



Durham County Criminal Justice Advisory Committee
July 27, 2014 Minutes

Committee Members Present: Judge Marcia Morey, Judge Nancy Gordon, Adam Clayton, A. R. Marsh, Sr., Ann Oshel, Clarence Birkhead, Doug Scott, Sharon Elliott-Bynum, Judge Jim Hardin, Lao Rubert, Gayle B. Harris, Jackie Brown, Lawrence M. Campbell, Marcia Owen

Committee Members Absent: Gilda Womble, Lee Worsley, Brenda Howerton, Kristen Rosselli

Guests: Dawn Manus, Daryl Atkinson

Staff: Celia Jefferson, Kelly Andrews, Ray Brown, Randy Tucker, Gudrun Parmer

Welcome and Introductions

Judge Morey chair, opened the meeting with a welcome and asked everyone to introduce themselves. She welcomed Clarence Birkhead, who worked with law enforcement in Hillsborough and Durham and is now one of our newest members of CJAC. Two other new members could not be here today: Michael Becketts, Durham Department of Social Services and Jeffery Clark, Durham Police Department.

Judge Morey commented that CJAC is given the task to find the holes in the Criminal Justice System to help people be successful if they get involved with the criminal justice process. One of the main conduit of this effort is the Criminal Justice Resource Center (CJRC) with Gudrun Parmer and the services she provides. We also look for solutions, answers and services from other groups and through community involvement. CJAC work groups: substance abuse, mental health, work force development, reentry, pipeline to employment, veteran's court and the misdemeanor diversion program for our juveniles.

Report from CJAC Subcommittees

Pipeline to Employment: Gudrun presented briefly on the Pipeline to Employment. The subcommittee met in June and a prominent employer in Durham who hires people with criminal records on a regular basis was in attendance. She shared good insights on what she is looking for as an employer and things that the subcommittee can work on. She talked about advocacy for criminal clients, and taking away the stigma of fear that a lot of employers have for hiring clients. She commented on seeing lots of people that are not ready for interviews. They can barely fill in an application and sometimes they don't know what jobs they are seeking. She is sending people on interviews who are ready for work, not the ones just referred. She talked about people that are supported and connected to programs like Durham Economic Resource Center (DERC), Healing with CAARE, CJRC or many other programs that get clients ready for interviews. She is looking for people that are ready. They do not have the time to nurture or do all the advanced work that is involved in getting people ready for interviews. The subcommittee is looking forward to having more dialogue with employers and identifying what they can do as programs to help get our clients ready for work. Gudrun commented that this

subcommittee has good attendance during the summer. They have a good number of people on the subcommittee and can always use more energy, help, and thoughts to help us get to the next place.

Judge Morey shared that she attended another group meeting working with the same issues, Made in Durham sponsored by MDC. They work with employment for youth ages sixteen to twenty-four who are involved in the criminal justice system. They have an impressive resource list on page twenty four of their resource manual of all the different service programs that are here for the court involved youth. They usually combine people that are in the criminal justice system and those that are trying to seek more work force development interviews. CJRC is the only resource that we have in town that is there for the criminal justice population. MDC is a great group coming together and looking into how to help the young age population, to get education, interviews and to be ready for the interviews, and then link them with employment. At the meeting, they discussed that in Durham the main issue is the reluctance of the professional community to come forward, because there is a stigma of the criminal record. They are afraid that there may be violence or something that they will have to deal with and they are not going to touch it. People in the employment lines that do not have a criminal record comes first, but we need to help take away some of that stigma that every criminal record means the same thing. Judge Morey noted that so much education needs to be done in this area. Two sectors that came up in the meeting discussion that step forward the most to help the ones that are involved in the criminal justice system are the food services and the construction industries and how we can expand on it. Judge Morey feels that, that meeting and in addition to what Gudrun will present today will feed into what CJAC is doing.

Jackie Brown, Executive Director of DECR, shared that the new Workforce Innovation and Opportunity Act (WIOA) was passed into law last week. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. Jackie commented that it sound like it will be good for the 16-24 year old age group. She stated that this is a federal law and it comes with federal funding. She noted that as we plan we need to make sure that we are in alignment to apply for those funds.

Judge Gordon shared that she and Judge Morey attended a meeting held with the Greater Durham Chamber of Commerce and the Board of County Commissioners (BOCC). The Chamber is under a lot of pressure to come up with something for the (resistant 5 %) of the population that is unemployed. Judge Gordon thinks that the WIOA federal funding is funds that the Chamber could tap into to make this happen. Judge Gordon commented that construction companies and the food services are great but it is not long term with retirement and health insurance. She commented that maybe Commissioner Howerton might be able to talk with them about agreeing to take a specific number of people, or train a specific number of people as interns. Judge Morey commented that they have encouraged them to attend the CJAC meetings and there is an ongoing invitation.

Sharon Elliot Bynum, Executive Director of Healing with CAARE, shared that she has been attending the Mayor's New Poverty Initiative meetings that have a subcommittee of jobs, and it appears to be another subset of people talking about the same things we are talking about. At their last meeting, she asked if there is some way we all can come together and talk about the same issue. She is afraid that one group is not talking to the others and we will not be able to capture and utilize all the good ideas that is being shared. It was suggested that Sharon be the liaison for that group. This meeting is scheduled after hours, so there is a lot of community input and employers in attendance.

Lao Rubert, Director, Carolina Policy Center, asked if anyone knows if construction industries are open to hiring our population, particularly African American men. She set outside and watched a giant construction job

where there is a lot of people every day, and there is hardly any African American men. She is wondering if this is a connect to criminal records. Jackie Brown answered that empirically our people say they get part time jobs through labor work, and temp agencies, statistically she do not know. Judge Morey commented that with the City and County incentives or tax breaks, one should be able to give back by putting this population to work. Gudrun shared that the County Attorney has always had the position that they cannot mandate that a company hire a certain subset for construction of public projects or only Durham County residents. Daryl Atkinson, Attorney for the Southern Coalition for Social Justice, shared another way is to reward instead of mandating. You can score the RFP on paper and get extra points if you are willing to do this. Lao stated articulating those things in writing very specifically will be very helpful because some of the City/County Attorneys do not see it that way and we can have it as a to do item. Gayle Harris commented that a large proportion of Hispanics are not getting these jobs. Another comment was stated that minorities do not get the large commercial bids, this is one of ways that they are not being inclusive. Judge Gordon stated that this committee could make a recommendation that the RFP contain official language that could be measured. Judge Gordon stated that if anyone here know of any other language elsewhere, we could copy and paste and we could make that recommendation. Gudrun informed the committee that they will have a subcommittee meeting in August and we could invite a County Attorney and have a discussion around this subject.

Durham County Misdemeanor Diversion Program: Kelly Andrews, MDP Coordinator, reported that they had thirty referrals, open twenty nine and two have been sent back, due to one young person giving false information to law enforcement so that he could not be found and another one missed three intakes. The program has sixteen successful completions and all of the reports we got back from youth and family have all been overwhelmingly positive. Participants are retaining information from the misdemeanor diversion court session they are attending. They remember a lot from the role play about how many days they can spend in jail and how much they will have to pay. Kelly is meeting with law enforcement tomorrow to discuss ways to increase referrals. Kelly was able to go to one district and talk face to face with the police department and it went really well. The questions that law enforcement ask is a whole lot different from administration. They have a lot of partnerships providing services for free. They have a lot of wrap around services, mental health, substance abuse, education, tutoring and summer jobs placement. The majority of referrals are coming from the police department in two specific districts. Prior to school getting out, they were only getting referrals from School Resource Officers (SROs). Daryl stated that he is trying get some sense around the information gap that currently exists about how many or what percentage of the 16 and 17 year olds brought into the adult system were originally from schools? Judge Morey commented that this information is being collected for the juveniles system. Adam Clayton would like to get someone from his division to train the trainers. Kelly responded that she could come out and do the training for him. Gudrun shared that the Governor Crime Commission (GCC) has approved the one year grant and adopted it in their budget. GCC is waiting on their federal money in order to make the official award to Durham County.

Veterans Court: Judge Gordon reported that the deal with veteran's court is that the GCC has a slush fund from which they can make grants off cycle. GCC is very committed to Durham getting a drug court because the governor office is committed to the Drug Treatment Court. GCC is ready to hand them \$75,000. They have the grant and presentation ready to be entered. The difficulties that they are facing now is that they do not know what is happening with the state budget and the court system. They need to know if they will lose funds from the family court. There is some concern about implementing an additional court obligation for the clerks, staff, judge, etc. The good news is GCC is throwing funds at them and the bad news is they do not know if they can accept it. Their meetings have been very active. People from GCC have been in attendance letting them

know what they want and the NC Administrative Office of the Courts is prepared to administer it for better or for worse. There is some desire statewide to standardize Veteran's Treatment Court. Harnett County drug court is up and running, Cumberland County is either on line or ready to go on line, next should have been Durham County, then Buncombe County and another County somewhere west. Durham County were the furthest along in the grant proposal. Their next meeting is August 13th. They should know something by then.

Durham County Criminal Justice Resource Center Programs and Services

Gudrun informed everyone that Tuesday, August 19 at 1pm, the employment committee will meet at CJRC. She then presented a brief overview of how services are set up at CJRC: **Community Based Corrections Core Services:** These services are for individuals who live in the community and comes to the center during the day from 8:30am to 8:30pm. *Community Based Corrections* has significantly changed from what it had been fifteen years ago. We still have the *Second Chance program* and this is a pure substance abuse treatment program under correctional supervision. There is no cost for this service. However, there is a \$75 TASC evaluation fee for the clients. If they do not have the ability to pay, the fee is waived. *Treatment for Effective Community Supervision (TECS)* is for level 1, 2, and 3 probationers with at least two criminogenic needs. We provide Substance Abuse Treatment or Cognitive Behavior Intervention service. Our *Community Intervention Center* is for probationers in violation status or at risk of revocation who are unemployed but employable.

Judge Morey shared that they have over 100 defendants in probation court almost every Friday. She is concerned if they are directing the process in the way it needs to go rather than violate active or continue on instead of helping. Judge Gordon stated that this is why there is a need to get the TASC assessment as early as possible. Ray commented that in order for the clients to get to their services quicker, TASC is no longer getting individuals appointments for each TASC care manger from the probation officers. They are now using a walk in system. So if anyone has been put on probation last week, TASC will see them this week. Marcia Owens needed clarification if the clients are showing up with the understanding that they will not have to pay for an evaluation. Ray said that they advise probation of the \$75 fee, and if the clients are not able to pay they still can come, but for the drug education school and deferred prosecution the defendant is required to pay \$150. There is no way to get around it. Daryl asked if the results of urinalysis are being used to trigger the confinement response to violation (CRV) and is that a commission of a new crime. Judge Morey noted that it is a violation. Judge Gordon commented that in the past drug court people had been working with probation trying to see how many clients they could steer to drug court to prevent revocation. A lot of people are trying not to let it get to that point. Continued use of drugs, new charges, an absconding etc. is seen as revocation.

At this point, Gudrun continued presenting on services from CJRC. *The Reentry Program:* We get referrals from the post release and parole supervision commission and they asked us to look at individuals scheduled to come back to Durham. We do not take any individuals that do not have a Durham connection. We are mostly targeting individuals who have served significant periods of time and those with very significant needs.

Court Services: provide support services to the court system, court involved individuals and those in the Durham County Detention Facility. Some of our court services are jail, adult drug treatment court, forensic and psychological assessments for adults and juveniles. We do not provide direct services for juveniles that are involved in the juvenile justice system. We mostly do the coordination of those services. Court Services are our substance abuse treatment program that is regular outpatient, aftercare, intensive outpatient treatment and we provide morning and evening services. We provide employment services although, we are not a placement agency, but we provide placement assistance. We also do a lot on the front end of job readiness. We have

some money from the county to pay for vocational training including classes at Durham Technical Community College, fork lift training, Serve Safe training, barber school and truck driving school. We have six temporary positions in various county departments to provide individuals with paid work experience. They will get paid a living wage which is around \$26,000 per year. The positions are there for six months. Extensions may be available in departments that have a need for additional assistance due to workload or staff shortages. We have Durham Tech on site everyday providing Adult Basic Education and GED classes. We still do a lot of case management with CBI cases that come to us. These individuals' need a lot of additional services. We help them with clothes, food, birth certificates, identification, work related items, clothes for a certain job, etc. We help them access housing or we provide housing directly through our County owned six bed transitional house that was provided to us by the Durham Center. They can stay at least two months and it is contingent upon the compliance with all the services and activities they are positively engaged in. Our Cognitive Behavioral counselors are trained in Thinking for a Change and Moral Reconciliation Therapy (MRT). We also have long-term support from support groups and faith teams.

Jail Services: The *Starr* Program has been around over twenty years. It is a substance abuse treatment program in the county jail. They take inmates who are court ordered to attend and some will even go to jail to attend Starr, and they take volunteers from the general population. Court orders have priority. The initial stay is 4 weeks with an 8 week option. There is also case management/discharge planning. Starr brings in a lot of providers in the address inmate transition. *Jail Mental Health* is where all inmates are screened at booking. Priority are inmates with SPMI usually in need of medication and discharge planning/medication maintenance. The *Youth Home* is our youth detention facility. They do GAIN assessments and care coordination/referrals, and make sure juvenile justice is involved and are aware of what they are doing.

Pretrial Services: Pretrial major functions are to run all the criminal record histories on all defendants scheduled for first appearance in jail. They prepare a risk assessment and background verification on all defendants considered for pretrial release supervision. Supervision includes frequency and the type of contacts vary based on a charge and risk. May include electronic monitoring and court date reminders.

Judge Hardin suggested that a packet of all program services be put together so that all judges could be exposed to all that information. Some of it might be tailor made for some of the circumstances they deal with. Lawrence Campbell, Public Defender, commented that the packets that are sent to the court are from the office of the defense attorney and the prosecutor. They have tried to get everybody on board to make those presentations, but that is not happening as often as they would like. He noted that only certain segments of people attend these types of meetings that are aware of these programs. Judge Morey suggested that every six months, judges should have a lunch and updated handouts can be distributed.

Gudrun was asked to share her presentation and Daryl asked if we do evidence based practices evaluations and if we have an external evaluator to give us a sense of what is working well and what will need to be improved on. Gudrun noted that they are working with identifying someone to work with them to validate our risk assessments. For community based corrections, we look at recidivism. MRT and CBI are evidence based practices. We worked with the Council of State Government (CSG) to look at our intake process over the last couple of years and that is when we re-modified a lot of our processes to get people into treatment faster. She noted that we are working hard for quality improvement.

Creation of a Reentry Council: Lao informed CJAC that reentry councils are currently existing in five areas of the state. The state has a number of positions that they recommend for an area that has a Council. Lao

commented that since we have this committee here, it is an obvious starting point for a reentry council to make it consistent with the state preferences. All the positions on the distributed handout is the position we will need to bring in to our work. Gudrun pointed out that if we add more people to the CJAC committee the Board of County Commissioners will have to change our charter. Lao noted that the state does not really care. A lot of people may have one or another specific interest. The positions under number one on the handout is most likely to be added to this committee. The clerk was one position that asked what they could bring to the committee. Lao suggested that we let people know what they can bring to the committee so that they can use their time well. The following names were suggested for adding to the committee: Courtney McMullen, a local city representative on the employment committee; John White is in the Chamber and there might be other people from the Chamber who might be good; Legal Aide, Lynn Burk and Carrie Hamel, and Public Housing, Rita Taylor. One of the decisions we need to make is how many people will we want to add to the CJAC and do we want to extend subcommittees in these other slots. Lao has heard very reliably that the State is hoping to have a reentry council in Durham, Orange, and Chapel Hill. She thinks that we should have our own plans and group because we have our own services. We do not have a local prison facility in Durham and we could leave that out. Durham should be structurally prepared. Judge Morey asked the committee if they agreed that a reentry council will be good for Durham to put into effect. The committee agreed.

Our next meeting will be held on Tuesday, September 23 at 4pm.

Meeting adjourned at 5:30pm.