

**MINUTES  
NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION  
MEETING**

**September 11, 2015**

The North Carolina Sentencing and Policy Advisory Commission met on Friday, September 11, 2015, at the North Carolina Judicial Center in Raleigh, North Carolina.

**Members Present:** Chairman W. Erwin Spainhour, Art Beeler, Honorable Charlie Brown, Paul Butler, Lisa Costner, Louise Davis, Honorable Richard Elmore, Honorable Robert Ervin, Honorable John Faircloth, Chris Fialko, Ilona Kusa, Honorable Floyd McKissick, Robert Montgomery, Luther Moore, Honorable Fred Morrison, Billy Sanders, and Keith Shannon.

**Guests:** Yolanda Woodhouse (AOC), Lauren Norman (NCSA), Susan Sitze (NCGA), Jennifer Bedford (NCGA), Cindy Porterfield (DPS-DACJJ), Kim Howes (OJD), Tim Moose (DPS-DACJJ), Joe Prater (DPS-DACJJ), Michael Gagner (DPS-GCC), and Elliot Abrams (Cheshire Parker Law Firm).

**Staff:** Susan Katzenelson, Ginny Hevener, John Madler, Tamara Flinchum, Michelle Hall, Sara Perdue, Rebecca Murdock, Jennifer Wesoloski, and Shelley Kirk.

**INTRODUCTION**

Chairman Spainhour called the meeting to order at 10:00 a.m. Members, staff, and visitors introduced themselves. Chairman Spainhour called for a moment of silence to remember those lives lost on September 11, 2001. He then reviewed the agenda for the meeting.

Chairman Spainhour introduced and welcomed the newest Commissioner, Lisa Costner, who is representing the N.C. Bar Association. He then read the Resolution honoring outgoing Commissioner Robert Campbell and called for a motion to adopt. Luther Moore made a motion to adopt the Resolution; the motion was seconded and carried.

Mr. Moore moved to adopt the minutes from the June 5, 2015, Sentencing Commission meeting; the motion was seconded and carried.

**REVIEW OF THE 2015 LEGISLATIVE SESSION**

Chairman Spainhour recognized John Madler, staff, to provide an update on the legislative session. Mr. Madler began by informing the members that the General Assembly had not adjourned yet so he would provide an update, staff would provide a summary of the session at the December Commission meeting. Before discussing legislative activities, Mr. Madler told the members about two new study groups: the Governor's Task Force on Mental Health and Substance Use and the Chief Justice's Commission on the Administration of Law and Justice. The Governor established the Task Force to develop recommendations to improve collaboration between health care, justice, and safety professionals using existing resources. It will provide its

findings and recommendations to the Governor by May 1, 2016. Meanwhile, the Chief Justice established the Commission to undertake a comprehensive evaluation of the North Carolina judicial system, including criminal investigation and adjudication, and make recommendations for strengthening the courts within the existing administrative framework. It will report back to the Chief Justice prior to the start of the 2017 legislative session. Staff will monitor both groups and provide updates to the Sentencing Commission.

Turning to legislative activities, Mr. Madler informed the members that the General Assembly had passed the two bills recommended by the Sentencing Commission: Senate Bill 183, Eliminate Confinement in Response to Probation Violations (CRVs) for Misdemeanants, and Senate Bill 185, Clarify Credit for Time Served (*see* handouts). He reviewed the history and the details of each bill.

Judge Ervin asked how the change to the credit for time served statute in Senate Bill 185 would apply to an offender who gets a new charge while he is in jail awaiting a probation violation hearing. Chairman Spainhour stated that he did not believe that the bill would affect that scenario since the offender was not “serving a sentence” as the new language requires.

Mr. Madler then reviewed the bills which the General Assembly had passed that contained criminal or juvenile justice provisions (*see* handout). He provided an update on the status of other bills of interest, including the three bills which the Commission had informed the General Assembly contained misdemeanor sentencing provisions that were inconsistent with Structured Sentencing (House Bills 338 and 847, and Senate Bill 278).

Chairman Spainhour asked if House Bill 39 (Labor/Up Amusement Device Penalties) applied to zip-lines at camps. Mr. Madler stated that the bill did not include the definition of “amusement devices” but that staff could look it up. He pointed out that the bill applied to amusement parks and a camp would probably not be included in that definition. Subsequently, Rebecca Murdock reported that the bill contained a separate provision requiring the Department of Labor to study the need for regulation of zip-line operations.

Art Beeler asked if House Bill 560 (Assault Emergency Workers/Hospital Personnel) would apply to employees at the prison hospitals. Chairman Spainhour stated that it should be based on the use of the term “hospital personnel.” Subsequently, Rebecca Murdock reported that “hospital” is not defined in the statute so a prison hospital is likely covered. Susan Sitze pointed out that the statute only refers to personnel caring for patients, not administrative and support staff.

Senator McKissick explained his concern with House Bill 148 (Insurance Required for Mopeds). He was told that moped insurance could cost \$420 a year and that was if the applicant did not have a history of driving while impaired; he was concerned that this requirement would encourage people who lost their license due to an impaired driving conviction to keep driving their cars instead of using a moped.

Regarding Senate Bill 233 (Automatic Expunction/Mistaken Identity), Chris Fialko asked how an “automatic” expunction worked. Mr. Madler explained that the person who ordered the

dismissal of the charges would notify the court of the dismissal and the court would order the expunction of the records. Senator McKissick noted that this was the first provision in the country to address mistaken identity cases. He shared the details of a case that he heard of that prompted this legislation.

Finally, Mr. Madler reviewed the relevant appropriations and special provisions from the House and Senate budget proposals (*see* handout). He informed the members that the Speaker of the House and President Pro Tem of the Senate had announced that they had reached an agreement on the budget and that they may release the compromise version of the bill by the beginning of the next week.

Mr. Fialko asked when the last parole eligibility report was submitted. Mr. Madler stated that it was March of 2015.

Mr. Fialko asked for clarification on the special provision changing how assistant district attorneys are allocated. Mr. Madler explained that the General Assembly currently allocated them by statute but that this provision would allow the Administrative Office of the Courts to allocate them on an annual basis based on the application of a workload formula. Senator McKissick expressed concern about the impact this provision would have on the openings in the district attorneys' offices in urban areas in particular.

Mr. Beeler stated that both houses proposed reducing the prison education budget and he thought that was a big mistake. He noted that there is evidenced-based proof that education reduces recidivism.

Mr. Butler expressed his appreciation to the General Assembly for supporting reclassifications and pay raises for prison guards.

## **UPDATE ON CORRECTIONAL AND DELINQUENT POPULATIONS**

Chairman Spainhour recognized Ginny Hevener, staff, to present an update on correctional and delinquent populations (*see* handouts). Ms. Hevener noted that the mandate to project correctional populations originated from one of the key principles of Structured Sentencing – that sentencing policies should be balanced with correctional resources. The projections provide the Department of Public Safety and the General Assembly Sentencing with a long-term look at what they can expect in terms of resource needs for these populations given the existing criminal justice and juvenile justice policies. The projections have played a pivotal role in changes to criminal and justice and juvenile justice policies over the years (*e.g.*, review of the state's sentencing laws in 2001 and catalyst for Justice Reinvestment initiative).

The prison projections were developed using FY 2014 data on convictions and sentences imposed, along with data on all offenders in prison at the beginning of the projection period. Ms. Hevener noted that FY 2014 is the second full year of data since the provisions of the Justice Reinvestment Act (JRA) went into effect and, as a result, are not necessarily representative of future practices. The average prison population for June 2015 was 37,468 compared to the projected population of 37,236 (a difference of less than 1%). The prison population is currently

lower than prison capacity, but is projected to be about 200 above capacity at the end of the ten-year projection period.

Ms. Hevener also reviewed a graph depicting prison population trends from July 2003 through July 2015. After years of increasing, the prison population growth slowed as a result of decreases in criminal justice trends (such as arrests and convictions) and then declined further with changes to the felony punishment chart, with the most significant declines coming with the enactment of the JRA. The prison population has remained at around 2006 levels since the beginning of 2013. Factors to consider regarding the future prison population include the long-term impact of the JRA and the direction of future crime trends. To date, there are no criminal penalty bills from the current legislative session that would have a substantial impact on the prison population in either direction. Staff has started working with the Department of Public Safety on the next projections and hopes to have updated projections at the beginning of next year.

Judge Ervin asked if the trend numbers include CRV Centers; Ms. Hevener replied that they did. Judge Ervin recommended adding the SMCP population on the prison population chart for comparison. Ms. Hevener responded that this information could be included on a chart. She noted that the SMCP population is only a portion of the inmates housed in county jails.

Representative Faircloth noted the recent increase in crime and stated that he believed technology will play a bigger part in detecting crime patterns in the coming years and that this should be considered in forecasting meetings. He stated that it could help solve current crimes and be a deterrent to future crimes. Paul Butler added that it would expedite warrants being issued by the Post-Release Supervision and Parole Commission if electronic signatures would be allowed. He further commented that warrants are not being issued fast enough which is a concern for public safety.

Ms. Hevener also presented an update on the youth development center population. This population contains all adjudicated juveniles with a level 3 disposition – whether in a youth development center (YDC), awaiting placement in an YDC, or a community-based placement. The projections were developed using data on delinquent dispositions from FY 2014 and data on the juveniles who were committed to a YDC as of July 1, 2014. The projected YDC population for June 2015 was 238 compared to the actual average population of 225, a difference of 13 or almost 6%. Ms. Hevener reviewed a graph depicting YDC population trends from July 2006 through July 2015. Like the adult prison population, the YDC population has also been decreasing over the past few years as the result of similar population and juvenile justice trends. Staff hopes to have updated juvenile justice resource projections by the end of the year.

## **RESEARCH AND POLICY STUDY GROUP – STATUS REPORT**

Chairman Spainhour recognized Rebecca Murdock, staff, to present a status report from the Research and Policy Study Group. Ms. Murdock informed the Commission that the Study Group met on August 21, 2015, with a bifurcated meeting to allow for examination of two of the issues the Study Group had identified as areas of interest: mental health and juvenile issues. She

stated that she would be reporting on the updates relevant to mental health and that Michelle Hall, staff, would be presenting on the updates relevant to juvenile issues.

Ms. Murdock stated that from a list of subtopics the Study Group created previously, the Study Group decided to study mental health services in local jails as its next topic of focus. In that vein, staff set up and conducted a pilot project to examine the intersection of the mental health system and the criminal justice system in the setting of the local jail. First, staff identified the groups that are involved with the two systems and might have some perspective on their intersection. Staff decided to seek out the sheriff's office, primarily someone in jail administration, the local management entity, which is the administrative body over the providers in different geographical regions, the county commissioners, service providers, and then anyone involved with the mentally ill inmate population from a court perspective in the work of pretrial, diversion, etc.

Ms. Murdock reported that staff launched the pilot in July and it encompassed two locations, Richmond and Mecklenburg counties. She stated that the locations were selected in attempts to have maximum variety: different managing entities, different geographical areas of the state, and different population densities. Upon their return, staff spent time culling together the information gathered and potential leads should the Study Group want to continue the research further. At the Study Group's meeting on August 21, staff presented the preliminary information, and the Study Group instructed staff to continue the project past the pilot phase. Currently, staff is working on refining and recalibrating the questions, given the feedback from the field, and setting up site visits for the next round of counties for this fall.

Judge Spainhour asked which counties staff were thinking about visiting on the next phase of the project; Ms. Murdock replied that they were reaching out to Burke and Durham counties first, and would reassess if further visits were needed after those visits were completed.

Michelle Hall provided the update on juvenile justice issues. She reminded Commissioners that at the June Commission meeting, Commissioners heard a presentation on two juvenile reports, the 2015 Juvenile Recidivism Report and the 2015 Juvenile Crime Prevention Council (JCPC) Program Effectiveness Report. Both were based on a sample of 16,000 court involved juveniles, with an additional focus on JCPC program participation. At the June meeting, Commissioners also heard an update from the Study Group about where it left off in April, including several questions regarding the juvenile justice system and the age of juvenile jurisdiction in North Carolina: (1) What is the current level of services available for juveniles in NC; (2) How effective are existing programs; and (3) Why should NC raise the age of juvenile jurisdiction if existing programs are not sufficient and/or effective? At the direction of the Study Group, staff was tasked with exploring a method to assess the current level of services in the juvenile justice (JJ) system.

Ms. Hall reviewed juvenile recidivism rates over time, noting they are high and stable, ranging between 42% and 45%. She noted that in the past four juvenile recidivism reports, factors were examined and found to be predictors of recidivism; any recommendations should focus on those factors that have a significant relationship with recidivism and are relevant to policy considerations. She then discussed the policy framework (*i.e.*, assess, target, match) and

goal for answering the questions from the Study Group; the policy goal was to identify what works and for whom, using no additional resources and better using existing resources.

Ms. Hall then explained findings from both the 2015 JCPC Program Effectiveness Report and from further analysis staff had conducted on the juvenile recidivism sample. She reviewed recidivism outcomes by risk level for juveniles admitted to JCPC programs compared to juveniles not admitted to JCPC programs. Juveniles admitted to JCPC programs recidivated at higher rates than those that were not admitted; the biggest driver of the recidivism rates were juveniles in the low-risk category. She stated that staff also examined recidivism rates by JCPC program category and type, noting it was important to consider the risk “profile” of a program (*i.e.*, how difficult the youth are that are being served by a program).

Louise Davis asked if there was any way to look at the specific JCPC program a youth participated in, for example, Teen Court. Ms. Hall responded that yes, the information is available to look at the category and type, as well as the individual program a juvenile participated in. However, because there are so many programs statewide (over 500), examining recidivism rates at that level would not have much meaning because the numbers of participating youth in each individual program are small. Statewide information and recidivism rates on program type (*e.g.*, Teen Court) are available and that could be provided. Ms. Hall then reminded Commissioners that all of the information presented pertains to court-involved youth.

Senator McKissick asked how information for youth served by JCPC programs that are not court-involved is captured. He remarked that such information seemed to be necessary in considering policy changes. Ms. Katzenelson responded that in past JCPC Effectiveness reports, information on at-risk youth had been examined. However, those reports have data and methodology flaws because the data collected on at-risk youth are incomplete. At-risk juveniles do not have unique identifiers and there are no data collected on risk assessments. These two factors make it difficult to accurately measure recidivism and compare outcomes to court-involved youth.

Mr. Beeler noted that not every county has the same numbers of court-involved juveniles as non-court-involved juveniles in JCPC programs. He stated that JJ is working hard to develop measures to put into its community programs database, NC-ALLIES, with the onus on the programs to improve data collection and quality.

Ms. Hall continued, explaining how the research findings fit within the policy framework of assessing, targeting and matching. She then reviewed the five proposals from the Study Group for the consideration of the Commission:

- 1) Revisit and adjust risk levels with available data;
- 2) Use the same risk assessment tool for at-risk and court-involved youth;
- 3) Administer a needs assessment for at-risk youth;
- 4) Assess programs; and
- 5) Continuously evaluate and improve the process.

Senator McKissick asked about programs dealing with diverted youth. Ms. Katzenelson responded that JJ uses the word “diversion” to describe two scenarios: some youth are diverted

from court and referred to JCPC programs; at-risk youth are diverted directly to JCPC programs from referral sources such as a school resource officer or parent.

Mr. Beeler commented that the Standardized Program Evaluation Protocol (SPEP) tool, referenced in Proposal 4, is supposed to be used for JCPC programs. Ms. Katzenelson noted that SPEP has been around since 2002 in North Carolina but no one has seen scores yet. Mr. Beeler commented that the issues with SPEP scores are being assessed.

Chairman Spainhour asked if there was a motion related to the proposals from the Study Group. Ms. Davis made a motion to adopt the proposals as presented and forward them to DPS for their consideration, the motion was seconded and carried.

## **AGENCY UPDATES**

*DPS/Division of Adult Correction and Juvenile Justice (Tim Moose, Deputy Commissioner, Operations)*

Due to a scheduling conflict with the Interim Director of the Administrative Office of the Courts, Chairman Spainhour changed the order of the presentations and recognized Tim Moose, Deputy Commissioner for the Division of Adult Correction and Juvenile Justice (DACJJ) Operations, to give an update on the Division of Adult Correction. Mr. Moose told the members that the DACJJ has approximately 21,000 employees to supervise an offender population of 110,000 probationers and post-release supervisees, 37,500 prison inmates, and 11,000 juvenile offenders. The Division has an operating budget of 1.4 billion dollars, but it still had to use approximately 89 million dollars in lapsed salaries to cover operations.

The DACJJ is in the process of developing its strategic plan. Mr. Moose explained that this plan will coordinate with the Recidivism Reduction Plan and will involve all of the major sections of adult corrections. All of the items in his presentation are part of the Strategic Plan.

Mr. Moose stated that one of the most important items the DACJJ has been working on is making improvements to hiring, the on-boarding process, and the Employee Retention Plan. The changes started in 2009 with Community Corrections and more recently the Division has started applying those ideas to Prisons. The goal is to reduce the correctional officer vacancy rate.

Mr. Moore asked about the turnover rates and vacancy numbers for the DAC sections. Mr. Moose responded that the rates vary: probation officers are at about 2% - under 50 vacancies, correctional officers are at about 12% – 900 vacant positions – which is down from about 14-15%, while the rate for mental health service providers is approximately 17-22%. Mr. Moore asked why the vacancy rate for correctional officers is so high. Mr. Moose responded that several factors affect the rate – pay scale, environment, and past issues with on-boarding of new officers. He added that correctional officers work in an incredibly stressful environment and that nationally, correctional officers have the highest stress, suicide, and turnover rates of any profession. Mr. Moose then explained the need for a classification review for correctional officers.

*Administrative Office of the Courts (Judge Marion Warren, Interim Director)*

Chairman Spainhour interrupted Mr. Moose's presentation to recognize Judge Marion Warren, Interim Director of the Administrative Office of the Courts, for an update. Judge Warren thanked the members and staff of the Sentencing Commission for their service and reiterated his and the Chief Justice's support for the work of the Commission. He also recognized the Commission for the significant legislation it developed that the General Assembly passed during the 2015 Session (SB 183 and 185). Finally, Judge Warren told the Commission that he may be coming to it for assistance in addressing the issue of 16 and 17 year olds being tried as adults in North Carolina. He pointed out some of the difficulties this creates for young people as well as for law enforcement.

*DPS/Division of Adult Correction and Juvenile Justice (Tim Moose, Deputy Commissioner, Operations) (continued)*

Following Judge Warren's presentation, Mr. Moose continued with a list of items the Division had requested for the State budget and initiatives it was undertaking to help DACJJ employees. The Division hoped that these items would help with staff retention as well.

Turning to the individual sections of the DACJJ, Mr. Moose listed the priorities for Prisons, Community Corrections, and Special Operations. For Prisons, the Division is working on re-missioning 56 facilities. This means focusing each unit on the one or two missions it can do best given the facility, location, staff, etc. This process requires re-examining the use of intake diagnostics and the Risk and Needs Assessment (RNA) and utilizing the RNA for custody classification and facility assignment. The Division will also look at how it manages offenders with life sentences, palliative care, re-entry and transition. Mr. Moose described additional priorities including establishing two specific behavior management facilities, incorporating mental health best practices, improving the use of technology, developing alternatives to segregation, and opening a female CRV center with specific programming for that population.

For Community Corrections, Mr. Moose explained that the Division is focused on the continued application of evidence-based practices in supervision, outcomes measured and use of delegated authority tools. It is also continuing the roll-out of a pre-sentencing pilot program based on the Risk and Needs Assessment in Chatham, Orange and Durham counties, and addressing mental health and veteran needs and resources. Mr. Moose added that Community Corrections will also focus on transition of offenders and reentry into the community, expanding Treatment for Effective Community Supervision – Recidivism Reduction Services (TECS-RRS) by adding wrap around services, and utilizing technology enhancements.

Finally, Mr. Moose informed the members about priorities for the Special Operations Section. The Division will focus on intelligence and data analysis regarding both inmates and staff; it will try to improve gang offender identification and management in order to better manage the population and to provide them with an opportunity and way out of the gangs; and it will continue to work on enhancing employee safety and technology.

*DPS/Division of Adult Correction and Juvenile Justice (Joe Prater, Deputy Commissioner, Support Services)*

Chairman Spainhour recognized Joe Prater, Deputy Commissioner for DACJJ Administration, to review the priorities for Juvenile Justice. Mr. Prater explained that the overall approach to Juvenile Justice is to continue the implementation of the JJ Strategic Plan from April, 2014. The plan includes: investing and capitalizing on previous state financial commitments; enhancing operations by utilizing safer and more secure facilities; reinvesting by shifting Youth Development Center (YDC) cost-savings to evidence-based practices; and preserving best practices in treatment and education using established principles of effective programming. Specifically, the Strategic Plan recommends closing two YDCs, re-opening two new facilities, expanding three facilities, and reinvesting in 16 crisis beds and five transitional homes. The planned timeline to completion is 18 to 24 months.

Mr. Prater also gave an overview of the Support Operations of the DACJJ, including Rehabilitative Programs and Services, Correction Enterprises, Central Engineering, Combined Records, and Staff Development and Training. Rehabilitative Programs and Services (RPS) is responsible for looking at interventions in facilities and in the community and supporting improvements in offender behavior. RPS is very connected to the JRA, and also works with the Sentencing Commission on the prison population projections.

He then explained the Corrections Enterprises (CE) operation. CE offers marketable skills for inmates and provides high quality products for North Carolina. CE is focused on re-entry. Mr. Prater noted that CE is effective in reducing recidivism; inmates in CE for six months or more are 25% less likely to recidivate. North Carolina has the second largest CE operation in the United States, with \$95 million in sales annually, utilizing 2,400 inmates. He noted that as re-missioning of prisons occurs and as Justice Reinvestment affects the offender population, CE may be affected. CE works best with a stable population, typically, medium custody population. When a change in mission or population occurs, the business model of CE has to be adjusted. Fortunately, Mr. Prater noted, there is a strong relationship between CE and Corrections.

Mr. Prater then discussed Central Engineering, the operation responsible for managing the capital and physical plants. Central Engineering also manages the inmate construction program, which has about 600 inmates working in the vocational training and performs major capital construction. Next, he outlined the functions of Combined Records, the centralized repository of inmate records. The operation is responsible for the accuracy and keeping of inmate records, including inmates' release dates.

Mr. Moore asked how old the oldest records at Combined Records are. Mr. Prater responded they follow standard retention procedures, which specify the records must be kept for ten years. Following that time period, the records go to State Archives. Judge Spainhour inquired if they had the records for an inmate in prison for 30 years. Mr. Prater responded they have all records for inmates who are still serving active sentences.

Mr. Prater then detailed Staff Development and Training, which deals with 26,000 adult and juvenile justice employees. The operation is responsible for curriculum development, career

development and staff training.

Judge Elmore asked whether the DACJJ would continue to use the NC Justice Academy in Salemburg. Mr. Prater responded that the Samarcand Law Enforcement Training Academy would not cover all of the DACJJ's training needs, so it will continue to need the facility at Salemburg for that purpose. The Samarcand facility will allow DACJJ more control over the timing of training, but the Division will still need to use Salemburg.

He concluded, stating that DACJJ has made a lot of progress. Next, it needs to make progress in utilizing technological advances in all areas. Other states have been successfully using things like tablets, videos, and other life enhancements of a technological nature for inmates. These tools can be used for behavior modification. Mr. Moose echoed Mr. Prater's comments regarding the importance of the use of technology. Other states have been meeting with success by better utilizing technology with inmates. He noted the next phase of considerable change in the DACJJ will be in prisons.

Mr. Moore inquired which state prison system does the DACJJ use as a benchmark. Mr. Moose responded that Indiana, Ohio, and Washington all have a compliment of technological tools in use inside their facilities. He noted that those tools are used for control and educational purposes.

*Governor's Crime Commission (Michael Gagner, Assistant Director)*

Chairman Spainhour recognized Michael Gagner, Assistant Director of the Governor's Crime Commission (GCC), for an update. Mr. Gagner informed the members that the GCC met on September 9<sup>th</sup> and 10<sup>th</sup> to approve the funding priorities for the coming year and he would be reporting on those priorities.

Mr. Gagner began by explaining that the GCC is the state-authorized agency for federal funds, specifically grants. The Commission has a staff of approximately two dozen people who cover planning and grants management. Due to recent federal changes, the Commission has reorganized its staff and initiated cross-training so it can offer the full array of services to grantees. At the federal level, the biggest change in 30 years occurred in December of 2014 when the government combined approximately 13 guides and manuals into one; this was done in order to minimize repetitiveness. The new manual focuses on two items: (1) recipients using funds in accordance with their stated objectives, and (2) fiscal accountability.

The GCC has three primary areas of focus: (1) Criminal justice improvement – This covers equipment for sheriffs' departments and police agencies and is funded at approximately \$5 million per year; (2) Juvenile justice delinquency and prevention – The GCC serves as a pass-through for approximately \$450,000 per year; and (3) Crime victims' services – This covers direct services to victims. The federal government recently lifted the cap on one of the funding streams for crime victims' services (Victims of Crime Act (VOCA) funds) and funding for North Carolina will go from \$13 million to \$60 million. Overall, crime victims' services will be funded at approximately \$75 million per year with a potential increase in subsequent years. As a result of these changes, the GCC will be hiring additional staff.

Mr. Gagner then described the GCC's funding priorities for each of its three areas of focus. For juvenile justice, the smallest amount of funding, the GCC will focus on compliance with the federal Juvenile Justice and Delinquency Prevention Act, especially regarding 16 and 17 year olds, juvenile gangs, human trafficking, reentry, afterschool programs, and alternatives to detention. For criminal justice improvements, the GCC prioritized law enforcement block grants (for items like vests and body cameras), statewide training, a prescription drug program, alternative jail programs, gang prevention and intervention, specialty docket programs (*i.e.*, specialty courts), statewide infrastructure and technology improvement initiatives (especially state agencies), and the statewide DNA backlog initiative. Finally, for crime victims' services, the GCC will provide grants in the following areas: family justice centers, sexual assault and domestic violence services, child abuse and neglect services, victims' services through law enforcement and prosecutors' offices, legal services and advocacy for victims, and services for victims of human trafficking. Mr. Gagner explained that each of these areas has many subparts and the details will be available on the GCC website the following week.

Mr. Moore asked how much money the GCC manages. Mr. Gagner stated that the GCC will manage approximately \$75 million in federal funds for the coming year. Over the last five years, it has averaged approximately \$25 million. He added that federal grants are for three years and this is the first year with the increase. They expect the amount of funds to increase further in the second and third year.

Judge Brown asked where criminal seizure money was being diverted to prior to the removal of the cap on victim services. Mr. Gagner stated that it went to different general funds, some was distributed and some was held for additional solicitations.

Judge Brown asked if the North Carolina allocation had anything to do with the amount of seizures that stem from North Carolina crime victims. Mr. Gagner stated that it did not, it was determined nationwide based on population and crime statistics.

Mr. Moore asked why North Carolina was one of the top 10 states for human trafficking. Tim Moose pointed out that it is a combination of location (Interstate 95) and gang activity. Mr. Gagner stated that patterns of gang activity in North Carolina (from GangNET) and human trafficking maps line up almost exactly and it is not a coincidence. Criminals have realized that human trafficking provides a higher return than other activities and that it allows them to be more mobile, not tied to a specific location. North Carolina is trying to work with neighboring states to develop regional concepts so that tougher laws in one location do not end up pushing the gangs into other locations. Mr. Moose added that one of the priorities for Special Operations in prisons is gang offender identification and management. Art Beeler cited the North East Consortium as an example of locations working together to address gang problems. He stated that there is not that kind of communication in the southeast.

Mr. Moore asked who in North Carolina is responsible for addressing human trafficking. Mr. Gagner responded that it will take a concerted effort by all parties.

Mr. Moore asked how much of the GCC funds will be spent addressing human trafficking. Mr. Gagner responded that every committee in the GCC addressed gang intervention and human trafficking; it is a priority for every possible funding source.

Chairman Spainhour informed the members that the next full Commission meeting is scheduled for December 4, 2015.

The meeting adjourned at 2:50 p.m.

Respectfully submitted,

Susan Katzenelson  
Executive Director