

Criminal Justice Advisory Committee Minutes Tuesday, July 26, 2016

**Members Present:** Lawrence Campbell, Roger Echols, Clarence Birkhead, Jackie Brown, Kristen Rosselli, Jodi Miller, Judge Marcia Morey, Gudrun Parmer, Raheem Aleem, Sherry Everett, Lao Rubert, Vernon O’Mar Taylor

**Member Absent:** Michael Becketts, Gayle Harris, Brenda Howerton, Celeste Kelly, Shannon McCabe, Clarence Maynor, Damion Moore, Umar Muhammad, Ann Oshel, Marcia Owen, Candace Rashada

**Guest:** APD Jason Lunsford, Magistrate Don Paschall, Ann Jones, Eric Ireland, Sgt. K Pilgreen

**Staff:** Celia Jefferson, Christie Long

**Welcome and Introductions**

Chairman Lawrence M. Campbell opened the meeting with a welcome and asked everyone to introduce themselves.

**Review and Approve July Minutes**

Mr. Campbell asked the committee to review the minutes. Judge Morey moved that the minutes be accepted as presented. Clarence Birkhead properly seconded the motion. Minutes were approved.

**Durham County Bail Bond Policy and Practice**

Chief Magistrate Donald Paschall shared that our NC State Constitution Article 1627 mirrors the United States Constitution (Eight Amendment) that says excessive bail should not be required nor excessive fines imposed, nor cruel and unusual punishments inflicted. In criminal matters, magistrates issue arrest and search warrants and set bail. An informational sheet that included suggested amounts for bail bonds, pretrial release in Durham County and additional conditions of release were distributed to the committee.

**Durham County Detention Facility Data**

Captain Raheem Aleem from the Sheriff Office distributed a data sheet that presented a breakdown of the number of people in Durham County Jail. He noted that Sergeant Pilgreen always looks for alternatives to confining people with mental health issues and medical problems instead of leaving them in jail. Jail staff makes contact with the District Attorney’s and Public Defender’s offices, other agencies and programs. Some are waiting for beds. Sergeant Pilgreen commented that she and her staff are proactive in trying to move people out of jail.

**Pretrial Services Data**

Christie Long reported that Pretrial Services will supervise any defendant that a judge (the district and superior court) or a magistrate deem appropriate once they reviewed their criminal history and information they receive regarding the alleged facts to the case. Pretrial Services’ eligibility criteria have been revised and targeted G, H and I felonies, all misdemeanors, traffic matters, misdemeanor probation violation classified as non-response. The staff attempts to verify information, e.g. residence, employment or contact a family member before court. If they can’t make contact, they will not make a recommendation. Pretrial also completes a criminal records check, reviews prior Failures to Appear, active probation supervision, any pending charges and outstanding warrants. Risk Assessments are prepared for every individual that is interviewed. The form is not kept in court files because of HIPPA. Christie stated that pretrial specialists will be on staff at Magistrate office until 8:30PM. Goal is to get pretrial summary to Magistrates.

**Is Our Bail System Leaving People in Jail Because They Are Poor**?

PD Campbell shared an article with the advisory committee published in the Huffington Post regarding local jails. He shared that they talked about 800 fatalities last year in 3,000 local jails. People were held in jail for situation where they could not pay fines, fees and cost of the court. Some of these people were not a threat to society and some died in jail for that reason. Commercial bail bonds services are legal only in two countries, United States and the Philippines. It was also noted that Bail Bondmen are a money making industry. They were reported to have done about 14 billion dollars in bail bonds each year, with a profit of 2 billion dollars. Kentucky has no bond services and New Jersey is moving in that direction.

Durham County Commissioners, Judges, District Attorney, and Public Defender are very concerned about this situation. Per Sgt. Pilgreen, most people in the Durham County jail cannot post bond before first appearance. PD Campbell stated that Mecklenburg County is using a risk assessment to determine bond amount and the results have been very positive; this has taken away the bias of some judges. Christie Long shared that the CJRC is using a similar risk assessment to Mecklenburg’s for pretrial supervision and judge’s recommendation. However, there is still room for discretion. The goal is to have a risk assessment for bonds that removes discretion. DA Roger Echols added that they are trying to rethink the way Durham handles failure-to-pay issues. Judge Morey noted that there is a lot of pressure from State Legislature on judges to assure money owed is paid.

PD Campbell introduced new APD Jason Lunsford, who will be responsible for first appearance court.

Jodi Miller shared that the Board of Commissioners approved 10 more positions in the Sheriff’s budget to staff a mental health pod in jail.

**Subcommittee Reports**

*Domestic Violence* - Sherry Honeycutt Everett shared that the subcommittee will meet on July 28 at 8:15 am on the second floor of the courthouse. The committee is making progress coordinating a family justice center. Everyone who would like to attend is welcome.

*Reentry –* Lao Rubert reported that the subcommittee had another networking event. They did a survey and the Leadership Academy project team helped with that and will create a data base. Lao noted they have people coming back to Durham from many institutions and this makes it difficult in the community to get organized. The Reentry Subcommittee’s major priorities are employment, housing and service coordination.

**Next Meeting – 27 Sept 2016 @ 4:00 pm.**