



# THE CHIEF JUSTICE'S TASK FORCE ON ACES-INFORMED COURTS **MEETING MINUTES**

April 29, 2022

The Chief Justice's Task Force on ACEs-Informed Courts (TFAC) met at the Hyatt Place in Charlotte, NC on Friday, April 29, 2022. The meeting came to order at 9:15 AM. The following TFAC members, advisory group members, guests, and North Carolina Administrative Office of the Courts (NCAOC) staff were present:

#### *TFAC Members*

- Chief Justice Paul Newby, Convenor
- Judge Andrew Heath, Co-Chair
- District Attorney Ben David, Co-Chair
- District Attorney Seth Banks
- Clerk Meredith Edwards
- Chief Johnny Jennings
- Nalini Joseph
- Bert Kemp
- Jack Marin
- Judge Angelica McIntyre
- District Attorney Spencer Merriweather
- Judge Mario Perez
- LaToya Powell
- Mike Silver

#### *Advisory Group Members*

- Brian Collier
- Karen Fairley
- Peter Kuhns
- Susan Osborne
- Emma Paul
- Elizabeth Winer

#### *Guests*

- Judge Carla Archie
- Stacey Butler
- Vernisha Crawford
- Martha Dozier
- Michelle Duprey
- Janessa France
- Janeanne Gonzales
- John Joy
- Laura Lawrence
- Stephen Marshall
- Tara Muller
- Sherie Pearsall
- Cyril Prabhu
- Nikki Vasilas

#### *AOC Staff*

- Ryan Boyce
- Lori Cole
- Liz Henderson
- Asia Prince



## Welcome

Co-Chairs Judge Andrew Heath and District Attorney Ben David welcomed everyone to the meeting and thanked the Mecklenburg members for hosting. DA David added that children only have one childhood, and it is happening now.

Chief Justice Newby reminded members that the Task Force goal is solutions, not just identifying problems. He introduced his friend, Cyril Prabhu, who has the heart to go into prisons in America and help parents and children with the vision to divert one million children from prison. He is demonstrating how being educated about ACEs can prevent children from becoming a statistic in the court system.

## Proverbs226, New 5 and 2 Trade School

Cyril Prabhu described his journey as a young Indian boy whose odds for success were stacked against him. After relocating from India to California, a senseless crime jolted his perception of the promised land. Since then, he founded Proverbs226 (P226) to combat crime in the U.S. and spark change. He saw the prison system was broken and that over time the population being incarcerated grew disproportionately for minorities with a commonality of fathers not being home. Our nation needs healing.

Cyril Prabhu's focus is on solving fatherlessness and the lack of education of children in America. P226 is an evidence-based, non-profit committed to healing families affected by parental incarceration. For a child with a parent in prison today, there is an 82% probability that the child will also end up in prison. In our country, there are 63,000 children under age 18 serving prison time and 3,500 children serving without parole.

The [Proverbs226](#) process is rooted in four E's: Encourage, Engage, Educate, and Empower. Proverbs226 is breaking the cycle of generational incarceration and awakening the potential within each child by empowering them to pursue a sustainable career. Proverbs226 creates the positive momentum in a child's life that opens doors, allows healing, and drives change. Volunteers, mentors, and involved parents are at the core of this momentum. The process and programs at P226 provide the necessary support and structure.

Kids2Career prepares Proverbs226 children for secondary education. Depending on if they want to pursue their passion in traditional or technical college, the program matches them accordingly with professional leadership. With the support of volunteer mentors, these kids can create a path of their own. Without Kids2Career, one out of four kids were NOT completing high school. With this program, kids have now achieved a 100% graduation rate.

Through P226, Cyril Prabhu has promised inmate's kids that they can go to college if they finish high school. In the first year, no child qualified. Today, P226 has 82 kids in college in North Carolina and South Carolina; 40% have double majors. Over the next four years, P226 will have 2000 kids ready for college.





In addition, the new 5 and 2 Trade School will be an extension of P226 that prepares children for technical college by teaching them trades and matching them accordingly with professional leadership. Groundbreaking to convert an old prison in Salisbury into this new trade school is set to begin August 26.

Restoration is key for rebuilding the relationship between the child and their absent parent. Children must detox their anger and frustration before anyone can help them. Beginning in December 2012, Cyril took 18 kids to see their fathers in prison. The children got to spend the day with their father in the prison. During this time, the parent washes the feet of their child, replaces their old shoes with new ones, and celebrates a new beginning. The humility shown by their fathers was “medicine” for the children. This practice grew into the prison engagement program now called “Forgive Me, Dear.”

One of the biggest dangers for children not graduating from high school or going to college is young girls (ages 13-15) becoming pregnant. By taking kids to prison and having a daddy-daughter dance, the girls hear how much their dads love them to avoid having girls go to others and give their virginity away.

The goal of P226 is to keep kids of incarcerated parents from going to prison themselves. Since beginning their work in NC, an unexpected consequence has been that recidivism rates of inmates have significantly decreased. P226 now has access to all nine prisons in NC. They will be coordinating services of their three prison engagement programs: *Forgive Me, Dear*; *Back to School*; and *Celebrate* at all nine NC prisons.

The group discussed how courts could help bridge the gaps for incarcerated parents with their children as well. Having a mom read to her kids on a tablet using Facetime can help repair the parent-child connection to help children have regular interaction with their parents. The bench card and other training resources being generated by the Task Force and expansion of recovery courts are two methods that are already underway for the courts to better understand how to mitigate ACEs in daily work.

### **Recovery Courts, Family Survivors, Mental Health**

The term “recovery court” is used to refer to a variety of specialty courts in NC, including family drug treatment court, adult drug treatment court, youth drug treatment court, DWI court, mental health court, tribal court, and veterans’ treatment court. Superior Court Judge Carla Archie and Recovery Courts Program Manager Janeanne Gonzales explained that a key component of every recovery court is having a multi-disciplinary team with specific roles that motivates participants towards change using incentives and sanctions. With fair and consistent application, the local team keeps each other on track and provides a trauma-informed approach to client recovery. The approach works because of strong community partnerships. Mecklenburg County provides funding for the operation of six local recovery courts. The district court recovery court is pre-plea so participants can get their conviction dismissed. Superior is post-conviction, so participation does not erase conviction.

Clients come to recovery court after they have burned every possible bridge with supportive people in their lives. They need different people, places, and things to be able to get well. There is a universal





assumption of trauma with everyone involved for good reason: 97% of criminal justice involved have high ACEs scores. Each person needs an individualized approach to learn healthy resilience strategies to replace the unhealthy coping behaviors they were previously taught. The recovery court process assists with trauma and teaches an empowered way to make choices.

Judge Archie noted that social anxiety seems to be the biggest challenge. People self-medicate in different ways to deal with it. She comes off the bench to have a conversation about what they are going through and gives a fist bump to let them know she is not as intimidating as the black robe implies. These high risk, high need individuals actively participate in recovery court for 18 months to two years.

People need substance use and mental health treatment but that is secondary to basic housing, food, job needs. The court helps connect the individual to peers in the community and later that person helps mentor someone else. Provide food when people come in for screening so that they can focus. Drug courts are sometimes referred to as Clap court because applause is common. The judges and team are intentionally friendly; they see the people. Relationship with the judge and law enforcement is not what they expected. The court encourages pro-social activities and hosts events to teach participants how to get together and have fun without drugs or alcohol; teach by modeling positive behavior.

Judge Archie explained that Mecklenburg has had success and tragedy; some overdosed and died, some did not graduate, and the secondary trauma on the team is real. We cannot pour from an empty cup. Teams are encouraged to take care of themselves.

When NC started drug courts in 1995 there were just five sites, including Mecklenburg. Ms. Gonzales stated there was no funding, but the communities figured out a way to pull it together by having dedicated DA, PD, and judges who then found community treatment who agreed something had to be done. Dual partnerships between state and county funding formed and by 2003, half the staff were county employees, and the other half were state employees.

Judge Archie added that when state funding dwindled, recovery courts were challenged for how to operate. Mecklenburg made a funding pitch to the county to keep operating and gives an annual budget report to the county annually. The county understands the long-term savings of beds at jail, public safety in community, and benefit to the individual citizens who become productive, sober, tax-paying members of community. No parts of recovery courts are pro bono nor are there nonprofits that provide funding. Peer support specialists are funded separately and have an MOU to assist clients.

DA Merriweather added that the recovery court team matches clients to service providers, such as Vocational Rehabilitation and the Salvation Army. Judge Archie added that Hope Haven (a non-profit agency) is a residential program where clients live onsite at a refurbished hotel that has a mother-child wing with a family area that is a supportive, substance-free environment with access to counseling.





Currently, the biggest challenge is access to appropriate treatment. LME-MCOs fund just 10-12 weeks of treatment but best practice is 12 months. Recovery courts last even longer so there needs to be a plan in place between the Judicial Branch and DHHS because many of those with substance use disorder have co-occurring mental illness. Getting connected to treatment begins with an in-depth assessment of the client to learn their financial capability. Some providers take a sliding scale. However, mental health treatment is a challenge. There is only one primary mental health provider in Mecklenburg for the poor, so they struggle to make referrals and sometimes send clients outside the county. Treatment includes a social worker to tie into long-term services.

Judge Archie advised it is best to make a mental health (wellness) court independent, not like drug court. The wellness court process does not last as long as drug court. The goal is different from trying to get substance free. Wellness courts try to connect individuals to long-term resources, so they are not continuing to commit nuisance crimes. The Mecklenburg County Sheriff's Office helped to identify their high use mental health population for wellness court involvement. While recidivism is 15.8% overall, wellness is 12%. Wellness Court is an area that justice and mental health can work together to reduce trauma and grow resilience.

### **Subcommittee Reports**

Mike Silver reported on the status of projects for the Education Subcommittee.

- The ACEs Bench Card is in the final draft stage.
- The first draft of the YASI Bench Card is completed; seminars will begin for court officials to learn how to use the YASI wheel are set to begin in December 2022.
- Meetings of UNC's Injury Prevention Research Center (IPRC) and their Building Trauma-Informed Courts (BTIC) Advisory Board are in progress to create content for role-specific training which will include online self-directed learning modules for judicial authorities, attorneys, and staff.
- The Dibble Institute, Department of Public Safety (DPS), and Division of Adult Correction and Juvenile Justice (DACJJ) have a meeting scheduled in May to discuss incorporation of the Success Sequence.
- Advanced Juvenile Court Certification for District Court Judges will be offered by the UNC School of Government in Fall 2022.
- There is an upcoming film screening of the movie RESILIENCE being sponsored by the NC Department of Justice between June 20-29 with a virtual guided discussion also.
- Customer service training for the Judicial Branch will incorporate ACEs-Informed practices beginning in August 2022.
- The Bolch Judicial Institute received a grant that will run through Summer 2023 to examine a public health approach to juvenile justice.

Stephen Marshall from DHHS shared the opioid settlements website which outlines money to be paid out to counties for two decades for evidence-based resources. He explained that the money must go into a separate reserve account to be audited by the Attorney General. Bert Kemp requested that the topic of opioid settlement money be added to the agendas for the judge's conferences and suggested





gathering a consortium of local leaders to agree upon a unified approach to commissioners on how to maximize the use of the funds to be ACEs-informed.

The Program Development Subcommittee reported on the following:

The **Reentry to Resilience (R2R)** Model currently operates in eight counties: Wake, Durham, Guilford, Cumberland, Nash, Edgecombe, Wilson, Mecklenburg. The R2R continuum of services includes school enrollment and academic support, referrals to programs & services (e.g., AMIkids, individual and group therapy, pro-social activities, and restitution), job placement and workforce readiness, transportation, and housing. Initial results reflect lower recidivism and significant cost savings: 4% recidivism (R2R youth) vs. 80% recidivism (average YDC population); annual cost of YDC is \$110,000/youth vs. \$3,000-\$5,000/youth for R2R. Each success coach is a mentor (not law enforcement) who meets with the child once or twice a month in the facility and four or five times a week in the community. The age of release is between 17-18 now (was 14-15 before Raise the Age). Children with no family support are provided with housing support, job placement, and community college enrollment.

**Benchmarks NC** is a project with pathways for trauma screening, expanded referral, TiCCA (Trauma-intensive Comprehensive Clinical Assessment), and holistic recommendations with trauma training overlapping each pathway. Key features include a 6-to-10-hour assessment (versus 1.5 hr) with an enhanced Medicaid rate to support the work. One strong, comprehensive assessment at the outset of a case can clearly identify the child's needs and serve as the basis for referrals to the right services and the appropriate model of care. This approach helps identify behaviors stemming from trauma, creating trauma-informed diagnoses to ensure the best fit of treatment. A comprehensive assessment that leads to appropriate services for a child and results in the child recovering and learning coping skills, thereby needing fewer services, rather than providing treatment for an inaccurate diagnosis. The TiCCA seeks to "clean the wound" instead of simply putting on a band aid.

**School Justice Partnerships (SJPs)** are a collaboration among local stakeholders to help students succeed in school and prevent negative outcomes for youth and communities. The primary goal is to keep kids in school and out of court for minor misconduct. This helps to eliminate harmful collateral consequences of court involvement. Addressing school misconduct immediately, effectively when and where it occurs by identifying underlying cause of behavior (academic, mental health, social, etc.) holds students accountable while minimizing educational disruptions by keeping them connected to school community. SJPs have been successful in providing immediate consequences that disrupts the school to prison pipeline. An issue statewide has been school board reluctance and efforts are focused at improving and providing SJP education to school board attorneys.

**Zero to Three / Safe Babies Court** are specialized court dockets for infants and toddlers due to substantiated abuse and neglect allegations. This program targets children birth-three years of age and is designed to increase reunification and reduce the time to permanency. It works to provide services to families to help them become better parents and expedite crucial treatment for vulnerable children to





assist in preventing crime and victimization. Efforts are underway to pilot Safe Babies Court in NC and data is being used to help identify pilot sites statewide, in addition to Mecklenburg County.

### **Police, Resilience, and Child Development-Community Policing (CDCP)**

The Charlotte-Mecklenburg Police Department and Mecklenburg County Public Health have been collaborating for more than 25 years to have a trauma-informed co-response. Major Martha Dozier, CMPD Community Services Bureau Commander, and Stacey Butler, the Trauma and Justice Partnerships Director, explained how the co-response model offers children access to timely and free mental health care. Adverse Childhood Experiences (ACEs) are the intersection of the nation's #1 public health and #1 law enforcement challenges. Coordinated, resilience-driven responses are the key to a healthier and safer Charlotte-Mecklenburg.

Leadership supports relationship building that has enabled them to build their Child Development-Community Policing (CDCP) partnership over the years. Instead of children being funneled into a trauma clinic, CMPD became the clinic. They now have 17 full-time clinicians. Police officers offer acute trauma response free of charge that is two-pronged: emotional and safety. This Acute Response is available 24/7 to provide a safety net and fill a gap. It is accomplished by having the people who are doing the work already commit to partnering together to do it a little differently. CMPD is the largest model in the nation and recently contributed to nationwide toolkit for law enforcement who does not already have partnership with mental health responses.

The Community Policing Crisis Response Team (CPCRT) has explored how the pandemic affects children in schools. Twelve officers are dedicated to responding to mental health service needs. Teams are comprised of CIT trained police officers and licensed Mental Health Clinicians providing humane, compassionate, professional, and safe law enforcement response to person(s) and families who are in crisis due to mental illness or substance abuse. The primary objective is improved officer safety, decreasing injuries and incarceration, and acting as an entry point into mental health treatment.

Dr. Nikki Vasilas reported on the building and sustaining of CMPD's Officer Wellness Program. Being visible, available, and accessible helps to remove stigma and provide immediate access to care. They also intentionally build resilience knowledge and skills for all officers. The profession of law enforcement is considered a "critical occupation," one that is encompassed by traumatic events and the ensuing consequences of such events. The combination of stress and the exposure to traumatic events increases the possibility of mental health issues. Research indicates law enforcement officers have one of the highest rates of harm and illness among all occupations, classifying the job as one of the most stressful and hazardous (Department of Labor, 2016). By embedding a clinician, someone is there 24/7 to provide support to the helpers and immediately mitigate trauma impact. Dr. Vasilas recommends requiring a debrief for all officers involved in critical events to debrief stigma. It is even better to have a mandatory yearly mental health exam.

A task force member asked whether Mecklenburg has a Handle with Care Initiative. Dr. Vasilas explained that while there is not currently a Handle with Care Initiative at CMPD, the police officers do make





schools aware if a child is shot or arrested so the School Resource Office can reach out and be aware of what is happening with those children.

### **Community Outreach: Council for Children’s Rights, Children’s Defense Team**

The Council for Children’s Rights in Charlotte strives to improve the lives and futures of children in Mecklenburg County through legal representation and individual advocacy and by addressing community-wide issues through research and policy work. Children’s Defense Fund Director Michelle Duprey shared that her team of five attorneys serves all young people under 18 charged with a crime, mental health commitments which is about 1500 kids per year. They also have two licensed social work specialists, a program assistant, and a staff monitor. These positions are funded by IDS as a contract provider, as well as private donations and grants.

Defense lawyers are often able to pick up on triggers or symptoms of PTSD in the clients they serve. All attorneys at the Council for Children’s Rights are trained in adolescent brain development and recognizing symptoms, even obscure signs and can explain the situations so that the judges and assistant district attorneys can understand what is happening. Judges are attuned to identifying trauma also and it is helpful in courtrooms to have attorneys ask to approach and talk quietly without re-traumatizing the child by repeating in open court. Overall, Mecklenburg County is doing trauma-informed court practice right.

Even with good education about ACEs, concerning results continue to happen. Of the 10- to 17-year-old clients served by the Children’s Defense Fund, 90% have at least one ACE and 30% have more than one ACE. Young black kids are three times more likely to be referred or suspended than whites and when they have a disability, the rate goes higher. Children ages 0-17 in 2019 for the Mecklenburg County population was 40% white; 6% multi-ethnic; 21% Hispanic; and 30% black. Mental health court involved 41% white and 29% black. In delinquency court (13-17 only), there are 73% black children. So many things have failed these children before they reach court. With true interventions in place, we could have an ideal world where there would be no need for a defense lawyer for children under age 17.

Many people have traumatic experiences, but each person does not have the same toolkit. Kids from a single parent home often do not have the same resilience as kids from a dual parent household. Traumatic stress coupled with ACEs often leaves children with no ability to navigate. A high ACE score is not an excuse for behavior but is a mitigating factor; not that it is less their fault, but ACE could come into play with reducing penalties. Latoya Powell added that she is not aware of cases that talk about ACEs as mitigating factor for adults but there are some for youth.

### **Community Outreach: Community Resilience Project**

Founded in 2021, the BYE (Bringing You Excellence) Foundation (a 501(c)(3) organization) was created to introduce a trauma-informed approach to funding. The mission is to build community resilience and multicultural collaboration by addressing funding equity gaps and advocating for the implementation of trauma-informed approaches in organizations that support vulnerable communities. Vernisha Crawford grew the foundation from BYE, LLC which helps leaders and organizations reduce workplace trauma and





prioritize wellness with one-on-one executive coaching, professional development, consulting, and project management.

The Community Resilience Project (formerly Charlotte Resilience Project) is a campaign designed to create awareness of the impact of ACEs, trauma, and toxic stress. Informed by the Building Community Resilience framework, NC Resilient Community Initiative, and the PACES Connection, the Community Resilience Project uses a data-informed, family-centered, racial equity-focused, and asset-based approach to advocate for and organize cross-sector collaboration that will result in a system that builds both individual and community resilience.

### **Survivor Resource Center**

Domestic violence is one of the 10 ACEs. It weaves through civil and criminal case types and involves not only the abuser and survivor but also gravely impacts children in the home. An abuse survivor goes to nine locations, fill out 37 pages of paperwork, and repeats their story 27 times.

The group toured the new Survivor Resource Center at 601 E. 5<sup>th</sup> Street to learn how it simplifies the process. The Survivor Resource Center, which opened in February 2021, offers a short-term, small-scale solution to the complicated process that survivors of domestic violence, sexual assault, and child maltreatment can face when they seek help. This referral-only, appointment-only center is a temporary precursor to the Charlotte-Mecklenburg Family Justice Center, to be named [The Umbrella Center](#).

The Survivor Resource Center includes a broad range of services for Mecklenburg County survivors of domestic violence, sexual assault, and child maltreatment. The center includes a childcare component and has observation rooms that can be used to conduct assessments of children. Detectives are on site and can talk with social work staff about case activity as needed. This holistic approach brings the service providers under one roof to make accessing services easy and comprehensive.

### **Adjourn**

The meeting adjourned at 3pm.

### **Future Meeting Dates**

2022: July 28 and October 21

2023: February 3 and May 5

The locations of each meeting will be finalized as the dates approach.

Submitted by Lori Cole

