



THE CHIEF JUSTICE'S REMOTE PROCEEDINGS TASK FORCE

MEETING MINUTES

Friday, September 29, 2023

Cabarrus County Courthouse & Detention Center

The Chief Justice's Remote Proceedings Task Force (RPTF) met in person on Friday, September 29, 2023 at the Cabarrus County Courthouse. The meeting came to order at 10:00 AM. The following RPTF members, North Carolina Administrative Office of the Courts (NCAOC) staff, and guests were present:

RPTF Members

Judge Martin McGee, Co-Chair
Eddie Caldwell, Co-Chair
Christopher Bazzle
Christy Wilhelm
John Woodlock
Todd Shanley
Charles Vance
Leslie Cooley Dismukes

NCAOC Staff

Devon Barnhardt
Erika Jones
Jared Rundell
Michael Silver
Ann Zemba

Guests

Jason Caccamo
Jodi Harrison
Wayne Lewallen
Lt. Ted Lister

CRAVE Update

Jared Rundell provided the CRAVE update.

- All courtrooms (216) have been surveyed, 2 configurations per courthouse
- 79 counties have a CRAVE system available (159 of 216 courtrooms)
- 12 counties (26 courtrooms) have installations scheduled through the end of 2023
 - Upcoming October installs for Randolph, Wake, Catawba, Watauga, Wayne, Caswell, and Union counties
- As of July 15th, each CRAVE is automatically enrolled into the Scheduler platform when deployed
 - 37 courtrooms have been automatically enrolled
 - Each County's Clerk of Court that received a CRAVE system prior to July 15th has been contacted and given the option to enroll their courtroom(s)
- Over the last 30 days, there has been seven meetings scheduled through the Scheduler platform totaling 95 minutes of usage.



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Crime Lab

Jason Caccamo provided the State Crime Lab update.

- They have seen 43 appearances, 24 turned into testimony across 10 counties. Cabarrus County is leading the way.
- Since the last meeting the State Crime Lab staff have met with four (4) different counties to bring remote testimony on-line. 30 different counties have reached out to the State Crime Lab asking how they can participate and asking for the point of contact. The State Crime Lab is in discussions with several counties including Stanly, Swain, and all of Judicial District 1. The State Crime Lab is encouraging multi-county districts to participate in their meetings leading to increased transition to remote testimony for lab analysts.
- They would like to do a walk through at the courthouse and work through local hiccups (WiFi, camera location, etc.) They would like to focus on multicounty jurisdictions for the ability to reach more people.
- 820 virtual subpoenas from 38 counties – Some are resolved so it's hard to capture accurate testimony statistics. The more the lab does, the less they are needed since as the subpoenas are getting sent in, they are getting resolved.
- In Fiscal Year 22/23, State Crime Lab analysts have appeared in court approximately 176 times and testified in about 40% of those appearances. Virtual testimony accounts for 18 appearances and 10 testimonies, in 6 different counties.
- Most of the testimony has been provided through the OWL system to date. However, we are seeing an uptick in CRAVE (courtroom audio/visual experience) systems being used in initial meetings.
- Instead of using a link to call with Webex, in the near future they will use CRAVE to call. Simply give the system the command, "Call John Smith" and the call will be made over the computer. This is a great way to have someone from the State Crime Lab "on deck" for when the court is ready to have them testify.
- The question was asked that now that the State Crime Lab is busier with this remote technology, and it's harder to get on the schedule, how are cases going to be prioritized?
 - Right now, the solution is first come, first served
 - In the future, since not all counties have CRAVE, those who do have virtual capabilities will take precedence. This will be a major shift in current procedure and needs more discussion.
 - Superior Court always trumps District Court. This is in hope that this will lead to only trying cases that need to be tried versus frivolous ones.
- There was discussion on how to capture data to see trends, such as resolved versus testified. Currently, there is a "stop work" program which queries the AOC every night for a list of cases dropped. There are many variables to select from in the program, but it can be played with to help collect data. Assistance from AOC was requested to help do this.



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Jails

Lt. Ted Lister provided the Jails update.

- The NC Administrative Office of the Courts began working on CRAVE and piloted the program in Cabarrus, Stanly, Rowan, and Union County beginning in August of 2023.
 - The pilot program started with advisements of counsel (often referred to as 1st appearance)
 - Cabarrus County Sherriff's Office has done fourteen (14) advisements from the county detention center.
 - Cabarrus County District Attorney's Office has done ten (10) advisements of defendants that were housed in surrounding jails outside of Cabarrus County.
- The main goal for the Sheriff's Office is to save money, manpower hours, and resources on transportation for hearings/court proceedings under five (5) minutes.
 - In Fiscal Year 2022, the Cabarrus County Sheriff's Office spent approximately \$33,000 on transporting defendants for court proceedings on Writs.
 - In Fiscal Year 2023, to date, the Cabarrus County Sheriff's Office has spent \$66,000 on transporting defendants for court proceedings on Writs. This increase is associated with decreasing the caseload backlog because of the COVID-19 pandemic.
 - The current goal is to decrease transportation costs by a quarter this fiscal year. If they do that, they will save \$16,000.
 - June – September of 2023 – they saved approximately 176 staff hours from not transporting inmates from the detention center to the courthouse.
 - Mental Health Capacity Proceeding – in the last three years they have only had to make 2 trips: in last 3 years have only taken 2 trips to hospital which saves the hospital on staffing and beds which are in short supply

Department of Adult Correction

Jodi Harrison provided the DAC update.

- Virtual Court in the Prison System
 - 10 Counties participating with virtual court in the prison system
 - Mostly used for plea agreements and first appearances
 - Utilize virtual court equipment to hold proceedings from other states that have offenders appear virtually versus out of state transfers
 - No access to CRAVE, so must use Video Meeting Management System as scheduler
 - Imperative that proceedings must stay on schedule otherwise the equipment is tied up for the next hearing
 - Given a warning when 5 minutes are remaining, and if still not finished, will be disconnected
 - Subcommittee to discuss how to determine a good strategy to stay on schedule
 - Need to discuss process for determining priority cases. Currently it is a first come, first served basis.
 - Procedures need to be in place to accommodate special needs such as interpreters

- Attorney Client Phones Lines
 - 11 counties using Attorney/Client dedicated phone lines, a necessity due to detention center lines being monitored which does not provide attorney/client privilege
 - Benefit for attorney/client to maintain conversation/discussion after the proceeding so no additional travel to the detention center or courthouse is required
- Further discussion points for the DAC:
 - System not being widely utilized, may need to advertise more to have higher use
 - Some staff in WRIT office will call county to ask if they can appear virtually, and are being told no due to not using system
 - What types of legal matters should be available for remote proceedings? Define for:
 - Superior Court
 - District Court
 - Criminal Court
 - Civil Court
 - Once we are not transporting, should any and all be made available

Approval of Meeting Minutes

Eddie Caldwell made a motion to approve the April 14, 2023 meeting minutes. Michael Silver seconded the motion and minutes were approved.