



CRIMINAL INVESTIGATION & ADJUDICATION COMMITTEE AGENDA

Friday, June 10, 2016, 1:00-1:30pm
NC Bar Association, Godwin Executive Conference Room
8000 Weston Parkway, Cary, NC 27513

- I. Welcome & Approval of Minutes from May Meeting
The Honorable William Webb, Committee Chair
- II. Update on status of current projects
- III. Adjourn

Criminal Investigation and Adjudication Committee meeting June 10, 2016 Minutes

Present: Webb, Adams, Buck, Coleman, Davis, Holcombe, Kemp, McLaurin, Wagoner, Smith (Reporter).

Guests included Peg Doer and Eddie Caldwell, among others.

After a welcome by Chair Webb, the Committee approved the minutes from the May 13th meeting. Webb asked Reporter Smith to brief the Committee on its pending projects.

With respect to juvenile age Smith asked for and received no questions regarding the Chicago briefing and newspaper article regarding Chicago homicides that she sent to Committee members in response to a question at the last meeting. Smith noted that she and others continue to meet with law enforcement groups. Smith, Webb, and Lassiter met with the Sheriff's Association. Smith met with the Police Benevolent Association last weekend. And Smith and Lassiter are scheduled to meet with the Police Chiefs next month. Smith noted that she sent Committee members a frequently asked questions document prepared for law enforcement officers. She noted that one open issue regarding the juvenile age proposal was the treatment of 14- and 15-year-olds charged with violent crimes. On this issue Smith said that she was waiting for data from the Sentencing Policy and Advisory Commission and would be back in touch with Committee members when she had that data. Kemp asked about carve-outs for certain Chapter 20 offenses. Smith noted that the current draft report excludes all "traffic offenses" but that language could be clarified to include all offenses within Chapter 20 or it could specify certain carve-outs to be included within the raise the age proposal. This prompted discussion by Buck about the problems detaining juveniles create for jailers with respect to traffic offenses, especially impaired driving. At the suggestion of Buck and Caldwell, considerable discussion ensued about the possibility of expanding the raise the age proposal to include Chapter 20 offenses. There was however considerable resistance to this, particularly with respect to impaired driving. [Reporter's Note: In conversations after the meeting, Reporter Smith was able to confirm with Buck and Caldwell that their interest was not actually in expanding the proposal to include Chapter 20 offenses but rather simply to get all juveniles out of the local jails. Committee members: please watch for a briefing paper from Reporter Smith on this issue.].

With respect to indigent defense, Smith noted that the Subcommittee had already reviewed a draft report and provided comments. Smith will be circulating a revised report next week and the Subcommittee will meet to discuss it at the end of July. She indicated that after that meeting, the report should be ready to be presented to the full Committee.

Respect to criminal case management, Smith reported that work was underway on the contract with the National Center for State Courts. Consultant Nial Raaen was in North Carolina to meet with stakeholders this week. Later this Summer Raaen will have a conference call with the criminal case management Subcommittee to scope and vet the direction for his report. He will then work on the report, and provide it to the Subcommittee for comments. The report should come to the Committee in the Fall.

With respect to pretrial release, Smith reported that the Committee's jail study was almost done. Additionally, the Commission had submitted a RFP through the National Center for State Courts for an outside expert to report to the Committee on pretrial release. The Pretrial Justice Institute

had been selected as the outside expert. Its report will be ready for the Committee in the Fall. Of course, the Committee will receive information from all interested stakeholders.

Kemp mentioned that the Committee may wish to think about presenting its work to the Governor's Crime Commission.

The meeting was adjourned.