

Mani Dexter

From: Pretrial Justice Institute <pretrial.org@mail49.suw15.mcsv.net> on behalf of Pretrial Justice Institute <pji@pretrial.org>
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To: Mani Dexter
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North Carolina Pretrial Update: May 2018

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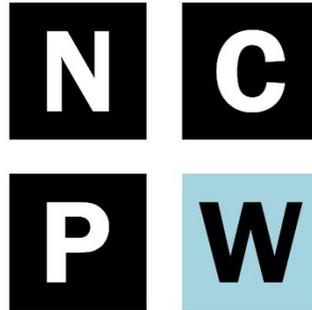
North Carolina Update



North Carolina: Tar Heels Are Getting Unstuck on Pretrial Justice Reform

North Carolina earned a D in the Pretrial Justice Institute's 2017 [State of Pretrial Justice in America](#) report, which graded states on three measures: the rate of unconvicted people in local jails (15.5% per 10,000 residents in North Carolina); the percentage of people living in a jurisdiction that uses evidence-based pretrial assessments to inform pretrial decisions (10.4% in NC); and the percentage of the state's population living in a jurisdiction that has functionally eliminated secured money bail (0% in NC).

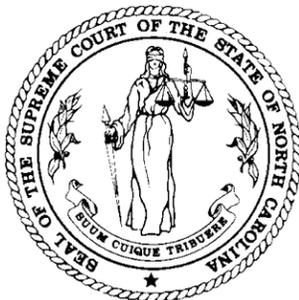
Since the report was issued, the Tar Heel State has been working hard to position itself for real change.



Reporter Joe Killian of [NC Policy Watch](#), a project of the [North Carolina Justice Center](#), has been writing a terrific series of articles about the state’s troubled money bail system. (See links below.) One article, [“National pretrial expert: Reform is coming to the broken cash bail system”](#) (April 24, 2018), featured PJI CEO Cherise Fanno Burdeen noting that a demand for change was gaining traction in North Carolina, as it has been elsewhere across the country.

Particularly gratifying, Burdeen said, were reform efforts initiated by the judiciary.

In 2015, the chief justice of North Carolina’s Supreme Court called for a commission to review the state court system and to recommend improvements to the administration of justice. Pretrial justice – a move away from the cash bail system – was a primary area of inquiry.



The following year, a [report](#)—which included an appendix, [“Upgrading North Carolina’s Bail System: A Balanced Approach to Pretrial Justice Using Legal and Evidence-Based Practices.”](#) by PJI’s John Clark and Sue Ferrere and Timothy Schnacke of the Center for Legal and Evidence-Based Practices—called for a pilot project to implement and assess legal- and evidence-based pretrial justice practices in North Carolina (see pp. 45-46 of the [final report](#)).

The [ACLU of North Carolina](#) in late May launched a campaign to end money bail. See [“It’s Time to End Cash Bail in North Carolina.”](#)

[Here are some other recent pretrial justice developments in North Carolina:](#)

- Mecklenburg County is one of six sites participating in [PJI's continuing technical assistance](#), funded by the [Bureau of Justice Assistance](#), which is testing pretrial innovations in procedural justice, reducing racial disparity, and better responses to technical violations.
- [Buncombe](#), [Durham](#) and [Mecklenburg](#) counties are among 40 national jurisdictions selected to take part in the [Safety and Justice Challenge](#), a five-year, \$100 million pretrial justice reform initiative of the [John D. and Catherine T. MacArthur Foundation](#).
- Following the recommendation of the commission convened by the state judiciary, with support from the [State Justice Institute](#) PJI's John Clark and Will Cash are preparing to visit Jackson and Haywood counties to explore the establishment of a pilot site.
- Orange County is a [3DaysCount Resolution](#) site. [3DaysCount](#) is a



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Commonsense Pretrial

nationwide campaign to reduce unnecessary arrests, replace cash bail with evidence-based assessments, restrict detention only to those few people who would pose a danger to the community if released, and raise equity within the system. Learn about becoming a 3DaysCount Resolution site [here](#).

- Three participants in PJI's [PI-Lead](#) (Pretrial Innovation



Leaders) ... breaking more eggs in 2018 ... program, which seeks to develop the next generation of pretrial justice leaders, are working in North Carolina: Jessica Ireland in Mecklenburg County and Rachael Nygaard and Shannon Christy in Buncombe County.

More news about North Carolina's pretrial justice system:

- [Deberry defeats incumbent to win race for Durham County district attorney](#) (The Herald-Sun, May 8, 2018).

- [“Why are state legislators forcing judges to jail people for being poor?”](#) (The Progressive, blog of NC Policy Watch, May 15, 2018).
- [“North Carolina Law Makes It Harder for Judges to Waive Fees and Fines”](#) (NPR, Dec. 4, 2017).
- [“It’s time to end cash bail that leads unfairly to time in jail”](#) (op-ed, Raleigh News & Observer, June 28, 2017).

Other articles in Joe Killian’s NC Policy Watch series include:

- [“Experts: We already know how to reform the state’s flawed cash bail system”](#) (April 12, 2018).
- [“Is North Carolina’s cash bail system just? Advocates, reforms in other states raise serious doubts”](#) (March 29, 2018).
- [“Arrests, convictions, predatory behavior plague North Carolina’s bail bond industry”](#) (March 22, 2018).
- [“Owners of bail bond outfits admit industry abuses and shortcomings, call for reforms”](#) (March 7, 2018).
- [“North Carolina’s bail industry draws severe criticism from criminal justice experts”](#) (March 1, 2018).

If you’ve enjoyed this roundup of pretrial news from North Carolina, please share it with your friends and invite them to [sign up](#) to receive PJI’s newsletter and to follow us on [Facebook](#) and [Twitter](#).



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