



Youth violence is the intentional use of physical force or power, threatened or actual, exerted by or against youth ages 10–29. To be considered youth violence, the actions must result in or have a high likelihood of injury, death, or psychological harm or deprivation.^{a,1} There are many types of youth violence, including but not limited to, school violence, bullying, family violence, dating violence, sexual assault, firearm violence, electronic aggression, gang violence, homicide, and other assaultive behaviors.^b Youth violence impacts both individuals and society. The social costs of youth violence, including isolation, loss of income and social capital, and imprisonment, are borne by the victim, the perpetrator, their families, North Carolina communities, and society at large. Additionally, individual victims of youth violence may experience adverse physical and/or psychological outcomes as well as increased risk for future problem behaviors.² Individuals who experience one episode of victimization are also at increased risk for revictimization.³ Studies have shown that youth who are exposed to violence in the home are more likely to exhibit their own violent behavior and encounter the criminal justice system.⁴

Prevalence of Youth Violence National Estimates

It is difficult to assess the full extent of youth violence due to the lack of a coherent data system that captures data on both youth victims and perpetrators. Results from a recent national survey show that between 70%-80% of youth ages 10-17 experienced some type of victimization in the past year.^c Fifty percent of youth ages 10-17 reported having been physically assaulted in the past year; most of youth were assaulted by a peer or sibling and did not sustain an injury. Additionally, 12%-17% of youth ages 10-17 reported experiencing maltreatment by an adult in the past year, with most reporting psychological or emotional abuse, followed by physical abuse, and neglect. Youth also report high rates of witnessing violence in their families and communities; 30% of adolescents ages 10-13 and 50% ages 14-17 report witnessing violence in the past year. In the past year, one in ten of youth ages 14-17 witnessed a shooting, one in 75 witnessed a murder. Over their lifetime, 21% of youth ages 10-13 and 35% of youth ages 14-17 have witnessed family violence.⁵

National research indicates that approximately 6%-16% of adolescent males and 2%-9% of adolescent females exhibit antisocial behaviors, including aggression and violence, at levels that warrant a clinical diagnosis of antisocial

Individual victims of youth violence may experience adverse physical and/or psychological outcomes as well as increased risk for future problem behaviors.

a As in other parts of the report, the Task Force focused on youth ages 10-20.

b Suicide, another type of youth violence, is covered in chapter 7.

c Victimization includes the following: physical assault, property victimization, maltreatment, and sexual victimization.

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conduct problems.^{d,6} Antisocial behaviors account for the majority of referrals to outpatient child and adolescent mental health clinics, placements in special education classes, and juvenile arrests.⁷ Aggression, or behavior that is intended to and harms another person, covers a wide range of behaviors including some that are quite typical during adolescence (e.g. physical fighting) and some that are relatively rare (e.g. homicide). Nationally, 25% of 17-year-old males report having committed at least one serious violent offense in their lifetime.^{e,8}

North Carolina Data

It is difficult to get a clear picture of how many youth are involved in and affected by youth violence in North Carolina due to multiple sources of data, inconsistent data, and because of the wide range of behaviors that constitute violence. In North Carolina the main sources of data on youth violence are the Department of Public Instruction (DPI), the Department of Juvenile Justice and Delinquency Prevention (DJJDP), Department of Corrections (DOC), and the Department of Health and Human Services (DHHS).

- DPI collects data on crime and violence that occur in school for 17 reportable offenses.^{f,g} Additionally, DPI collects self-reported data on health risks, including violence, from middle and high school students on the Youth Risk Behavior Survey (YRBS).
- DJJDP collects information on the youthful offender population, including information on the types of offenses committed.
- DOC collects data on offenses committed by youth ages 16 or older.
- DHHS collects a variety of data related to youth crime. The Division of Social Services collects data on youth who are the victims of child abuse and the State Center for Health Statistics and the Injury and Violence Prevention Branch collect information on morbidity and mortality due to violence using the North Carolina Violent Death Reporting System, hospital discharge data, and emergency department data.

d This is the percent of adolescents exhibiting antisocial behaviors according to the DSM-IV diagnostic criteria (3 or more out of 15 specified behaviors, including aggression to people or animals, property destruction, stealing or lying, and violating rules). Similar behaviors are defined differently according to the setting. What is called "conduct disorder" or "aggression" in a school setting is typically called "delinquency" in a juvenile justice/criminal setting.

e Serious violent offense was defined as aggravated assault, robbery, or rape that involved a weapon or resulted in an injury.

f There are 17 reportable offenses in the Annual Report on School Crime and Violence including 10 dangerous and violent acts (assault resulting in serious injury, assault involving use of a weapon, sexual assault not involving rape or sexual offense, sexual offense, robbery without a dangerous weapon, taking indecent liberties with a minor, robbery with a dangerous weapon, robbery with a dangerous weapon, kidnapping, rape, or death by other than natural causes), and 7 other reportable acts (assault on school personnel not involving serious injury, bomb threat, burning of a school building, possession of alcoholic beverage, possession of controlled substance in violation of law, possession of a weapon excluding firearms or powerful explosives, possession of a firearm or powerful explosives) (North Carolina Department of Public Instruction, State Board of Education. Report to the Joint Legislative Education Oversight Committee. Consolidated data report 2007-2008: annual report of school crime and violence, suspensions and expulsions, and dropout rates. <http://www.ncpublicschools.org/docs/research/discipline/reports/consolidated/2007-08.pdf>. Published 2009. Accessed June 2, 2009.).

g G.S. 115C-12(21)

Although many different agencies collect data on youth violence, no single agency is responsible nor has the resources for bringing the data together. This means that there is no way to comprehensively assess the number of youth affected by and involved in youth violence.

DPI Data

According to DPI, there were 11,276 reportable acts of crime or violence during the 2007-2008 school year (or 7.85 acts per 1,000 students).^{h,i} Violent crimes constituted 3.8% of reported school crimes. Most crimes (85%) were due to possession of a controlled substance, alcoholic beverage, or weapon (excluding firearms and powerful explosives). Although most schools report safe environments, self-reported data from middle school and high school students suggest that a much higher percentage of students may be involved in reportable offenses at school. Many students report being bullied on school property, one in ten high school students report being in a fight on school property, and 6.8% of high school students report that they have carried a weapon to school. (See Appendix C, Table 1 for more information.)⁹

In addition to providing data on youth violence at school, the Youth Risk Behavior Survey, which is administered by DPI, collects data on behaviors out-of-school. Many North Carolina youth report having experienced violence in their lives. (See Figure 8.1 and Appendix C, Tables 1 and 2.) In North Carolina, more than half of middle school students reported having ever been in a physical fight, and 30% of high school students reported having been in a physical fight in the past year.^{j,9} More than one-third of middle school students and one-fifth of high school students reported ever carrying a weapon, such as a gun, knife, or club.

DJJDP Data

Although many youth engage in physical fighting and some report carrying a weapon, relatively few adolescents engage in violence that results in physical injury to another individual. Fewer than one in one thousand North Carolina youth^k commit violent felonies^l each year.¹⁰ North Carolina's youth crime rate has been decreasing since 2006, from 36.1 per 1,000 youth ages 6 to 15 to 31.5 per 1,000 in 2008. This past year in North Carolina, violent crimes^m accounted for 2.3% of all juvenile offenses (1,037 out of 43,797).¹⁰

^h See footnote e for more information on reportable offenses.

ⁱ Data are for pre-kindergarten through 12th grade. Most offenses occur at the high school level.

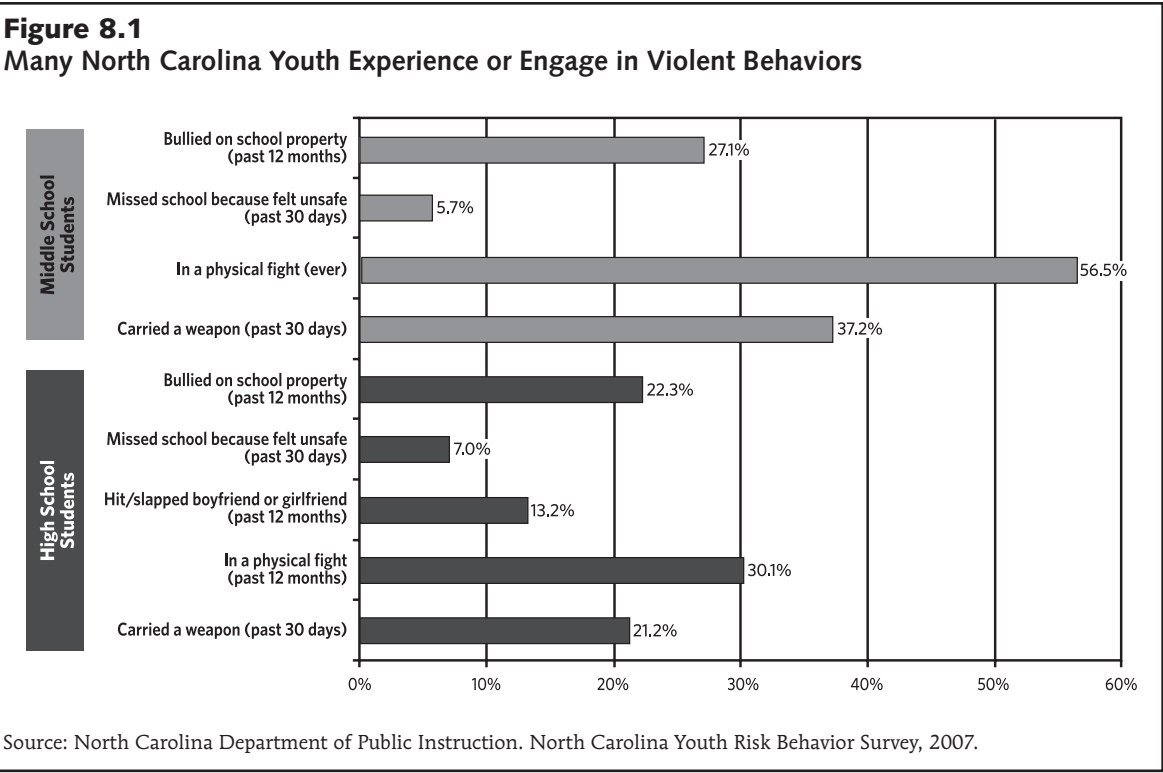
^j High school students are asked if they were involved in a physical fight one or more times during the past 12 months, whereas middle school students are asked if they were ever involved in a physical fight (i.e. not limited to the past 12 months).

^k The youth crime rate includes offenses committed by children ages 6-15. These data come from the North Carolina Department of Juvenile Justice and Delinquency Prevention which has jurisdiction over offenses committed by youth ages 6-15. Youth ages 16 and older go through the Department of Corrections which maintains separate crime data for the entire "adult" (ages 16 and older) population.

^l The Armed Career Criminal Act, 18 U.S.C. §924(e) defines "violent felony" as "purposeful, violent, and aggressive" conduct that that poses serious risk of physical injury to another.

^m The US Department of Justice defines violent crime as "murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault." Additionally, the Uniform Crime Reporting Program defines violent crimes as any action that involves "force or threat of force."

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In addition to collecting data on youth crime, DJJDP collects data from school personnel on gang activity in schools.ⁿ In 2008 64% of North Carolina high schools, 59% of alternative schools, and 49% of middle schools reported gang presence.¹¹ Although gang membership and violence are a growing problem in North Carolina, there is no other formal collection of gang data.¹²

DOC Data

In 2009 approximately 14,500 adolescents ages 13-20 were part of the DOC population. The vast majority (12,241 youth) were on probation or parole, however, 2,338 youth ages 15-20 were serving time in prison. Of those youth in prison, most were serving time for felony charges of robbery, breaking and entering, assault, non-trafficking drug charges, or larceny.¹³

DHHS Data

Adolescents are not only the perpetrators of violence but often the victims as well. In 2006, there were 131 violent deaths among North Carolina youth ages 10-20.^{o,14} Seventy of these deaths were homicides. Eighty-seven of these deaths,

n NCDJJDP defines a gang as a group of three or more persons, with a distinct name, known by an identifying sign or symbol, with some degree of organization and permanence that is involved in delinquent behavior or commits criminal acts (Temme B. Gang Violence. Presented to: North Carolina Institute of Medicine Task Force on Adolescent Health; February 6, 2009; Morrisville, NC).

o Excludes suicides.

or 66%, involved the use of a firearm.^p However, it is difficult to understand the full circumstances of youth firearm deaths as often information such as ownership, legality of the weapon, and storage patterns are not available at the state level. Collecting such information as part of a comprehensive injury surveillance system would help the state obtain more accurate data on youth violence.

While the mortality rate due to violence is of concern, hospitalizations and emergency department visits are also disturbing. During 2006, a total of 445 youth ages 10-24 were hospitalized for an assault-related injury; 251 were due to firearm injuries and 194 were because a youth was struck by someone else. In 2007, more than 7,000 youth were seen in the emergency department for assault-related injuries; 493 visits were because of a firearm-related assault injury and 6,671 visits were because a youth was struck by someone else.¹⁵ Unfortunately, many of the ICD-9 diagnosis codes used by physicians to report accidents, injuries, or diseases (also known as E-codes) are unspecified or missing, which means no coding information is available to provide details about an individual's injury. In addition, for surveillance purposes, an unspecified E-code makes it difficult for researchers and policymakers to make inferences about data for injuries and illnesses. Better use of e-codes would help the state obtain more accurate data on youth violence.

As reviewed, it is difficult to accurately and comprehensively assess the problem of youth violence in North Carolina due to the multitude of data systems and varying definitions involved in measuring youth violence. Additionally, in some areas, such as gangs, there is a lack of data. North Carolina needs to improve the data on youth violence so that policymakers, schools, community leaders, parents, and others can better understand the causes and circumstances of youth violence and develop additional services for at-risk youth. Therefore, the Task Force recommends:

In 2007, more than 7,000 youth were seen in the emergency department for assault-related injuries.

Recommendation 8.1: Enhance Injury Surveillance Evaluation

- a) The Department of Juvenile Justice and Delinquency Prevention should collect gang activity data from schools each year.
- b) The North Carolina General Assembly should amend the Public Health Act § 130A-1.1 to include injury and violence prevention as an essential public health service.

^p Proescholdbell S. Head, Injury Epidemiology and Surveillance Unit, Injury and Violence Prevention Branch, Chronic Disease and Injury Section, NC Division of Public Health. Written (email) communication, September 23, 2009.

- c) The North Carolina General Assembly should appropriate \$175,000 in recurring funds beginning in SFY 2011 to the Department of Public Health to develop an enhanced intentional and unintentional injury surveillance system with linkages. This work should be led by the State Center for Health Statistics and the Injury and Violence Prevention Branch and done in collaboration with the North Carolina Medical Society, North Carolina Pediatric Society, North Carolina Hospital Association, North Carolina Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, Governor's Highway Safety Program within the North Carolina Department of Transportation, Carolinas Poison Center (state poison control center) at Carolinas Medical Center, North Carolina Office of the Chief Medical Examiner, Department of Juvenile Justice and Delinquency Prevention, and others as appropriate. The collaborative should examine the need and feasibility for linkages to electronic health records and enhanced training in medical record coding using E codes (injury) and ICD-9/10 codes (disease).

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Risk and Protective Factors for Youth Violence

Many different risk factors have been identified for youth antisocial behaviors and violence, including individual, interpersonal (family and friends), community and environment characteristics, and public policies.

Individual: A child's temperament and personality have been associated with aggression later on in life. During childhood, temperament is often considered equivalent to personality; a "difficult" temperament can be described as being restless, impulsive, and having poor attention. Children with low IQ and low educational achievement are more likely to have conduct disorders, exhibit antisocial behaviors, and be involved in delinquent activities. Other individual risk factors for youth violence include low self-esteem, depression, substance use, and impairment in moral judgment, social information processing, and empathy (i.e. the understanding or acknowledgment of another individual's feelings).¹⁶ Additionally, exposure to media violence, including television, films, video games, and music, plays a significant causal role in increasing aggression and violent behavior in the short- and long-term.^{17,18}

Interpersonal: Child-rearing factors, including parental styles of supervision, punishment, reasoning, and responsiveness, impact youth engagement in violent behaviors. Low levels of supervision, lack of persistence in punishment and harsh or punitive discipline (including physical punishment), inconsistent rules, and cruel, passive, and neglectful parental attitudes have all been found to predict youth violence.⁶ Conversely, strong parental support and involvement can be a protective factor against youth violence.¹⁹ Witnessing or experiencing violence in the home are also predictors of youth violence.¹⁶ Peer groups can also be risk or protective factors for youth violence; violent peer group activities and norms affect an individual's likelihood of being involved in violent behaviors.²⁰

Community and Environment: The community, and the school in particular, that an adolescent lives in can either place youth at risk for or protect them from experiencing or engaging in violence. The school environment can either contribute to antisocial behaviors or be protective. For example, schools are more likely to produce delinquent youth if there is a high level of distrust between teachers and students, low student commitment to the school, and loosely enforced rules. Conversely, students who feel connected to their school are less likely to engage in youth violence.¹⁹ Lower neighborhood socio-economic status (SES) is associated with increased levels of adolescent involvement in delinquent, criminal, and violent behavior. Additionally, economically disadvantaged communities often have fewer adults with high school or college degrees and have fewer occupational opportunities which impacts whether youth see the value of school and, thus, how committed and connected they are to school. Other community characteristics, such as the strength of neighborhood support networks and social connections, the availability of high-quality after school programs, the level of violence in the neighborhood, and gang presence all influence adolescent engagement in violence.^{21,22}

Public policies: Local, state, and federal policies also impact youth violence both positively and negatively. Government at all levels impacts funding and support for high-quality prevention programs, after-school programs, and services for youth at-risk for or involved in youth violence, all of which can help reduce youth involvement in violent behaviors. Similarly, public policies affect the availability of guns and other weapons, housing policies that concentrate poverty, law enforcement presence in high risk communities, sentencing policies and other issues that impact youth violence. For example, there are many public policies available to reduce the availability of guns including restrictive licensing, waiting periods, bans on certain types of guns or where guns can be carried, and public education campaigns.^{23,24}

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Types of Youth Violence

As discussed, there are many types of youth violence. The Task Force decided to limit its discussion of types of youth violence to those behaviors for which there are evidence-based prevention strategies including school violence, bullying, dating violence, and gang violence.

School Violence

Many acts of youth violence occur at school and, therefore, constitute school violence. School violence is “behavior that violates educational mission or climate of respect or jeopardizes the schools’ intent to be free of aggression against persons or property, drugs, weapons and disorder.”²⁵ Schools receive funding from the federal government to promote safe and drug free schools. The purpose of the Safe and Drug Free Schools Act (SDFSFA) is to support programs that prevent violence around schools, prevent the use of alcohol, tobacco, and drugs, and involve parents and communities in school efforts. Safe and Drug Free Schools programs and are coordinated with federal, state,

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and local efforts to foster safe and drug free learning environments.²⁶ As part of the general effort to promote healthy and safe schools, the North Carolina General Assembly mandated that schools must have safe school plans that include a clear statement of the standard of behavior; the responsibility of the superintendent; the principal's expectation for maintaining a safe, secure, and orderly school environment; and the roles of other administrators, teachers, and other school personnel.^q The plans must have measurable objectives for improving school safety and measures of the effectiveness of efforts to assist students at risk of academic failure.

The Department of Public Instruction (DPI) has a number of initiatives underway to improve school safety and reduce violence, including safe and drug free schools coordinators; Positive Behavior Supports (PBS), an evidence-based approach to reducing problem behaviors in schools (See Chapter 5); and the 21st Century Community Learning Center Program, a program that provides after-school academic enrichment opportunities for students that attend high poverty/low performing schools.^r Additionally, DPI has formed partnerships with many groups, such as the Governor's Crime Commission, DJJDP, Smart Start, and others to address issues of school crime and violence with attention to utilizing evidence-based practices that influence multiple risk behaviors.

In addition to violence prevention as part of the Safe and Drug Free Schools Act, violence prevention is one of the subjects included in the Healthful Living Standard Course of Study (HLSCOS). The Task Force recommends the use of evidence-based programs, practices, and policies to meet the goals of the HLSCOS. (See **Recommendation 5.4.**) Furthermore, the Task Force recommends expanding efforts to support and further the academic achievement of middle and high school students (see **Recommendation 5.1.**), including fostering a student-supportive culture and climate that promotes school connectedness and expanding the use of PBS in middle and high schools.

Bullying

One particular type of violence that the Task Force explored in some depth was bullying in schools. Bullying is defined as "physical, verbal, or psychological attack or intimidation that is intended to cause fear, distress, or harm to a victim."¹⁶ A national survey found that 20.8% of students in grades 6-10 experience physical bullying, 53.6% verbal bullying, 51.4% social bullying, and 13.6% electronic bullying.²⁷ School bullying can negatively impact students. Studies have shown that victims of bullying experience psychological distress, low self-esteem, feelings of anger and sadness, poor social adjustment, and physical unwellness.²⁸ In North Carolina, 27.1% of middle school students and 22.3% of high school students reported that they have been harassed or bullied on school property one or more times during the past 12 months. (See Figure 8.1.) Notably, Latino high school students report bullying more than any other

q NCGS §115C-105.47

r 21st Century Community Learning Centers website: <http://www.ed.gov/programs/21stcclc/index.html>

racial/ethnic group. (See Appendix C.)⁹ Often times victims of bullying do not want go to school, fearing they will encounter their bully. A North Carolina study in 2003 found that nearly half of the students who were bullied failed to report the incident, fearing they would not be believed or that anything would change as a result of the report.²⁹

During the 2009 session, the North Carolina General Assembly passed a law to comprehensively define and prevent bullying and harassing.^{s,t} Bullying or harassing behavior includes any gestures, communication (written, verbal, or electronic), or physical act that occurs on school property or at any school-sponsored function that places a student or school employee in actual and reasonable fear of harm to his or her person or property, or creates a hostile environment interfering with the student's educational opportunities. These behaviors include, but are not limited to, acts based on the victim's race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability. The bill requires schools to adopt policies to prohibit bullying and harassing behaviors. The policies should publicize the new standards of behavior, allow anonymous reporting of bullying or harassing behavior, prohibit retaliation against the person who reports the acts, require prompt investigation of serious complaints, and include the consequences and remedial action for any person who bullies or harasses another student or school employee.

Dating Violence

Physical and psychological abuse within the context of adolescent dating is prevalent. Nationally, approximately one in ten adolescents report they have been physically abused by a date, and 29% report psychological abuse.³⁰ Survey data varies for the percentage of youth who report sexual dating violence. In North Carolina 13.2% of high school students reported being hit, slapped, or physically hurt on purpose by their boyfriend or girlfriend in the last 12 months, and 9.3% of high school students reported being forced to have sexual intercourse when they did not want to. While high school boys and girls were about equally likely to report being physically hurt by their boy or girlfriend, girls were far more likely to report being physically forced to have sexual intercourse.⁹ (See Appendix C.) The consequences of dating violence can be significant for both boys and girls and lead to other problem behaviors. Boys and girls who have been a victim of dating abuse are at increased risk for depression, cigarette smoking, suicidal ideation, and suicide attempts. Girls are also at increased risk for marijuana use, illicit substance use, and antisocial behavior.³⁰

Researchers in North Carolina have been at the forefront of efforts to develop an evidence-based program to reduce dating violence, Safe Dates. Safe Dates

During the 2009 session, the North Carolina General Assembly passed a law to comprehensively define and prevent bullying and harassing.

^s Senate Bill 526, Session Law 2009-212, NCGS §115C-407.5.

^t The Task Force included supporting Senate Bill 526 as a preliminary recommendation. Because the bill passed, the Task Force did not include it in the final list of recommendations.

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has been recognized nationally as an evidence-based program to prevent dating violence. Safe Dates has positive effects on reducing perpetration of psychological dating abuse, moderate physical dating abuse, severe physical dating abuse (if the perpetrator had not engaged in more than average amounts of dating abuse prior to program exposure), and sexual dating abuse. The program also has positive effects on reducing moderate physical dating abuse victimization. The program is equally effective for males and females and for whites and minority adolescents. Further, adolescents exposed to the Safe Dates program report 56%-92% less dating violence victimization and perpetration four years after exposure.³⁰ Dating violence is one of the subjects included in the Healthful Living Standard Course of Study (HLSCOS) and the Task Force recommends the use of evidence-based programs, practices, and policies to meet the goals of the HLSCOS. (See **Recommendation 5.4.**)

Gang Violence

There is no one definition of a gang, gang member, or gang violence across states or even across agencies within a state. In North Carolina, DJJDP defines a gang as a group of three or more persons, with a distinct name, known by an identifying sign or symbol, with some degree of organization and permanence that is involved in delinquent behavior or commits criminal acts.¹² Generally, gang members are between the ages of 12 and 24 years, with most being older than 18.^{31,32} More than 24,500 gangs have been identified in the United States and can be found in the vast majority of large cities as well as most suburban counties and smaller cities. Rural counties are less likely to have gangs.^{u,33,32} Youth with certain risk factors, including alcohol or drug use, poor family connectedness, low school achievement or attachment to the school, association with peers who engage in delinquency, and living in a neighborhood in which large numbers of youth are in trouble, are more likely to join gangs.³¹

The presence of gangs promotes antisocial behavior among youth and creates serious problems for the youth, their families, and the broader community. While youth reportedly turn to gangs for protection, they are more likely to be violently victimized while part of a gang than when they are not. Gang membership is also associated with other adverse consequences, including dropping out of school, teen pregnancy, and unstable employment.³¹ Broad-based community interventions have been shown to reduce gang presence. For example, the US Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) promotes the Comprehensive Gang Model. This model has five components: community mobilization; providing gang members with opportunities for education, training, and employment; involving other communities agencies, schools, faith-based organizations, police, and others in reaching out and linking them to other services; close supervision and monitoring of youth involved in gangs; and implementation of policies and procedures to more effectively address gang problems.³⁴ The

^u Section 18.5 of Session Law 2009-451.

General Assembly appropriated \$6 million of the federal monies it received under the American Recovery and Reinvestment Act to fund two-year grant prevention and intervention pilot program that will focus on youth at risk for gang involvement, as well as those already involved in gangs.^v

The Task Force recommends better surveillance of gang activity in North Carolina (see **Recommendation 8.1**) as well as multifaceted community health demonstration projects using evidence-based programs, practices, and policies to address multiple adolescent risk behaviors. (See **Recommendation 3.3**.)

Reducing Youth Violence

Reducing youth violence requires a community-wide effort that involves individuals, families, schools, and government agencies utilizing both in- and out-of-school strategies. As discussed, DPI and DJJDP are instrumental agencies in reducing youth violence. DPI serves as a key player for reducing youth violence because they are responsible for addressing school violence through the Safe and Drug Free Schools program. Additionally the Healthy Living Standard Course of Study addresses violence as well as risk behaviors that may contribute to violence (i.e. mental health, drug and alcohol use). (See Chapter 5.) DJJDP is also responsible for reducing youth violence. Part of DJJDP's mission includes preventing violence and gang activity, preventing substance use, and funding community alternatives to incarceration. By working together and sharing resources, these two departments create a strong collaborative network for combating youth violence. Recently, DJJDP and DPI have been working together in response to Session Law 2008-56 (Senate Bill 1358) to address school violence and gang activity.

As part of Senate Bill 1358, the North Carolina Street Gang Prevention and Intervention Act, DJJDP and DPI were asked to provide a report to the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee and the Joint Legislative Education Oversight Committee looking at school violence and gang activity. After careful review of existing data and data derived from newly developed surveys the report made four recommendations: improve data collection as needed (see **Recommendation 8.1**); provide additional funding to serve at-risk youth in schools and communities (see **Recommendations 3.2, 3.3, and 5.4**); support education programs for parents and school personnel (see **Recommendation 3.1**); and fund evidence-based programming in schools and communities to prevent delinquency and gang involvement. (See **Recommendations 3.3 and 5.4**.) It was also noted that a truly comprehensive model of combating gang violence includes community mobilization, social intervention, provision of opportunities for youth and families, gang suppression, and organizational change.

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^v Section 29.1 of Session Law 2009-574. Section 15.17J of Session Law 2009-451.

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There are several evidence-based programs to combat violence in schools. These programs help reduce violence and reduce risk behaviors that contribute to violence (including bullying, dating violence, and gang violence). The Task Force supports the expansion of evidence-based programs and curricula in the schools. (See Chapter 5.) There are also mechanisms to provide violence prevention programs in the community, including gang violence prevention programs. Within DJJDP, Juvenile Crime Prevention Councils (JCPCs) are the funding source for community sanctions (alternatives to incarceration) and community level delinquency and substance abuse prevention. JCPCs receive \$23 million in recurring funding from the North Carolina General Assembly to review the needs of each county's at-risk and adjudicated youth population and distribute grants to support needed programs and services. In 2008, JCPCs served more than 24,000 youth across the state.¹⁰ This year, as part of the 2009 appropriations bill, the DJJDP, DOC, DHHS, and other relevant agencies were directed to study reform of the state's community corrections system, including identification of evidence-based programs to reduce crime, decrease offender recidivism rates, and improve offender reintegration into society. Another provision in the appropriations bill sought information on the effectiveness of JCPC grant funded programs.^w Thus, the General Assembly is also seeking ways to promote evidence-based programs to reduce youth violence and delinquency.

There are many violence prevention programs available to communities with differing levels of effectiveness. There is a wealth of knowledge about what programs and practices work in the field of youth violence (see Appendix B); evidence-based programs should be used whenever possible. Furthermore, the emphasis on evidence-based programs needs to be combined with an increased level of accountability. Research shows that fidelity to proven models is essential to replicating their success.³⁵ Monitoring fidelity to proven models ensures that the greatest effect can be delivered for the dollar and provides guidance for future funding. Specifically, the implementation of evidence-based, culturally sensitive programs to prevent homicide and non-fatal violence would reduce youth violence. Therefore, the Task Force recommends:

Recommendation 8.2: Support Evidence-Based Prevention Programs in the Community (PRIORITY RECOMMENDATION)

- a) The Department of Juvenile Justice and Delinquency Prevention (DJJDP) should strongly encourage Juvenile Crime Prevention Councils (JCPC) to fund evidence-based juvenile justice prevention and treatment programs, including prevention of youth violence and substance use, and community-based alternatives to incarceration. Additionally, DJJDP should strongly encourage

^w Youth can also commit status offenses, which are noncriminal behaviors that are illegal because of the child's age. These behaviors are not illegal for adults. For example, typical status offenses are truancy (cutting school) and running away from home.

JCPC-funded programs to address multiple health domains in addition to violence prevention.

- b) DJJDP should restructure JCPC funding grants to allow grants of longer than one year duration so that programs have the resources and commitment to implement and support evidence-based programs with fidelity.

Age of Delinquency

Since 1919, North Carolina has regarded all individuals age 16 or older as adults in the justice system. Therefore, youth ages 16 and 17 who commit any criminal offense^x automatically go through the adult criminal justice system rather than the juvenile system. There are no exceptions to this age trigger. Research shows that adolescents who are managed in an adult criminal system are 34% more likely to become repeat offenders when compared to adolescents managed in the juvenile system.^{36,37}

Most youthful offenders are not tried for violent crimes. In 2005, there were approximately 11,000 16- and 17-year olds tried in the adult system in North Carolina. Of these, 14% were for felonies, and only 4% were for felonies against a person.³⁸ When convicted and sentenced to time in prison, these youth are housed with adult criminals, where they are more vulnerable to sexual exploitation and physical assault, and learn from the negative influences of more hardened criminals. North Carolina is one of only two states that treat all 16 and 17 year olds as adults (the other is New York).³⁹

Most states do not transfer youth automatically to adult court unless they 18 or older.^y States have established higher ages for adult court jurisdiction in recognition of the reduced criminal culpability of adolescents and of youth well into their 20s. Similarly, the US Supreme court also recognized the reduced responsibility of youth under age 18. In *Roper v. Simmons*, 543 U.S. 551 (2005), the US Supreme Court ruled that youth under the age of 18 could not receive the death penalty because they are less culpable due to their developmental stage. The Supreme Court's decision was based largely on the arguments of the medical and scientific communities which argued that there are biological reasons that youth are more likely to make poor decisions and more likely to be reformed than adults.

Research shows that adolescents who are managed in an adult criminal system are 34% more likely to become repeat offenders when compared to adolescents managed in the juvenile system.

x In 2007, North Carolina was only one of three states (with New York and Connecticut) where the age of adult jurisdiction was 16. Subsequently, Connecticut raised the age to XX. In 2007, the age for adult jurisdiction was 17 in ten states, and in the remaining 37 states and the District of Columbia, the age of adult jurisdiction was 18. (North Carolina Sentencing and Policy Advisory Commission. Report on Study of Youthful Offenders Pursuant to Session Law 2006-248, Sections 34.1 and 34.2. http://www.justicepolicycenter.org/Articles%20and%20Research/Research/Sentencing/JUVENILESyo_finalreporttolegislature.pdf. Published March 2007. Accessed September 21, 2009.)

y Currently, youth as young as 13 can be transferred to Superior Court to be tried as an adult if specific criteria are met. For example, youth age 13 or older must be transferred to Superior Court if charged with a Class A felony, and can be transferred at the discretion of the juvenile court if charged with any other felony.

**Transferring
youth ages
16-17 to adult
court is also an
ineffective strategy
to decrease or
prevent youth
violence.**

Transferring youth ages 16-17 to adult court is also an *ineffective* strategy to decrease or prevent youth violence. The CDC Task Force on Community Preventive Services reviewed published literature and found that the median effect for youth who were transferred to the adult criminal justice system was that they were 34% more likely to be rearrested for a violent or other crime than were similar youth retained in the juvenile justice system.^{36,37} Similarly, data from the North Carolina Sentencing Commission show that youthful offenders serving time in North Carolina adult prisons had the highest rate of rearrest and reconviction of all offenders, and their rates were higher than other adult offenders. In 2001-2002, 61.5% of all youthful prisoners (ages 21 years or younger) and 40.8% of youthful probationers were rearrested within three years, compared to 49.8% of all prisoners and 33.3% of all probationers.⁴⁰

The North Carolina Sentencing and Policy Advisory Commission recommended raising the age of delinquency for criminal offenses to age 18.⁴⁰ They recognized the developmental immaturity of most youth under age 18, as well as the need to balance punishment with the potential for treatment and rehabilitation. Under this proposal, juveniles younger than 18 would be tried in juvenile court, unless they meet specific criteria for transfer to be tried as an adult.^z The Commission also recommended a two-year planning period before implementation of the law changes, in order to give the agencies the time to plan for a successful transition of older juvenile offenders into the juvenile court system. In addition, the Commission recommended that the state implement evidence-based programs that have been shown to reduce the recidivism rates for youthful offenders. These programs typically focus on moral reasoning, problem solving, social skills, and impulse control. State and national data show that such an approach improves public safety while increasing the likelihood that youth be crime-free as adults.

National cost-benefit analyses show that developmentally appropriate intervention in the lives of troubled youth is one of the most cost-effective uses of public money. Moving 16- and 17-year-olds from the adult system into the juvenile justice system will provide better outcomes and increases the likelihood that they will complete their high school education, be eligible for scholarships and other higher education programs, and get needed support and guidance from their family. This creates the best environment for getting troubled youth the guidance they need to turn their lives around and ultimately to live a crime-free, productive adulthood. Better outcomes for youth also mean more effective use of limited funds and safer communities.⁴¹

Two bills^{aa} were introduced in the 2009 session that would phase in changes in the juvenile justice laws to raise the age in which youth are tried in the juvenile justice system up to age 18. Both bills recommended DJJDP create a Youth Accountability Planning Task Force (YAP Task Force) to study issues related

^z House Bill 1414 and Senate Bill 1048. Both are eligible for consideration during the 2010 Session.

^{aa} Section 18.9 of Session Law 2009-451.

to raising the age of juvenile court jurisdiction. Although neither bill passed during the 2009 session, the YAP Task Force passed as part of the budget.^{ab} The YAP Task Force is charged with determining whether the State should expand the DJJDP's jurisdiction to include persons ages 16-17 who commit crimes or infractions; developing an implementation plan; and determining the total cost of expanding the DJJDP's jurisdiction. YAP Task Force members include the Secretary of DJJDP, the Director of the Administrative Office of the Courts, the Secretary of DHHS, the Secretary of the DOC, the Secretary of the Department of Crime Control and Public Safety, the Superintendent of Public Instruction, the Secretary of the Department of Administration, the Juvenile Defender in the Office of Indigent Defense, and others as specified in the budget. The YAP Task Force met for the first time in October, 2009. The YAP Task Force will submit an interim report to the 2010 session of the 2009 General Assembly, with copies to the Joint Legislative Correction, Crime Control and Juvenile Justice Oversight Committee and the Appropriations Subcommittees on Justice and Public Safety of both houses, and will submit a final report of its findings and recommendations by January 15, 2011, to the General Assembly and the Governor.

The Task Force recommends:

Recommendation 8.3: Raise the Age of Juvenile Court Jurisdiction

The North Carolina General Assembly should enact legislation to raise the age of juvenile court jurisdiction from 16 to 18. Full implementation of the increased age for juvenile court jurisdiction should be delayed two years to enable the Youth Accountability Planning Task Force of the North Carolina Department of Juvenile Justice and Delinquency Prevention to report back recommendations on implementation and costs to the General Assembly.

^{ab} Section 18.9 of Session Law 2009-451.

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