

MEMORANDUM OF UNDERSTANDING

SCHOOL – JUSTICE PARTNERSHIP Craven County 3-B Judicial District Fourth Prosecutorial District

This Memorandum of Understanding (the “Compact”), is dated for purposes of reference December 12, 2019, and is made by and between:

District Court: 3-B Judicial District

School Board: Craven County Board of Education

District Attorney’s Office: Fourth Prosecutorial District

Chief (Juvenile) Court Counselor’s Office: Third Judicial District

Law Enforcement Agencies: Craven County Sheriff’s Office
New Bern Police Department
Riverbend Police Department
Havelock Police Department
Trent Woods Police Department
Bridgeton Police Department
Vanceboro Police Department

STATEMENT OF EXPLANATION

The Administrative Officer of the Courts, pursuant to N.C.G.S. §7A–343 (9g), has issued guidance for chief district court judges to establish “School – Justice Partnerships” among various stakeholders with the goal of reducing in-school arrests, out-of-school suspensions, and expulsions. The parties to this Compact are generally of the view that conduct by students in the schools within Craven County that may be both a violation of student codes of conduct and the criminal laws of the state are generally not “over-reported” to the Law Enforcement Agencies and generally do not result in excessive in-school arrests, out-of-school suspensions or expulsions.

But all parties to this Compact understand the goals expressed in N.C.G.S. §7A–343 (9g) and agree to create a forum where the issues can be discussed on a regularly scheduled and “as-needed” basis to promote the public policy of the State of North Carolina in this regard, the parties enter this Compact.

AGREEMENT

The parties agree as follows:

1. Goal. The purpose of this Compact is to reduce in-school arrests, out-of-school suspensions and expulsions when such actions are not necessary for the good order and discipline in the public schools and are not necessary to serve the interests of justice.

2. Convening Members of the Compact.

- (1) Regularly Scheduled. In order to maintain a forum to discuss and collaborate regularly about the Goal of this Compact, the Chief District Court Judge for the 3-B Judicial District shall convene a meeting of all the members of the Compact in January and July of each year.
- (2) As Needed. In the event any member of this Compact believes that actions beyond those necessary to maintain the good order and discipline in our schools, or for the administration of justice, are causing unnecessary in-school arrests, or contribute to unnecessary out-of-school suspensions and expulsions, such member shall have the right to notify the Chief District Court Judge for the 3-B Judicial District of such concerns and request:
 - (a) A meeting of only the agencies involved in the concern; or
 - (b) A meeting of all members of this Compact.

Upon receipt of such request, the Chief District Court Judge will determine which members of the Compact are best able to address the concerns and will schedule a meeting of those members for such purpose.

3. Representatives. Each member of this Compact, upon invitation, agrees to send one or more representatives to any meeting scheduled by the Chief District Court Judge and to participate in the meeting in good faith.

4. Respect for Jurisdiction. Each member of this Compact has a separate and distinct function and jurisdiction under North Carolina law. Each member agrees to respect the jurisdiction of every other member. All members, however, recognize that at certain times their jurisdictions may overlap. It is in the areas of overlap where, through a collaborative process of study and discussion, measures may be undertaken to promote the statewide goal of reducing in-school arrests, out-of-school suspensions, and expulsions.

5. Legal Effect. While the state statute uses the term "partnership," the members of this Compact are not forming a legal partnership or joint venture and no member shall have any responsibility or liability whatsoever for the actions of another member.

6. Duration. This Compact will remain in place indefinitely, but any member may withdraw by giving notice to the other members, and this Compact will terminate should N.C.G.S. §7A- 343 (9g) be repealed or amended to remove the goals set forth therein.

Entered for the purposes expressed herein.



Chief District Court Judge
3-BJudicial District

Craven County Board of Education

By: David E. Hale
Chairman

A handwritten signature in cursive script, appearing to read "Scott Thomas", written over a horizontal line.

District Attorney
Fourth Prosecutorial District

Sally Huns

Chief (Juvenile) Court Counselor
Third Judicial District

Clayton
Sheriff of Craven County




Police Chief
New Bern Police Department



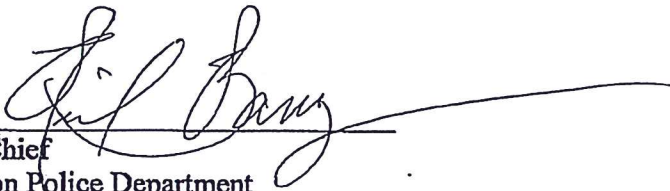
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