Sampson	1.95	2.16	4.12
Durham	7.42	14.04	21.46	Scotland	0.37	1.91	2.28
Edgecombe	1.44	7.23	8.67	Stanly	0.77	0.98	1.74
Forsyth	4.31	6.54	10.86	Stokes	0.74	0.90	1.64
Franklin	0.49	0.51	1.01	Surry	0.33	0.70	1.03
Gaston	4.71	4.86	9.57	Swain	0.11	0.05	0.16
Gates	0.00	0.03	0.03	Transylvania	0.16	0.49	0.65
Graham	0.00	0.40	0.40	Tyrrell	0.00	0.00	0.00
Granville	1.24	1.83	3.07	Union	2.20	4.14	6.34
Greene	0.12	0.55	0.67	Vance	2.18	3.55	5.74
Guilford	17.88	19.78	37.66	Wake	7.81	25.00	32.81
Halifax	1.97	3.02	4.99	Warren	0.47	0.37	0.84
Harnett	1.00	2.86	3.87	Washington	0.02	0.03	0.05
Haywood	0.34	0.32	0.66	Watauga	0.13	0.05	0.19
Henderson	0.51	1.12	1.63	Wayne	2.98	3.81	6.79
Hertford	0.28	1.59	1.86	Wilkes	0.95	1.25	2.20
Hoke	0.67	1.02	1.69	Wilson	2.81	5.27	8.08
Hyde	0.17	0.03	0.20	Yadkin	0.43	0.45	0.88
Iredell	1.50	6.76	8.27	Yancey	0.04	0.07	0.11
Jackson	0.04	0.10	0.13	Total	158.44	226	384.44
Johnston	0.34	4.58	4.92				

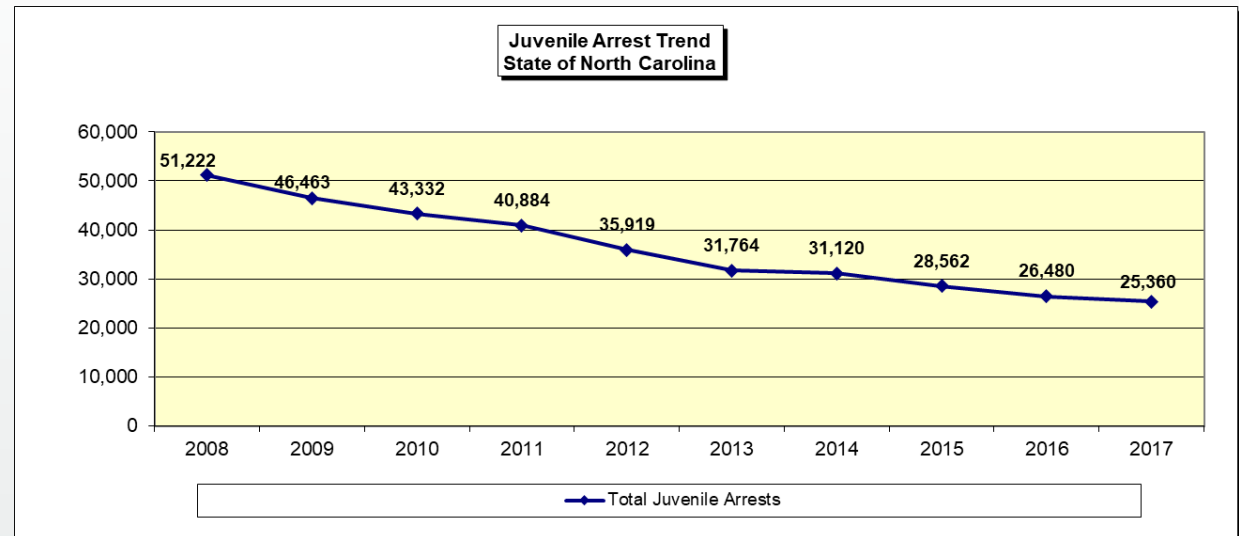
Source: Juvenile Justice Reinvestment Office, April 2019.



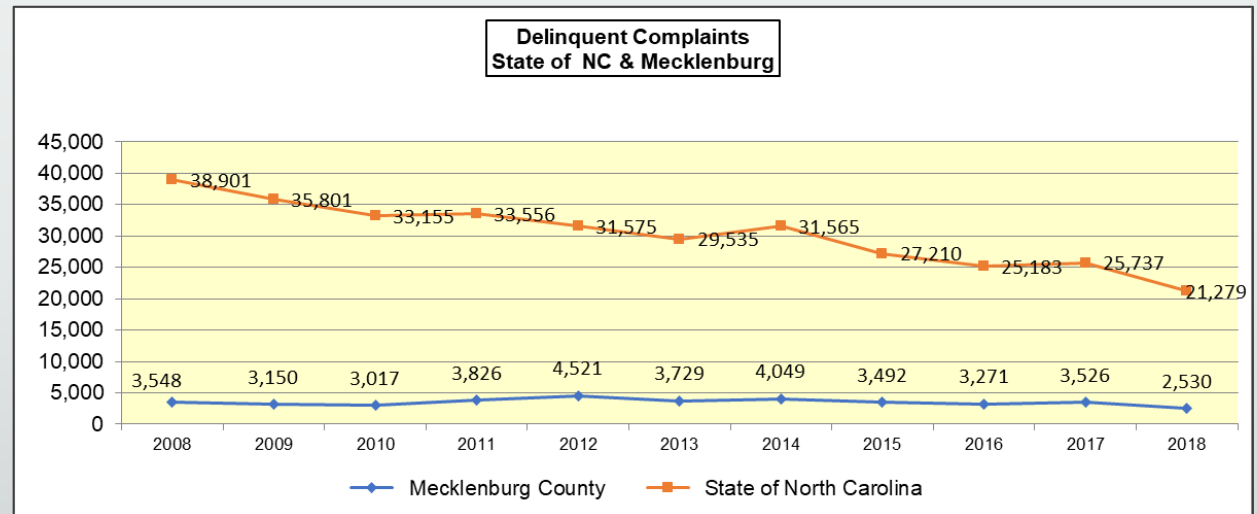
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Juvenile Detention Trends

- Total juvenile arrests in North Carolina decreased by 50.5% from 2008 to 2017, peaking at 51,222 arrests in 2008.
- The total percentage decrease in delinquent complaints in North Carolina between 2008 and 2018 was 45.3%; actual number decrease was 17,622.
- The total percentage decrease in delinquent complaints in Mecklenburg County between 2008 and 2018 was 28.7%; actual number decrease was 1,018.



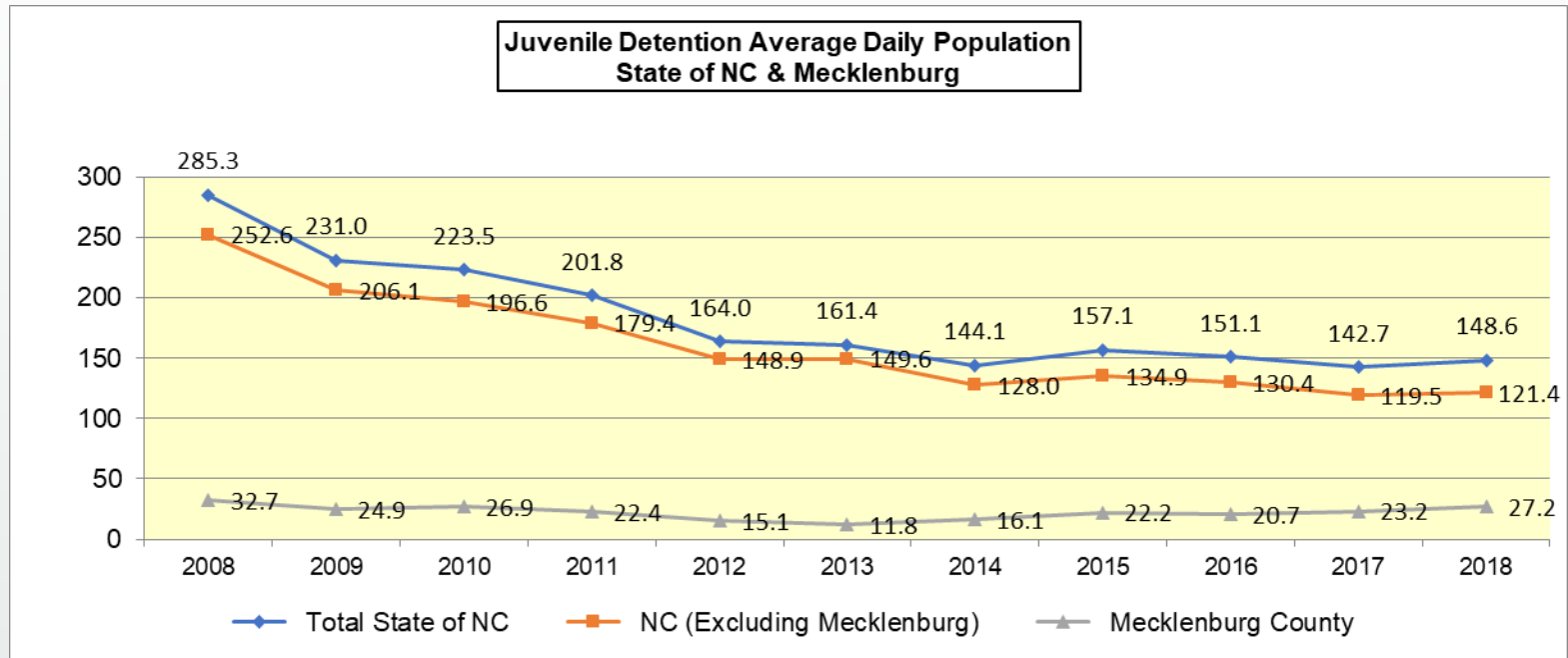
Source: Crime in NC & NC Office of State Budget & Management.



Source: North Carolina Department of Public Safety.



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Source: North Carolina Department of Public Safety.

- The total percentage decrease in juvenile detention average daily population (excluding Mecklenburg County) was 51.9%; actual number decrease was 131.2.
- The total percentage decrease in Mecklenburg County average daily juvenile detention population was 16.8%; actual number decrease was 5.5.
- The total percentage decrease in statewide juvenile detention average daily population was 47.9%; actual number decrease was 136.7.



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JUVENILE DETENTION ADMISSION PROFILE - 2018 State of North Carolina & Mecklenburg County				
	North Carolina		Mecklenburg	
	Number	Percent	Number	Percent
<u>SEX</u>				
> Male	1,928	81.0%	334	82.9%
> Female	452	19.0%	69	17.1%
TOTAL	2,380	100%	403	100%
<u>RACE</u>				
> African American	1,489	62.6%	341	84.6%
> Caucasian	567	23.8%	15	3.7%
> Hispanic/Latino	218	9.2%	43	10.7%
> Two or More Races	77	3.2%	3	0.7%
> American Indian or Alaska Native	26	1.1%	1	0.2%
> Asian	2	0.1%	0	0.0%
> Unknown	1	0.0%	0	0.0%
TOTAL	2,380	100%	403	100%
<u>AGE</u>				
> 11	11	0.5%	0	0.0%
> 12	72	3.0%	2	0.5%
> 13	227	9.5%	22	5.5%
> 14	559	23.5%	102	25.3%
> 15	1,023	43.0%	200	49.6%
> 16	396	16.6%	61	15.1%
> 17	86	3.6%	14	3.5%
> 18	3	0.1%	0	0.0%
> 19	2	0.1%	2	0.5%
> 20	1	0.0%	0	0.0%
TOTAL	2,380	100%	403	100%

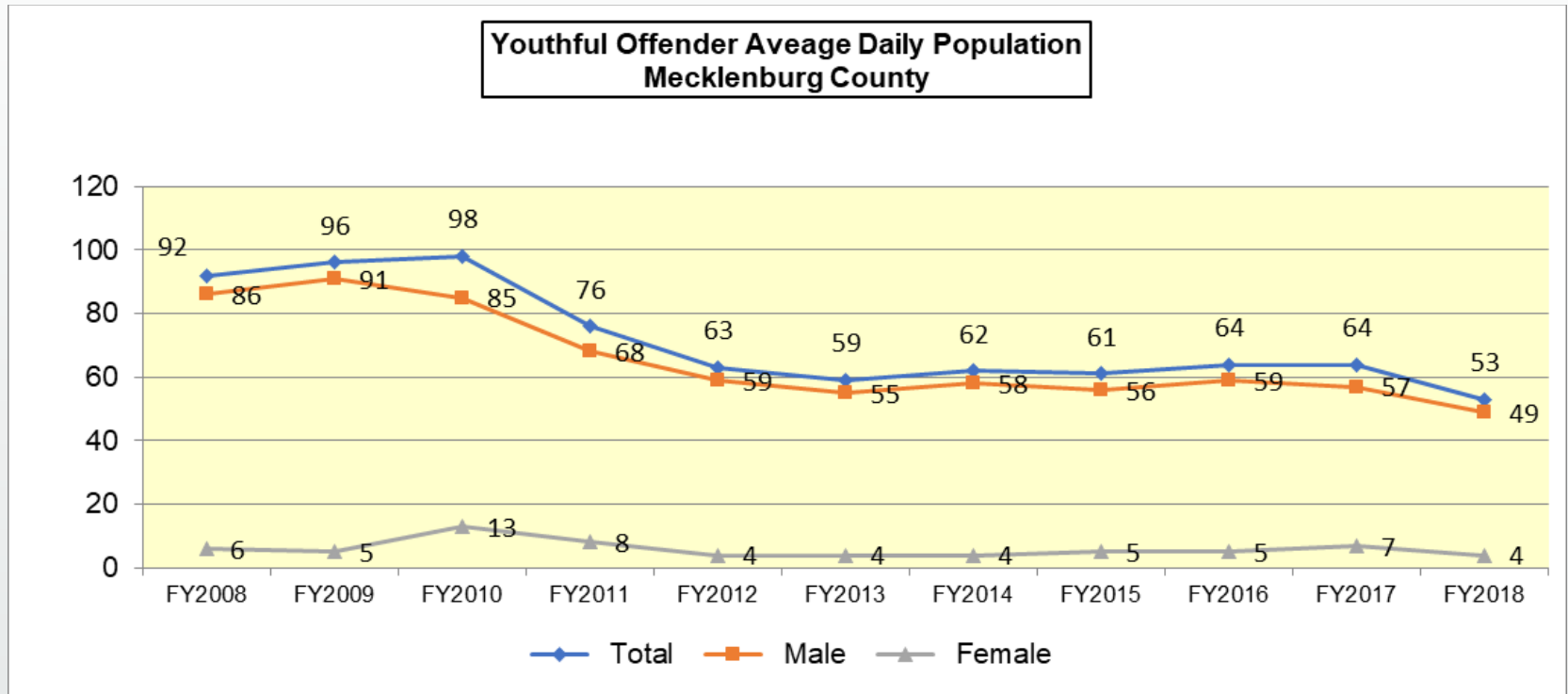
Source: North Carolina Department of Public Safety.

- 81% of the statewide detention admissions are male, which is similar to Mecklenburg County.
- Approximately 63% of statewide juvenile detainees are African American compared to 85% in Mecklenburg County.
- 80% of statewide juvenile detainees are between the age of 11 to 15, which is similar to Mecklenburg County.



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Youthful Offender Trends



Source: Mecklenburg County Sheriff's Office.

- The total percentage decrease in male youthful offender (age 16-17) average daily population between 2008 and 2018 was 43%; actual number decrease was 37.
- The total percentage decrease in female youthful offender average daily population between 2008 and 2018 was 33.3% ; actual number decrease was 2.
- The percentage decrease in total youthful offender average daily population in Mecklenburg County during the period was 42.4% actual number decrease was 39.



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NATIONAL “BEST PRACTICE” – OPERATIONS AND DESIGN FOR JUVENILE DETENTION FACILITIES

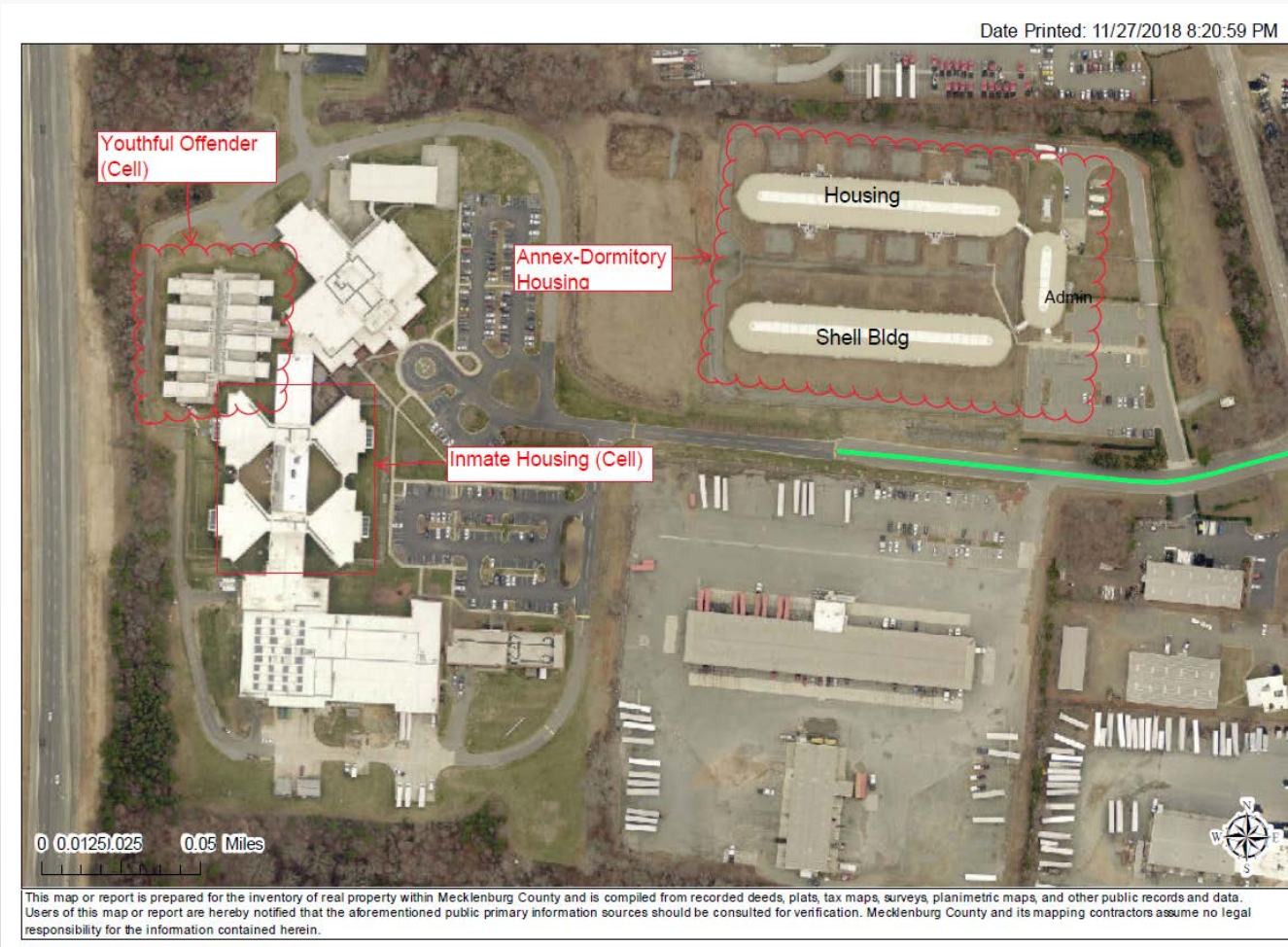
- Programming Responsive to Individual Risks and Needs
- Provide Programming Responsive to “Special Needs Population” – Trauma Informed Care
- Extensive Program Opportunities (Education, Recreation, and Visiting)
- Structured Daily Routine
- Normative Environmental Character
- Behavior Management is the Basis of Safety and Security
- Maximize Staff Supervision of Youthful Offenders
- Small Single Level Housing Units (8-12 youth) Results in Improved Classification, Safety, and Management
- Single Occupancy Sleeping Rooms for Maximum Flexibility in Housing Offenders
- Housing Units Arranged in Groups for Shared Services and Staffing Efficiency
- Access to Natural Light
- Open Dayroom with Contiguous Sleeping Rooms (Improved Supervision)
- Single User Showers/Toilet Rooms (1 per 8 Residents)
- On-Unit Housing Activities (Counseling, Homework, Passive Recreation for Program Flexibility)
- Access to Outdoor Space
- Central Dining
- Very limited and Monitored Use of any Form of Isolation
- Direct Supervision Staffing Ratio of 1:8 (day) and 1:16 (night) to comply with PREA Standards
- Incorporate ACA Standards and Other Youth Residential Facility Standards

Source: Chinn Planning, Inc.



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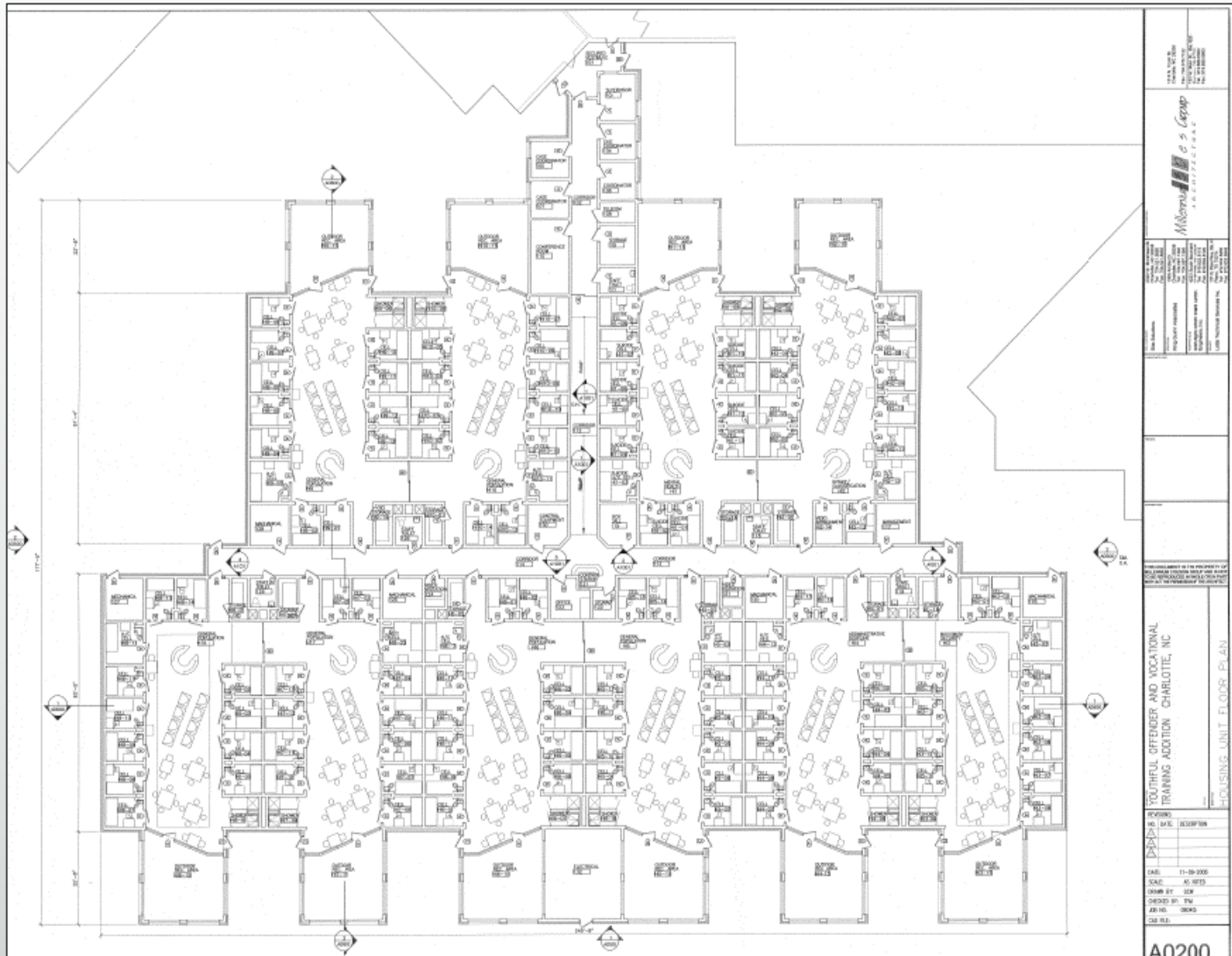
Aerial Site Polaris 3G of Detention Center North Campus





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Detention Center North Layout of Youthful Offender Housing





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KEY CONSIDERATIONS

1. Image of Detention Center North



Entrance to Detention Center North



Sleeping Room



Door to Sleeping Room



Connection Between Housing Units



Day Room



Classroom Corridor



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KEY CONSIDERATIONS

2.Compliance with Federal and State Standards and Best Practice for Juvenile Detention

- Sight and Sound Separation
- Juvenile Direct Care Staffing Ratio
- Staff Credentials and Job Descriptions

PREA STAFFING STANDARDS

PREA Staffing Standards

Prison Rape Elimination Act (PREA) Juvenile Facility Staffing Standards

Standards for Juvenile Facilities – 115.313 Supervision and Monitoring

- (c) Each secure juvenile facility shall maintain staff ratios of a minimum of 1:8 during resident walking hours and 1:16 during resident sleeping hours, except during limited and discrete exigent circumstances, which shall be fully documented. Only security staff shall be included in these ratios. Any facility that, as of the date of publication of this final rule, is not already obligated by law, regulation, or judicial consent decree to maintain the staffing ratios set forth in this paragraph shall until October, 1, 2017, to achieve compliance.

Source: National Standards to Prevent, Detect, and Respond to Prison Rape Under the Prison Rape Elimination Act (PREA), 28 C.F.R. Part 115, Docket No. OAG-131, RIN 1105-AB34, May 17, 2012



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KEY CONSIDERATIONS

3. Operational Changes Required to Operate a Juvenile Detention Center at Detention Center North

- Intake and Release of Juveniles at Detention Center North
- Increased Transports to Court
- Education and Treatment Programming



Intake and Release



Classroom



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KEY CONSIDERATIONS

4. Staff Increases Required to Operate a Juvenile Detention at Detention Center North

MECKLENBURG COUNTY, NC CURRENT AND PROPOSED JUVENILE DETENTION CENTER STAFFING AT DETENTION CENTER NORTH				
POSITION TITLE	CURRENT STAFF	PROPOSED ADDITIONS	TOTAL STAFF	Notes
<u>Admin/Education</u>				
Program Director	1		1	
Program Manager		1	1	
Case Manager	2	2	4	
Mental Health Liaison	1	2	3	
Admin Assistant	1	1	2	
Librarian	2		2	already in budget
GED Staff	3		3	already in budget
Teacher (CMS)	5	3	8	see increase for teachers CMS
Dean of Students	0.5	0.5	1	see increase for teachers CMS
Guidance Counselor	0.5	0.5	1	see increase for teachers CMS
Subtotal	16	10	26	
<u>Security/Direct Care</u>				
Intake/Release		5.4	5.4	.8 shift relief calculation added
Rover/Relief		5.4	5.4	
Shift Supervisor		5.4	5.4	
Youth Counselors	65.8 ¹	6.2	72 ²	(8) 12 bed units for 96 total capacity
Subtotal	65.8	22.4	88.2	
<u>Services</u>				
Medical		2	2	mental health clinicians added to current contract
Food Service				
Admin/Security/Laundry/Maintenance				already in budget
Subtotal	0	2	2	
Total Staffing	81.8	34.4	116.2	
<u>Note:</u>				
1. This includes all security staff, not just at housing. Back out 16.2 (3 post positions) for adult housing unit and rover relief, shift supervisor. Currently 65.8 Detention Officers assigned to Youthful Offender Housing.				
Detention Officers currently for 163 population:				
A Shift	21			
B Shift	20			
C Shift	21			
<u>D Shift</u>	<u>20</u>			
Total	82			
2. 1:6 ratio day; 1:12 ratio overnight with .8 shift relief calculation added.				

Source: Chinn Planning, Inc.

- An additional 35 positions over the current staffing level will be required to operate a 96 capacity Juvenile Detention Facility at Detention Center North.



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KEY CONSIDERATIONS

5. Operational Cost Increase Associated with Juvenile Detention at Detention Center North

CURRENT & PROPOSED STAFFING AND COST ASSOCIATED WITH JUVENILE DETENTION AT DETENTION CENTER NORTH Mecklenburg County, North Carolina				
POSITION TITLE	CURRENT STAFF	PROPOSED ADDITIONS	TOTAL STAFF	ADDITIONAL COST
<u>Admin/Education</u>				
Program Director	1		1	
Program Manager ^{1&2}		1	1	\$105,191
Case Manager ³	2	2	4	\$152,807
Mental Health Liaison ⁴	1	2	3	\$152,807
Admin Assistant ⁵	1	1	2	\$59,259
Librarian	2		2	
GED Staff ⁶	3		3	
Teacher (CMS) ⁷	5	3	8	\$409,092
Dean of Students	0.5	0.5	1	
Guidance Counselor	0.5	0.5	1	
Subtotal	16	10	26	\$879,155
<u>Security/Direct Care</u> ⁸				
Intake/Release		5.4	5.4	\$385,898
Rover/Relief		5.4	5.4	\$385,898
Shift Supervisor (Shift Premium)		5.4	5.4	\$516,752
Youth Counselors-96 Capacity ⁹	65.8	6.2	72	\$443,068
Subtotal ¹⁰	65.8	22.4	88.2	\$1,731,617
<u>Services</u>				
Medical ¹¹		2	2	\$250,000
Subtotal	0	2	2	\$250,000
Total Staffing	81.8	34.4	116.2	\$2,860,773

Notes:

- (1) A 48.5% Fringe Benefit factor is added to all salaries to derive total additional cost per new position.
- (2) Program Manager mid range salary is \$70,836.
- (3) Case Manager mid range salary is \$51,450 (called Inmate Program Specialist III).
- (4) Mental Health Liaison mid range salary is \$51,450.
- (5) Admin Assistant mid range salary is \$39,905.
- (6) GED Contract with Q Foundation - \$288,379 is already in budget (reimbursed from resident funds).
- (7) CMS cost estimate is \$802,623 in 2020, \$393,531 is already in the FY17 budget (\$409,092 added).
- (8) A .8 shift relief calculation factor is added to cover 24/7 staffing.
- (9) 72 Youth Counselors are needed for 96 capacity at a 1:6 day and 1:12 night staffing ratio.
- (10) 22.4 more Youth Counselors will be needed at a cost of \$48,123 (market rate - 20% above entry). Shift Supervisor \$64,441.
- (11) Medical Contract with Correctional Care Solutions for 160 ADP, so no increased unit cost. Add 2 additional mental health clinicians for \$250,000. HB 108 cost to county for medical care could increase total costs substantially for inpatient hospitalization.

Additional Notes - What is not included:

- (1) Holiday pay for staff that work on a holiday.
- (2) Overtime.
- (3) Proposed across the board 5.5% pay increase.
- (4) One-time expenses: uniforms, cell phones, other.

Source: Chinn Planning, Inc.

- The estimated additional annual cost to operate a 96 capacity Juvenile Detention Facility at Detention Center North is roughly \$3 million per year. The estimated per diem cost to operate Detention Center North will be \$363 per day.



Presentation on Juvenile Detention Feasibility Study

Conclusion

The feasibility study undertaken by Mecklenburg County was to assess whether or not vacant housing at Detention Center North could be converted into statewide juvenile detention capacity. The assessment of vacant housing, based on standards and best practices, lead to the conclusion that the only suitable housing for juvenile detention is the youthful offender housing wing, with smaller 12-bed housing units. The juvenile detention projections developed by the state indicate that a 96-capacity juvenile detention center at Detention Center North will primarily serve Mecklenburg County youth. Unless juvenile detention capacity requirements for Mecklenburg County are reduced in the future there will be very limited availability to serve other counties requiring juvenile detention.

This report concludes that it is feasible to develop juvenile detention capacity at Detention Center North, but it will cost substantially more to operate than the current per diem rate charged for juvenile detention by the North Carolina Department of Public Safety (\$363 vs. \$244). Mecklenburg County will have to negotiate new reimbursement rates with the Department of Public Safety based on the analysis of operational cost.

If the County and the North Carolina Department of Public Safety reach agreement on reimbursement rates/cost sharing approaches and juvenile detention is developed at Detention Center North additional staff should be hired, and facility improvements (however minor) should be implemented to enhance the physical environment. The Sheriff's Office would have to develop policies and procedures to ensure sight and sound separation of adult and juvenile offenders, and procedures for intake of youth from other counties (if capacity is available) would have to be established. Finally, Mecklenburg County should develop a new job description for Youth Counselors to reflect the skill set necessary to ensure juvenile and staff safety in the facility, with a focus on rehabilitative treatment in an environment that supports therapeutic interventions.