

North Carolina House Approves Raising Juvenile Court's Minimum Age To 8



The House approved legislation to raise the age at which a child can be tried in juvenile courts in North Carolina from 6 to 8.

Under the new law, which is included in a broader juvenile justice bill overwhelmingly approved by the House, North Carolina will no longer have the state's lowest age for juveniles adjudicated.

A minimum of 10 has been proposed for this year. Several lawmakers expressed concern that 8- or 9-year-olds accused of violent or serious felonies would only be able to receive nine months of counseling.

"We can keep jurisdiction over them longer in juvenile court," said Rep. Sarah Stevens, a Surry County Republican. She mentioned cases involving children as old as 9 who was accused of assault, forcible rape, and arson. "We need to get them help and until we can otherwise (change) the system we need to ensure that they stay under our courts' jurisdiction."

Also under the updated measure, any 8- or 9-year-old who commits a crime, misdemeanor, or infraction could be sent back to court.



Former Durham County District Court Judge Marcia Morey introduced a bill in her own right that would extend juvenile jurisdiction to 10 years old.

The floor amendment she proposed would have increased the minimum age to 10, according to experts on the advisory panel and groups across the political spectrum. Legislative leaders appoint the majority of panel members.

Third- and fourth-graders don't understand court proceedings, Morey says. Additionally, the youth would receive social services and assistance.

"They are impulsive. Their intellect is not fully informed," Morey said while debating her amendment that was defeated in a 42-57 vote. "Do not start them off with a delinquency history."

The new language was drafted with the North Carolina Conference of District Attorneys, said Billy Lassiter, deputy secretary for juvenile justice within the Department of Public Safety.

During the three fiscal years 2016 to 2019, almost 1,150 youths under 10 who experienced juvenile complaints

would still be subject to complaints if the updated bill had already become law, Lassiter said. All but five of those youths would have been removed from the system.

"We can live with this because I think it saves so many more kids," Lassiter said. "We met in the middle. This is a compromise and I think it's a good deal for us to move forward with."

The full bill, which passed 101-1, now goes to the Senate for consideration.

When tough-on-crime legislation was common in the 1970s and 1980s, 6 years was the minimum of the delinquency jurisdiction.

The Department of Public Safety reported in March that 28 states and Washington, DC, have no age restrictions. New York, Connecticut, and Maryland have a 7-year-old minimum requirement.

Teens adjudicated in North Carolina juvenile court are either given probation or sent to youth development centers when they reach the age of 10.

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