



Criminal Justice Advisory Committee Minutes
Tuesday, July 26, 2022

Members Present: Satana Deberry, Ben Haas, Eric Johnson, Deborah Williams, Michael O’Foghluha, Lao Rubert, Dawn Baxton, Melinda King-Thompson, Robbie Breitweiser, O’mar Taylor, Walter Tate, Nida Allam, Gudrun Parmer, DeDreana Freeman for Mayor Elaine O’Neal

Members Excused: Ben Rose

Staff: Roshanna Parker, Marc Strange, Kelley Waggy, Alex Resney, Beth Steenberg, Alli Bunker, Ontario Joyner

Guests: Sarah Willets, Ella Hargrove,

Welcome and Introductions

Chair Ben Haas called the meeting to order and asked that all members take a moment to introduce themselves.

Review and Approve May Minutes

Chair Ben Haas asked those in attendance to review the minutes, and a unanimous vote approved the minutes.

CJAC Resolution & Values

Ben Haas shared the CJAC resolution with the board via screen share and provided a brief overview. Ben Shared that he would be reaching out to fill any vacancies. *Please note, the full resolution is attached for your continued review.

What I’d Like you to know: Perspectives from CJAC

Vice Chair Deborah Williams gave a brief overview of the initiative for the CJAC Board to fully understand the needs of partners and ways that CJAC can be supportive.

Satana Deberry (District Attorney, Durham County)

DA Satana Deberry thanked Ben and Deborah for their efforts to move forward as a group. DA Deberry shared (via virtual presentation) that the Durham DA’s Office is in the 14th Prosecutorial District, made up of 20 Assistant District Attorneys and other staff. The ADAs are divided into the following teams: Homicide and Violent Crime, Drug and Property, District Court, Traffic, Special Victims Unit and Juvenile. The primary duty of the prosecutor is to seek justice within the bounds of the law and serve the public interest in the following ways: represent the State in all criminal cases in Durham County, decide which charges can and should be pursued in court, make recommendations about bond and other pretrial release conditions, negotiate plea arrangements and try cases, inform victims of crime about the court process, set Superior Court calendars, consult with law enforcement on charging, refer/approve cases for diversion programs, review cases involving misconduct or use of force by police and decide if charges should be filed, coordinate and consult with victim advocates in sensitive cases.

DA Deberry shared that there were about 22,000 criminal charges filed in Durham District Court in 2021; of those approximately half were traffic, one-quarter were misdemeanors and less than 20% were felonies. Of these the most common was speeding with only about 12% of charges being violent. DA Deberry stated that 80% of all persons with non-violent charges are Black, 78% of Durham residents in prison are Black; the vast majority of people charged in Durham are Black, with the highest disparities seen in felony charges.

DA Deberry gave insight to the Court Process and shared cases involving violence are prioritized. DA Deberry's office implemented a pretrial release policy in 2019 instructing ADAs to only seek money bail for violent offenses resulting in a 25% decline in average jail population with 68% of detainees being Black men. Most individuals on pretrial return to Court and do not commit new offenses. DA Deberry explained that most cases end in pleas and sentences are guided by structured sentencing charts. In order to focus on serious offenses, the DAs office has improved coordination with law enforcement via cross training, pre-charge consulting, and round table meetings with homicide, SVU, and Gun/ Gang units. All back logged sexual assault kits have been processed and resulted in convictions against 5 defendants in 7 assault cases. Her office is working to improve their victim services. They have a clothing closet, a partnership with Pennies for Change, parking funds, separate waiting rooms, and family meetings through their partnership with the Religious Coalition for a Nonviolent Durham.

The DA's office is focused on reducing unnecessary court involvement in cases where public safety is not at risk, one way they are achieving this is through Post Arrest Diversion. Post Arrest Diversion launched in 2020 with 44 referrals to date with only 2 referrals being unsuccessful. She cited this as more evidence proving that Diversion helps to break the cycle of crime. Additionally, DA Deberry's office no longer prosecutes offenses that happen in school, with exception to violent crime which is rare. For more information follow the Durham County DAs office:

[Facebook.com/DurhamDA](https://www.facebook.com/DurhamDA)

[Twitter.com/DurhamNCDA](https://twitter.com/DurhamNCDA)

[Medium.com/Durham-District-Attorneys-Office](https://medium.com/Durham-District-Attorneys-Office)

[NCDistrictAttorney.org/14/home.html](https://ncdistrictattorney.org/14/home.html)

***Questions and Conversation**

Deborah Williams asked about one way CJAC could support the DA's Office. Ms. Deberry stated that support for Diversion is critical. They must have resources for the individuals referred to diversion. Advocacy for this would be incredibly helpful.

Deborah asked DA Deberry to expand on the individual's need to trust the DA's office. DA Deberry stated that it is on the court system to be truthful and fair, if we are going to be trusted to hold people accountable and achieve favorable outcomes we need to create and maintain an environment that promotes trust and open communication.

Ben Haas stated that he feels trust is an important component. He encounters trust issues with individuals who have experienced trauma daily and he gives the current DA's office a lot of credit for working to create an environment of trust.

Lao Rupert asked: "when it comes to equity, what would you put at the top of your list for how to deal with and evaluate the progress we are making?" Ms. Deberry stated if seeing the disparity decreased to 50% are we still failing? What would a fair system look like? These are more questions to the community. She stated that the real answer is investing in our children, ensuring that all children receive quality education, health care, etc.

Deborah asked if the DA staff demographics reflected the demographics of those being served? And how many are from Durham? DA Deberry shared that the majority of her office is Black women. They have worked to increase the number of prosecutors that are people of color, and the majority are graduates from North Carolina Central University and were born and raised here in Durham.

Local Reentry Council Update

Ben Haas introduced the new LRC Coordinator, Ontario Joyner.

Ontario shared that he joined the LRC in hopes of helping the community. As an individual that has been working in the criminal justice system, he understands the needs. Ontario plans to meet all of the LRC partners over the next 90 days and works to form and grow relationships throughout the community to help benefit the individuals that come through the LRC.

Ontario shared that the LRC has served over 1,200 clients with over 200 being gainfully employed. NCDPS is now using UniteUs via the Care360 system and the LRC will begin to utilize the system August 1, 2022. The Housing Committee submitted an application to the City of Durham for ARP funding which was approved. The committee is working to finalize project details with more information to come. The Employment Committee is working on providing a career readiness certificate to aid participants obtain gainful employment. The LRC meets bi-monthly via Zoom. The next meeting is 09/21/2022 at 3pm.

DA Deberry took a brief moment to acknowledge Durham County for its efforts to provide employment to individuals working to reacclimate to the community.

Partner Updates

Alex Resney shared that she and Alli Bunker have been actively reaching out to CJAC members for interviews regarding racial disparity in criminal justice. Overall individuals wanted to see numbers and utilize data to pinpoint areas that need immediate attention as well as help form a functional plan to harness the data and create real change.

Deborah shared that on 9/23/2022 along with the US Attorney's Office, Duke Divinity School's Office of Black Church Studies, The Black Pastoral Leadership Collaboration will host a Reentry Simulation like the one CJAC offered in 2019. Look forward to emails regarding this event.

The meeting adjourned at 5:30pm.

Remaining Meeting Dates for 2022

September 27, 2022

November 29, 2022

RESOLUTION ESTABLISHING THE DURHAM COUNTY CRIMINAL JUSTICE ADVISORY COMMITTEE

WHEREAS, The Durham County Criminal Justice Partnership Advisory Board was established in 1995 as a statutory requirement to participate in the state-local Criminal Justice Partnership Program grant process, and

WHEREAS, The enabling legislation for the Criminal Justice Partnership Advisory Board, Article 6A of Chapter 143B of the General Statute, was repealed in June 2011 as part of HB 642, the Justice Reinvestment Act of 2011, and

WHEREAS, the Board of County Commissioners desires to create another advisory committee to assist in developing a comprehensive continuum of services for the adult criminal justice system, identifying services gaps, and developing intervention strategies.

NOW, THEREFORE, BE IT RESOLVED by the Durham County Board of Commissioners that the Board hereby establishes the following advisory committee:

Name of Committee: the Durham County Criminal Justice Advisory Committee

Purpose: The purpose of the Criminal Justice Advisory Committee (CJAC) is to develop a comprehensive continuum of services for the adult criminal justice system, identify services gaps, and develop intervention strategies and comprehensive solutions. The CJAC is advisory in nature and has no authority over any public or private entity.

Membership: The Advisory Committee shall be comprised of 28 representatives from Durham County and State agencies, community organizations and members at-large. Members appointed to the CJAC are subject to the County's Procedure for Citizen Appointments. The following members will be appointed by the Durham County Board of Commissioners (BOCC) and serve two-year terms:

1. Durham County Commissioner
2. Durham Police Chief or designee
3. Durham County Sheriff or designee
4. Superior Court Judge of the 14th Judicial District
5. Chief District Court Judge of the 14th Judicial District
6. Durham Public Defender or Criminal Defense Attorney
7. Durham County District Attorney or designee
8. Durham County Public Health Director or designee
9. Durham County Social Services Director or designee
10. Local MCO/ LME Director or designee
11. Durham County Manager or designee
12. 14th Judicial District, Division of Community Corrections District Manager
13. Treatment Alternatives to Street Crime (TASC) Director
14. Member of Durham Business Community
15. Director of Criminal Justice Resource Center

16. Mayor or designee
17. Citizen
18. Citizen

The following members will be appointed by the CJAC membership and serve two-year terms. Members appointed by the CJAC are subject to the same eligibility and attendance rules as members appointed by the BOCC.

1. Community College or other educational institution
2. Local Mental Health or Substance Abuse Provider
3. Local Non-Profit Organization
4. Housing Provider
5. Formerly incarcerated Individual
6. Formerly criminal justice involved Individual
7. Specialty Court Judge
8. Employment & Training Provider
9. Faith-Based Organization
10. Legal Aid Representative

A Chairman, Vice-Chairman and Secretary shall be appointed among the members of the CJAC at the first meeting of each calendar year. A majority of the members present shall create a quorum. Meetings shall be held at least quarterly, additional meetings may be scheduled by the Chairman. All notifications of meetings shall be published no less than 48 hours prior to the meeting through the Clerk to the Board's office as required by state law.

Subcommittees:

One standing subcommittee shall be the Reentry Coordinating Council. The purpose of the RCC shall be to bring together stakeholders who can offer assistance and resources to help formerly incarcerated individuals become productive citizens, as well as reduce recidivism and victimization.

Ad hoc committees may be formed as deemed necessary by the chairperson to address specific topics or tasks. The frequency and times of meetings will vary depending on need. Participants on ad hoc committees can be non-members.

Essential Partners:

Certain positions are essential to the effectiveness of the CJAC, including Judicial District Manager, MCO/LME Director and TASC Director. The individuals in those positions will be asked to participate on the CJAC in an ex-officio (non-voting) capacity, if they do not qualify for full membership under current Durham County eligibility requirements.

Shared Values:

- Reduce the demand for County jail beds,
- Reduce the number of Durham County residents in state prison facilities,

- Develop a continuum of programs, services and sanctions that provides options to the criminal justice system,
- Pursue initiatives that are respectful towards victims, offenders and the community,
- Pursue funding for initiatives through grant opportunities and requests to local and state government.