

Criminal Justice Advisory Committee Tuesday January 30th, 2018 Minutes

**Members Present:** Lawrence M. Campbell, Syretta Hill, Alexander Williams, Celeste Kelly, Vernetta Alston, Ben Rose, Clarence Birkhead, Peter Wooldridge, Kristen Rosselli, Jodi Miller, John Witchger, Tara Blackley, Roger Echols, Don Baker, Ann Oshel, Gudrun Parmer, Omar Taylor, Marcia Owen

**Members Excused:** Wendy Jacobs, Jackie Brown, Joseph Laizure, Lao Rubert

**Members Absent:** Shamieka Rhinehart, Anthony Marsh

**Guests:** Bonnie McDonald (DPS), Delvin Davis, Josephine Davis

**Staff:** Celia Jefferson, Roshanna Parker, Peter Baker, Karen Shaw

**Welcome and Introductions** Chairperson Roger Echols, Durham County District Attorney, opened the meeting with a welcome and asked everyone to introduce themselves.

**Review and Approve September Minutes** Roger Echols asked the committee to review the minutes. Kristen moved that the minutes be accepted as presented. Minutes properly seconded and approved as presented.

**Appointment of New CJAC Member**

Alexander Williams had applied for membership on CJAC and met the eligibility criteria for “Formerly Incarcerated Individual”. He was asked to share some information about himself. Mr. Williams reported he worked with Southern Coalition for Social Justice for six years, was very active with the Ban the Box Campaign, a member of Spirit House and practiced restorative care. Gudrun Parmer noted that his application had been vetted by the Clerk to the Board of Commissioners and he is eligible for the seat. DA Echols asked for a motion to appoint Alexander Williams to be the person in the formerly incarcerated individual position. Lawrence Campbell moved that Alexander Williams be the person for that position. Clarence Birkhead properly seconded. Motion carried.

**Court Fees and Fines Waiver Changes** *PD Lawrence Campbell, Delvin Davis*

Public Defender Lawrence Campbell reported that the General Assembly enacted legislation that tied the judges’ hand about waiving fees and fines effective December 1, 2017. A statute went into effect forbidding any judge, district or superior, the waiving of court fees or fines regardless of the person’s financial situation or any other request made of the court. The General Assembly went the additional step of identifying approximately 31 entities that needed to be notified anytime a waiver of fines, fees or court cost could even be considered. A written notice has to be given to those entities one in each case before considering waiving fines, fees and cost. It would take 15 days to receive notice by first class mail on each case. Complaints from judges and the clerk of courts across the state wanted to know who would to notify organizations each time a case came up and who would to be responsible for spending the first class postage for every case?

AOC took it upon themselves to provide the notification and postage, which did not go well. After about the 2nd or 3rd week in December, some of the counties started issuing standing waiver of objections or standing notice of objections so that people did not have to receive that every time.

He noted that in order to protect their indigent clients the Public Defender’s Office has taken some steps and action to protect some of the people they know are going to be impacted. Mr. Campbell shared his personal observation that some judges would use discretion, others were leery of waiving fines, fees, and court costs because within the legislation there were also reporting requirements indicating which judge would waive fines, fees and cost for any reasons. Judges have to make findings of fact that will go into the court file, listing the reasons why they chose to remit fines, fees and cost. Mr. Campbell predicted there would be a lot of hearings if some of the judges continued to take the position that they cannot waive fees, which is not true and as a result there would be a lot of hearings about the ability to pay particularly in District Court.

Delvin Davis, Senior Research Analyst for the Center of Responsible Lending in Durham, shared that a part of their mission was to look at predatory lending issues here in NC and across the nation researching payday lending, some mortgage lending, and student loans which was all economic justice. The organization picked up a new issue as of last year looking at criminal justice debt which include bail bondsmen and court fines and payments. He noted that they have done some preliminary research in NC this year and the fact that fees are collected to fund the courts. 387 million dollars were collected from fees, fines and costs during this past fiscal year. The money is coming mostly from poor people and people of color. Restitution is another hurdle.

**Community Efforts to Restore Driver’s Licenses**

Josephine Davis reported on an effort to help residents restore their driver’s licenses. Documentation was distributed to give the committee an update on the Amnesty Program. She shared the program started when she was contacted by Ryan Smith who is a part of the Innovation Team with the City of Durham. The team works to address employment for justice involved individuals and realized one of the main barriers was that many individuals had revoked driver’s licenses. DMV estimates showed that 46,000 people in Durham did not have their driver’s license. The I-Team’s plan to help was to make it as easy as possible. To apply, individuals had to send in their name and date of birth via text message or email and the team would do the rest. To determine if they were eligible, they had to meet the criteria that was set for them by the District Attorney’s Office: (1) the ticket had to be open eighteen months and (2) the suspension could not be related to Driving While Impaired. Ms. Davis reported 2,253 people applied to the Amnesty Program, 458 people were eligible. More detailed information was available from documentation distributed at the meeting.

**Subcommittee Updates**

***Local Reentry Council*** - Roshanna Parker provided brief background information that a reentry committee had been formed as part of the CJAC and transitioned into the Local Reentry Council (LRC). Karen Shaw, Local Reentry Coordinator, distributed the LRC brochure to committee members. The corrected website is DurhamReentryCouncil.org. When perusing the website, one will find a lot of information about what has been going on with the LRC.

Karen shared that the Department of Public Safety and the Governor’s Office convened a meeting in November 2017 to keep people informed, provide feedback on policies and programs, evaluate the impact on LRCs, discuss the challenges that councils face and how different strategies work for various councils. The LRC will host a Client Resource Fair on Tuesday, March 6th. The plan is to have 12 to 15 vendors onsite ready to provide services and conduct interviews. Vendors will include housing providers, DMV, Child Support and Legal Aid. Karen noted to date they had received 69 referrals, 20 clients enrolled, 18 were active with the majority of the referrals for employment assistance. Staff assisted 5 individuals with obtaining jobs, referred some to other employment programs and provided individuals with basic needs. Ms. Shaw closed by reminding CJAC that the LRC and subcommittees meet every 3rd Wednesday with subcommittees starting at 2pm and LRC at 3:15pm.

***Stepping Up Initiative*** – Peter Baker reminded everyone that the Stepping Up Initiative is a national effort recognizing that over two million individuals with severe mental illness are admitted to jails each year nationally. One of the efforts going well locally is police officers taking individuals to the crisis center instead of to jail when they are found intoxicated on the streets. Additionally, a joint grant between the Sheriff’s Office and CJRC aims to better identify the mental health status of persons coming into the jail and better classify those who stay in jail for their protection and jail management. A new clinician just came on board and staff will test a number of screening tools for use at various times. Mr. Baker also reported the new mental health pod that opened in October 2017 currently holds 19 inmates with additional programming and educational classes. The Mental Health Court Diversion program started in July 2017, now has 22 clients and if all goes well will have its first graduation soon. The Stepping Up Committee meets again on April 9th from 1:30pm – 3:00pm.

**Election of Officers**

Gudrun Parmer guided the election of officers. She shared that the CJAC Charter states that officers are to be elected in January. Ms. Parmer reports emailing the full body previously requesting nominations and self-nominations. The Chair, District Attorney Roger Echols and Vice-Chair Kristen Rosselli both agreed to continue in their position. The Secretary, Jackie Brown, was not able to continue in that position. Gudrun agreed to serve as the secretary if there were no other interested or willing members. Lawrence Campbell moved that the nomination process be closed and the slate be approved as presented. Kristen Rosselli properly seconded and nominations were approved as presented.

**Member Updates**

Marcia Owen thanked DA Echols and his staff for hosting an extremely helpful court training for community volunteers accompanying families who are dealing with homicides. Mr. Echols noted that the Sheriff’s Office helped with the training.

Ms. Owen presented an overview of Restorative Justice Durham. Sixty volunteers had come to training learning the basic structure of restorative justice. The group will have an open training on March 6th and has had a great experience working with Scott Holmes and Spirit House. RJ Durham has been working with the Misdemeanor Diversion Program and now has its first Superior Court case. Everyone is invited to attend open training (community conferences) held monthly. For additional information contact Marcia Owen.

With no Public Comments, the meeting adjourned at 5:20pm.