NORTH CAROLINA
SENTENCING AND
POLICY ADVISORY
COMMISSION

JUDGE CHARLIE BROWN
CHAIRMAN

MICHELLE HALL
EXECUTIVE DIRECTOR

September 28, 2020

Dear Fellow Commissioners,

It is with profound sadness that I write to share with you that Judge W. Erwin Spainhour passed away on Saturday, September 26. His obituary, which captures his remarkable life and the many ways in which he enriched North Carolina, can be found here.

Judge Spainhour was first appointed to the Sentencing Commission in 1998 as the representative of the Conference of Superior Court Judges, and he was appointed Chairman by Chief Justice Burley Mitchell the following year. As a testament to the confidence placed in him in that role, Judge Spainhour was reappointed eight times by four different Chief Justices of the North Carolina Supreme Court. As Chairman for eighteen years, he provided steady and diligent leadership of the Commission. His efforts resulted in great benefit to not only the criminal justice system, but to North Carolina as a whole.

I know those of us who worked with him on the Commission will remember how invested he was in all aspects of our work, and what a strong believer he was in the principles of Structured Sentencing. We also recall his gentle but firm guidance during decision-making and discussion, his humor during many Legislative Review meetings, his unwavering loyalty and appreciation for fellow Commissioners and staff, and his perfect record of starting every meeting at exactly 10:00 a.m. He referred to this promptness as "the Army way," and he never failed to reference the SPAC team as "the best staff in state government."

I was honored, along with many of you, to serve on the Sentencing Commission under Judge Spainhour's leadership for many years. I am especially grateful that he was able to be with us as we celebrated the 25th Anniversary of Structured Sentencing last fall, and that many of us were able to witness his receipt of the Friend of the Court Award from then Chief Justice Mark Martin. Beyond the Commission, Judge Spainhour touched so many lives, and I know many of you had the true pleasure of knowing him in other ways. We are extremely fortunate to have known and worked with him. He will be deeply missed.

During this most difficult time, please remember Judge Spainhour's family, your fellow Commissioners and staff, and all of those in the court family who worked alongside him for decades who are feeling an overwhelming sense of loss right now. For the 25 years that I knew Judge Spainhour, I witnessed his commitment to fairness and justice both in the courtroom as a lawyer who appeared before him, and as a member of the Commission under his leadership. Following in his footsteps as chairman of the Commission, I honor Judge Spainhour's life and legacy, and I strive to carry his torch.

I hope there is an opportunity for us to remember and celebrate Judge Spainhour as a Commission, and I will keep you informed. Please do not hesitate to contact me or anyone on the Commission's staff.

Sincerely yours,

Charlie Brown