



CRIMINAL INVESTIGATION & ADJUDICATION COMMITTEE UPDATE

January 29, 2016

Professor Jessica Smith, Committee Reporter

Felony Pleas in District Court

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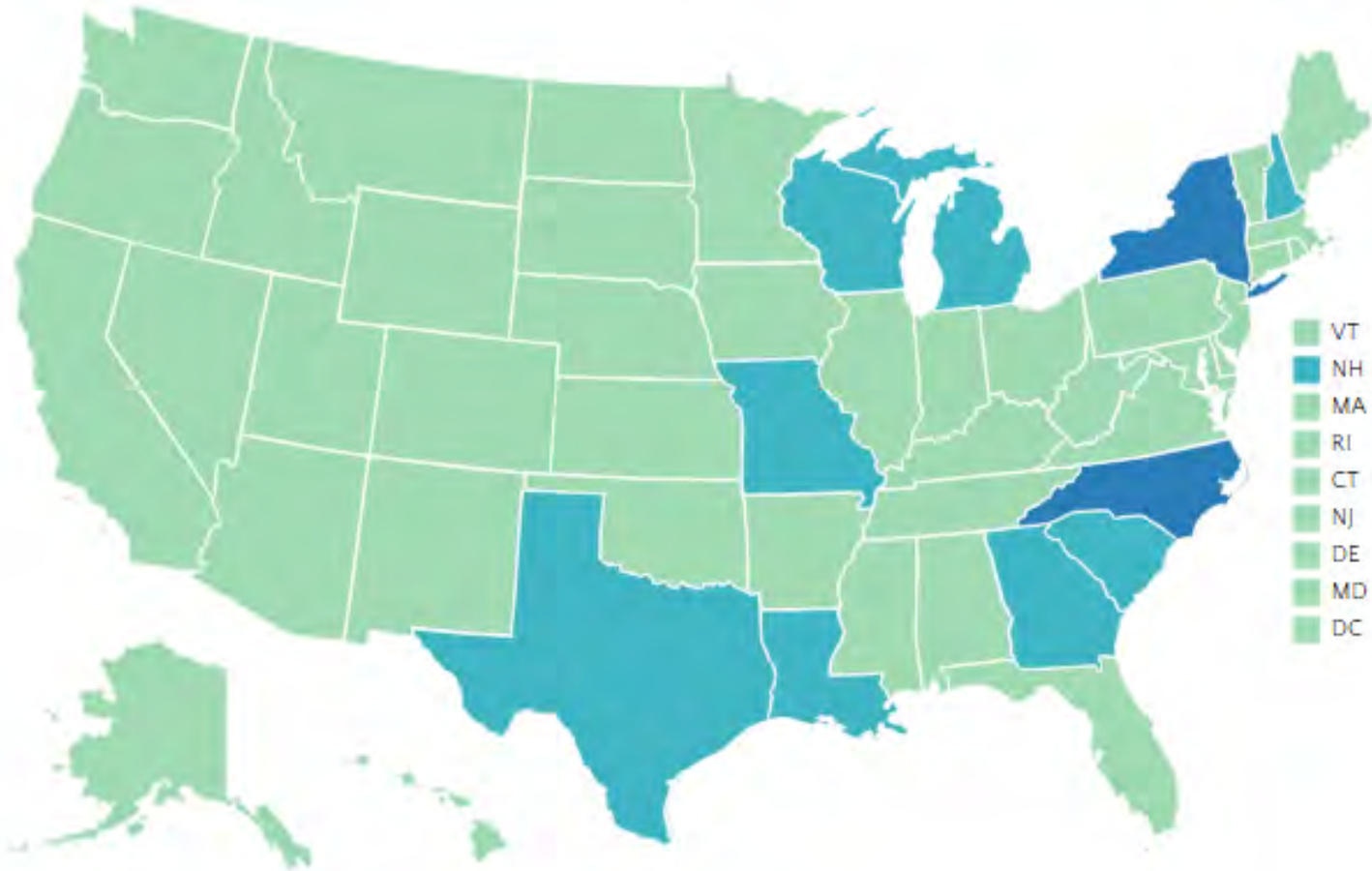
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Perspectives from a District Court Judge

Charles E. Brown, Chief District Court Judge (19C)

Juvenile Court in North Carolina—History & Overview

LaToya Powell, Assistant Professor, UNC School of Government

The Science Behind the Issue: Adolescent Development

Cindy C. Cottle, Ph.D.

Comparative Statistical Profile of Young Offenders in North Carolina

Michelle Hall, Senior Research and Policy Associate, NC Sentencing & Policy Advisory Commission

Pilot Project: Durham’s Misdemeanor Diversion Program

Marcia H. Morey, Chief District Court Judge (Durham)

Pilot Project: Reducing Referrals from Schools to Juvenile & Criminal Courts

J. H. Corpening, Chief District Court Judge (Wilmington)

Law Enforcement & Prosecutors Perspectives on the Issue

Andrew Murray, District Attorney & Commission Member

Edmond W. Caldwell, Jr., Executive VP & General Counsel, NC Sheriffs’ Association

Police Chief Frank Palombo (retired; New Bern)

Perspectives from the Juvenile Justice System

W. David Guice, Commissioner, Division of Adult Correction and Juvenile Justice

William Lassiter, Deputy Commissioner—Juvenile Justice, DACJJ

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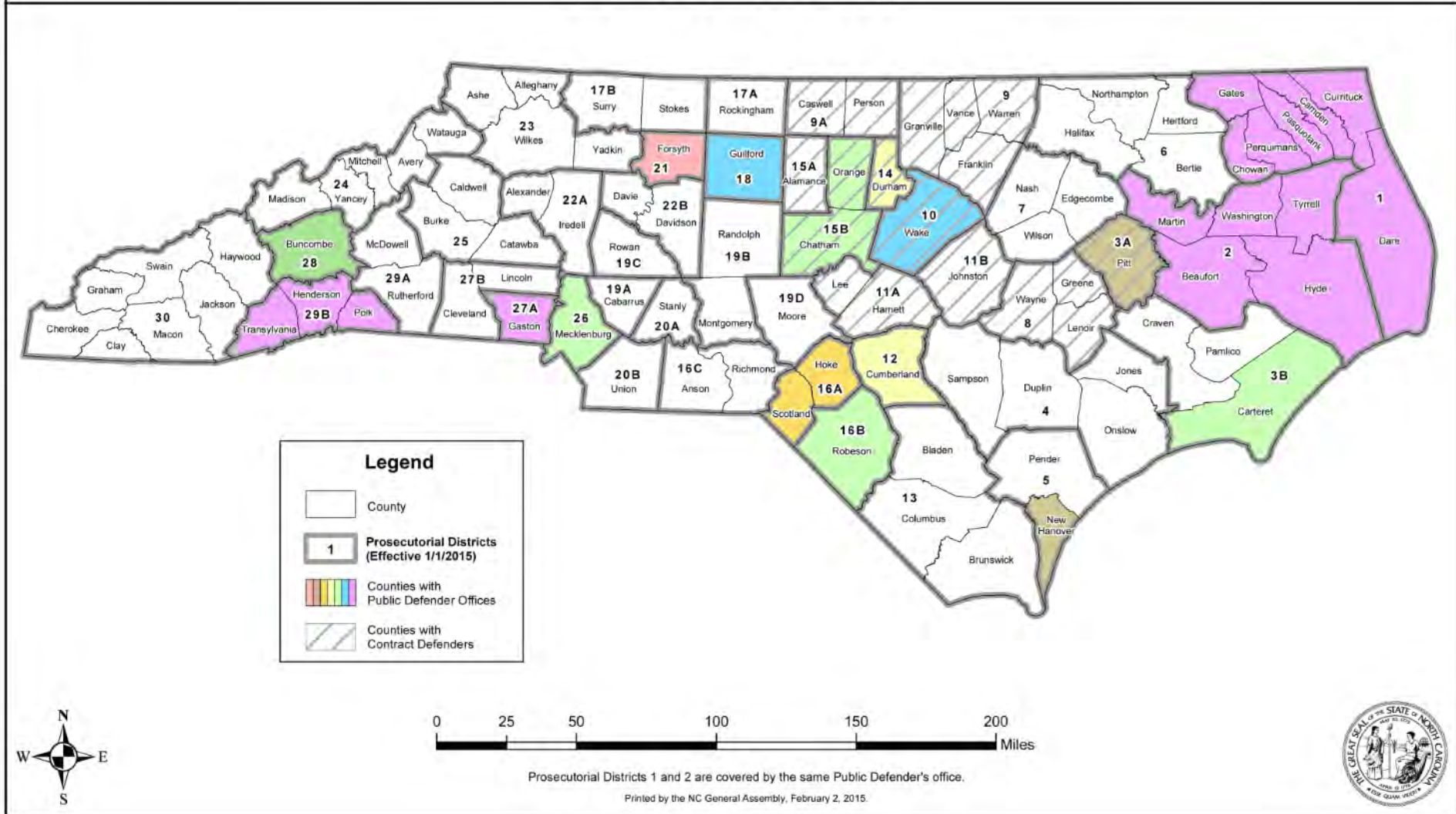
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Prosecutorial Districts with Public Defender Offices and Contract Defenders (Effective 1/1/2015)



The Role of Indigent Defense

The Honorable Rhoda Billings, former Chief Justice, NC Supreme Court

Indigent Defense Services in North Carolina

Thomas K. Maher, Executive Director, NC Indigent Defense Services

Panel: The Defense Lawyer's Perspective on Indigent Defense

Moderator: Robert C. Kemp III, Public Defender (Dist. 3A) & President, NC Public Defenders Association

Panelists: James E. Williams, Chief Public Defender (Dist. 15B); Jeff Cutler, Attorney (Contract Attorney, Wake);
Desmond McCallum (Private Appointed Counsel, Mecklenburg)

Panel: The Prosecutor's Perspective on Indigent Defense

Moderator: R. Andrew Murray, Jr., District Attorney (Prosecutorial District 26) & President, NC Conference of District Attorneys

Panelists: Lorrin Freeman, District Attorney (Prosecutorial District 10); Seth H. Edwards, District Attorney (Prosecutorial District 2); Michael D. Waters, District Attorney (Prosecutorial District 9)

The Judge's Perspective on Indigent Defense

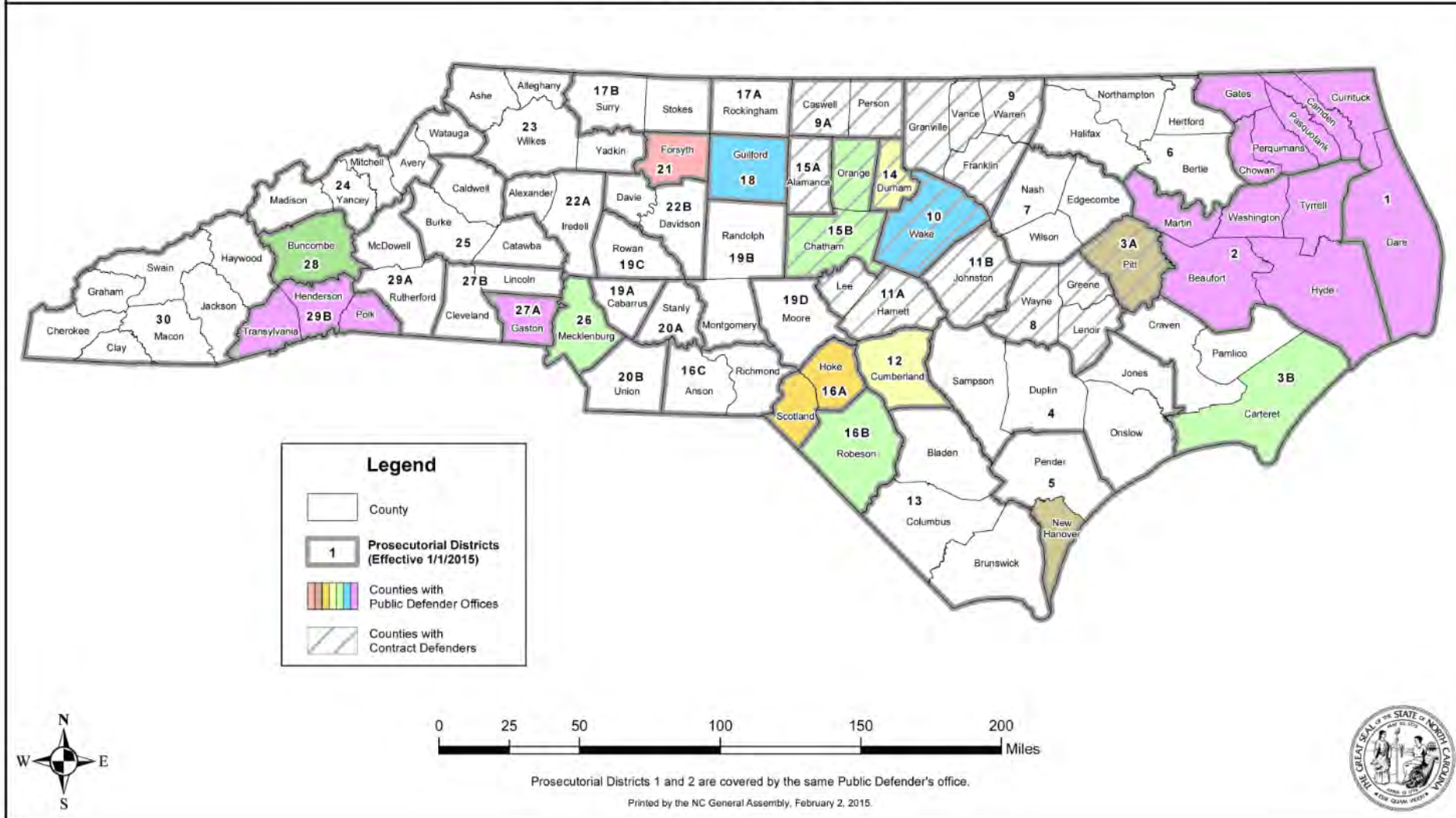
The Honorable Athena F. Brooks, Chief District Court Judge & President, NC Conference of District Court Judges (District 29B)

The Honorable Henry W. Hight, Jr., Superior Court Judge (Judicial District 9)

Models for Providing Indigent Defense

John Rubin, Albert Coates Professor of Public Law and Government, UNC School of Government

Prosecutorial Districts with Public Defender Offices and Contract Defenders (Effective 1/1/2015)



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CBS NEWS Video US World Politics Entertainment Health Money

By BRIAN MONTOPOLI CBS NEWS February 8, 2013, 1:20 PM

Is the U.S. bail system unfair?



Bail bonds jail prison generic arrest ISTOCKPHOTO

15 Comments / 16 Shares / Tweets / Stumble / Email

Comments by a top judge in New York have reignited a debate over whether the bail system in the United States should be reformed or replaced.

On Tuesday, Judge Jonathan Lippman said the bail system in New York is unfair to the poor, because they often cannot post bail and thus remain behind bars until their court date - even if their alleged offenses are relatively minor. The system as it now stands, he said, "strips our justice system of its credibility."

Bail works like this: Let's say you are arrested for a crime and taken to jail. Your next major step is a bail hearing, where a judge decides the amount of money you must pay in order to be released ahead of your court date. (He or she could also deny bail.) If you cannot pay the bail amount, or get a bail bondsman or other

SEARCH

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Rural Oregon's Lost Prosperity Gives Standoff a Distressed Backdrop

Supreme Court to Hear Challenge to Obama Immigration Actions

University of Cincinnati to Pay \$4.85 Million to Family of Man Killed by Officer

ALTRON UNIVERSITY OF CINCINNATI


SIDEBAR Case Cc Speech Unions

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U.S.

When Bail Is Out of Defendant's Reach, Other Costs Mount

By SHAILA DEWAN JUNE 10, 2015



U.S. & POLITICS By Axel Gerdau 1:41

The Burden of Bail

When Dominick Torrence was arrested in Baltimore and unable to make bail set at \$250,000, his girlfriend was faced with child care and other responsibilities. By Axel Gerdau on June 10, 2015. Photo by Axel Gerdau/The New York Times.

Watch in Times Video

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News

FEBRUARY 20, 2014 | PRESS RELEASE

Laura and John Arnold Foundation announces new pilot sites for court risk assessment tool

NEW YORK, NY—Laura and John Arnold Foundation (LJAF) today announced the latest jurisdictions to pilot the Public Safety Assessment-Court (PSA-Court) pretrial risk assessment tool: four counties and one city in **Arizona** (Gila, Mohave, Pinal, and Yuma Counties; and Mesa City); **Santa Cruz County, California**; and **Mecklenburg County, North Carolina**. In addition, several judges in various counties in **Colorado** will also use the tool. The instrument is designed to help judges determine which defendants pose a risk to public safety and should be detained while they await trial, and which do not and can safely be released. The PSA-Court is already being used statewide in **Kentucky**, and LJAF plans to implement the tool in additional jurisdictions in the coming months.

“Risk assessments are a powerful resource to help judges make pretrial decisions,” LJAF Vice President of Criminal Justice Anne Milgram explained. “The PSA-Court is the first tool of its kind to measure the risk of violence, and with continued use, we believe this will help reduce crime, increase public safety, and ensure that the criminal justice system operates as fairly and cost-effectively as possible.”

“Improving criminal justice at the pretrial stage is a vital component of Arizona’s plan to ensure that we incarcerate only those who should remain in jail before they have had a trial and that others are released on terms and conditions that will ensure public safety,” said Rebecca Berch, Chief Justice of the Arizona Supreme Court. “Those who do not threaten public safety and will appear for trial should not remain in jail simply because they cannot afford bail. Evidence-based pretrial practices, including the use of a validated instrument for determining which defendants should be released – and which detained – play an important part in furthering this goal. Providing judges with objective data about the risk posed by each defendant allows us to make more effective, evidence-based decisions to protect the public, treat defendants fairly, and control costs – all of which help serve the citizens of our state.”

LJAF developed the PSA-Court after research showed that a large percentage of high-risk defendants are released from jail while low-risk defendants are often detained. A data-driven risk assessment can help communities protect the public and spend less on pretrial incarceration. Currently, the nation spends \$9 billion a year to hold defendants before trial.

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RUN DATE: 12/14/15
LOCATION: GREENSBORO, NC
COURT DATE: 01/19/16

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
COUNTY OF GUILFORD
COURTROOM NUMBER: GB3C
TIME: 10:00 AM

SUPERIOR COURT TRIAL CALENDAR

JUDGE PRESIDING : EDWIN G. WILSON JR.
COURTROOM CLERK : T. STEWART
PROSECUTOR : J. DOUGLAS HENDERSON
: WILLIAM HILL
: KELLY THOMPSON
:
:

CONT

NO. FILE NUMBER DEFENDANT NAME

0001 15 CRS 082905 AGUILAR, AARON
TB: 092815 BOND: \$10,000 SEC
(F) FIRST DEGREE SEX OFFENSE CHILD
CLS: B1 P: L: PLEA: VER: EARLY, E DOM VL: Y JUDGMENT: GPD
ATTY: HARRIS, DANIEL, AL ADA: KRT

0002 15 CRS 076544 ALLEN, DETRIC, JEROME
TB: 091415 BOND: \$2,500 SEC
(F) FELONY CONSPIRACY
CLS: P: L: PLEA: VER: CUMMINGS, A DOM VL: Y JUDGMENT: GPD
APT.: DOWLING, KEVIN ADA: KRT

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COURTS & CRIME AUGUST 13, 2013 12:37 PM

N.C. agrees to \$12 million settlement for two wrongly imprisoned men

HIGHLIGHTS

North Carolina's State Bureau of Investigation and its insurers have agreed to pay \$12.475 million to two innocent men who spent a total of 31 years behind bars.



Joseph Neff and Mandy Locke - Raleigh News & Observer

North Carolina's State Bureau of Investigation and its insurers have agreed to pay \$12.475 million to two innocent men who spent a total of 31 years behind bars.

The state agreed to pay \$7.85 million to settle the state lawsuit filed by Floyd Brown, a mentally disabled man locked up for 14 years in a psychiatric hospital based on what his lawyers said was a false confession created out of whole cloth by an SBI agent. Brown has also reached a separate settlement with Anson County, whose sheriff's deputies helped investigate the case. A federal judge has sealed the Anson County settlement; North Carolina law requires that all such court settlements be public records.

The state also agreed to pay \$4.625 million to Greg Taylor, a Wake County man convicted in 1993 for the murder of a woman found beaten and abandoned in an East Raleigh cul-de-sac.

Taylor spent 17 years behind bars before a three-judge panel declared him innocent in 2010, the first such exoneration by an independent innocence commission in the United

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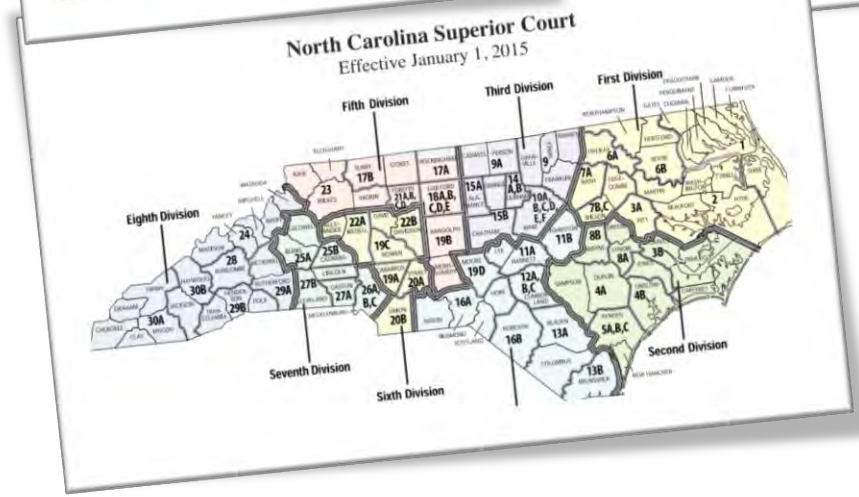
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**WORK IN
PROGRESS**

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**WORK IN
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**WORK IN
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Presentation Prepared By
Jessica Smith
W. R. Kenan, Jr. Distinguished Professor
&
Reporter, Criminal Investigation & Adjudication
Committee
North Carolina Commission on the
Administration of Law and Justice

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CONSIDERING HOW NORTH CAROLINA COURTS CAN BEST MEET INSTITUTIONAL NEEDS AND 21ST CENTURY PUBLIC EXPECTATIONS