

Testimony to the

INTERIM JUDICIARY COMMITTEE

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CONCERNING JUVENILE COURT JURISDICTION STUDY

Chairman Nething and members of the committee, thank you for inviting the North Dakota Association of Counties to provide testimony on this important issue.

I will not be able to provide a great deal of input at this time, as statewide, most county officials are more curious and questioning than ready to weigh in on the concept of a juvenile court of extended jurisdiction. When the bill was first introduced it didn't generate a huge outcry or excitement, possibly because it was viewed as applicable to so few cases.

Aaron Birst, NDACo's attorney, is our point person for this issue, due to his regular and direct contact with the State's Attorneys and Sheriffs – our members with ultimately the most involvement. However, to prepare for today's hearing I did review a few documents that helped me better understand the issue – and may be beneficial to the Committee.

The first is on the back of my testimony. This is a companion piece to the court data provided by the Legislative Council. This contains a picture over time of juvenile arrests – as opposed to court referrals. It does show that we are at an historical low for juvenile arrests.

The other item that the Committee may find interesting is an evaluation published by the U.S. Department of Justice of Minnesota's EJJ or "Extended Jurisdiction Juvenile" – their term for this type of blended jurisdiction. I reviewed this study, conducted by researchers from the National Center for State Courts, online, and have included the website below.

<http://contentdm.ncsconline.org/cgi-bin/showfile.exe?CISOROOT=/criminal&CISOPTR=123>

I found this report interesting in several ways. It noted that of the 10,000 average annual felony juvenile cases, an average of 300 were processed through the EJJ. Looking at the relative size of North Dakota's system, as similar process would serve about two dozen juveniles annually.

The most significant finding of the evaluation was that both intended factors (i.e. offense and offense history) and unintended factors (geography and race) influenced the use of EJJ – obviously the later was a concern to the researchers and the Justice Department. The study found little evidence of "net-widening" which would also have been concerning, and an issue of which county officials would be wary due to its impact on county resources.

As with the previous study on electronic recordings, our Association stands ready to assist the committee in any way possible.