

Mecklenburg County, NC



# Justice and Public Safety Task Force



## Final Report

November 2008

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## **Executive Summary**

The Mecklenburg County Justice and Public Safety Task Force (Task Force) was created in response to a combination of factors – including a Jail Master Plan report and public outcry for local government to do something to correct system deficiencies and an increase in crime – particularly, property crime. At its May 20, 2008 meeting, the Mecklenburg County Board of Commissioners (BOCC) voted unanimously to create the non-partisan task force to identify and recommend to the Board immediate and substantive modifications to the operations of city, county and state criminal justice agencies in Mecklenburg County to restore their functional effectiveness within the coming budget year.

Retired Chief Superior Court Judge Shirley Fulton and retired Carolinas Healthcare CEO, Dr. Harry Nurkin, accepted appointments as co-chairs and an open application process provided the County Manager and Task Force Co-Chairs with more than 350 applicants to fill 12 remaining seats.

With a charge of “working together to determine how to best allocate resources to make the most impact on crime and the Criminal Justice System,” the Task Force met from July 23, 2008 through October 29, 2008 receiving presentations, asking questions, reading reports and becoming familiar with the Mecklenburg County Criminal Justice System.

Early in the process it became clear to members of the Task Force that the Mecklenburg County Criminal Justice System is overwhelmed and not functioning as an integrated or coordinated system. Rather, the system is comprised of many parts that sometimes work in concert, sometimes merely coexist and, at other times, seem to work at cross purposes. The Task Force was disturbed that Mecklenburg County falls behind other cities and counties in the State in measures of efficiency and effectiveness of its Criminal Justice System. Additionally, there were concerns regarding adequate resource allocation and funding at the State and local levels.

The Task Force found that Mecklenburg County citizens perceive that public safety is not considered to be a consistently high priority by elected officials of Mecklenburg County, the

City of Charlotte or the State of North Carolina, all of which have direct responsibility for significant portions of the Criminal Justice System.

The recommendations of the Task Force are the product of discussions focused around key findings and observations, including, but not limited to:

- No coordinated oversight of the overall Criminal Justice System to address issues of cohesiveness, consistency, cooperation, and communication among the various components of the system;
- A lack of agreement as to funding priorities resulting in inconsistent and often uncoordinated funding of the various parts of the system;
- Failure by City, County, and State officials to take significant action and to implement recommendations from multiple, independent studies of this system that have taken place over the past thirty (30) years; and
- Lack of an all-inclusive report or evaluation of the Criminal Justice System that is easily accessible and would provide transparency to the citizens of Mecklenburg County.

The Task Force recognizes that solutions to some of the challenges of the Criminal Justice System are limited by legislative and statutory mandates. However, the Task Force believes that it is possible to work within these constraints to improve the system. Many of the problems could be solved by addressing divisions within the system (the so-called “silo” mentality). Additionally, problems could be solved by establishing performance metrics that create agency accountability to the public served by the system and to governmental bodies who fund the system. The Task Force is delivering this report with the hope that the recommendations and observations included herein will lead to positive changes in the Criminal Justice System and reduce crime.

## Task Force Members

The following list provides the name and affiliation of each Task Force member:

<b><u>Task Force Member</u></b>	<b><u>Title</u></b>
Hon. Shirley Fulton, Chair	Former Chief Superior Court Judge
Dr. Harry Nurkin, Chair	Former Carolinas HealthCare System CEO
Ezekiel “Zeke” Burns	CEO, OMITT Trade School
Cheryl Ellis	Principal, Sugar Creek Charter School
Ericka M. Ellis-Stewart	Director, Johnston YMCA of Greater Charlotte
Dr. Mary Howerton	Management Consultant
Richard F. Martin	Vice President, Business Continuity, Bank of America
Maudia Melendez	Director, Jesus Ministry, Inc.
William “Bill” E. Munson, IV	TIAA CREF
Bishop Tonyia M. Rawls	Prelate of the Fourth Jurisdiction (South) Unity Fellowship Church Movement
Rivana Stadtlander	Neighbors for a Safer Charlotte
Mark Sumwalt	Attorney, Sumwalt Law Firm
Chris Swecker	Global Security Director – Bank of America
Dr. John Vaughn	Physician, Carolina Physicians Network

## Task Force Process

Task Force meetings were held weekly from July 23, 2008 through October 29, 2008. The Task Force received presentations by twenty five representatives of local and state criminal justice related agencies. The following is a list of individuals who presented to the Task Force:

<u>Speaker Name</u>	<u>Title</u>	<u>Date</u>	<u>Presentation Topic</u>
Martha Curran	Mecklenburg County Clerk of Court	30-Jul-08	Clerk of Court Office
Peter Gilchrist	District Attorney (Judicial District 26)	30-Jul-08	District Attorney's Office
Kevin Tully	Public Defender (Judicial District 26)	30-Jul-08	Public Defender's Office
Rodney Monroe	Charlotte-Mecklenburg Police Chief	06-Aug-08	CMPD Overview
Daniel "Chipp" Bailey	Mecklenburg County Sheriff	06-Aug-08	Sheriff's Office Overview
Todd Nuccio	Trial Court Administrator (Judicial District 26)	06-Aug-08	Trial Court Administrator's Office
Fritz Mercer	Chief District Court Judge (Judicial District 26)	13-Aug-08	District Court Overview
Dan Clodfelter	North Carolina State Senator	13-Aug-08	State's Role in Criminal Justice System
Robert Johnston	Senior Resident Superior Court Judge (Judicial District 26)	13-Aug-08	Superior Court Overview
Bob Ward	Assistant Public Defender (Judicial District 26)	20-Aug-08	Alternative County/Social Programs
Connie Mele	Mecklenburg County Area Mental Health - Provided Services Director	20-Aug-08	Alternative County/Social Programs
Grayce Crockett	Mecklenburg County Area Mental Health Director	20-Aug-08	Alternative County/Social Programs
Karen Simon	Mecklenburg County Inmate Programs - Director	20-Aug-08	Alternative County/Social Programs
Jan Thompson	Mecklenburg County Inmate Programs - Past Director	20-Aug-08	Alternative County/Social Programs
Lou Trosch	District Court Judge (Judicial District 26)	20-Aug-08	Juvenile Court Overview
Jerry Sennett	Charlotte-Mecklenburg Police - Deputy Chief	27-Aug-08	Crime Statistics for CMPD
Gregg Stahl	Administrative Office of the Courts - Deputy Director	10-Sep-08	Administrative Office of the Courts
Bence Hoyle	Cornelius Police Chief	10-Sep-08	Police Issues and Concerns
Jeanne Miller	Davidson Police Chief	10-Sep-08	Police Issues and Concerns
Philip Potter	Huntersville Police Chief	10-Sep-08	Police Issues and Concerns
Rob Hunter	Matthews Police Chief	10-Sep-08	Police Issues and Concerns
Tim Ledford	Mint Hill Police Chief	10-Sep-08	Police Issues and Concerns
Rob Merchant	Pineville Police Chief	10-Sep-08	Police Issues and Concerns
Cynthia Mitchell	NC Division of Community Corrections - Judicial District Manager	10-Sep-08	Probation/Parole Overview
Tracy Lee	NC Division of Community Corrections - Asst. Judicial District Manager	10-Sep-08	Probation/Parole Overview

Task Force members were provided the opportunity to tour the Mecklenburg County Jail and encouraged to attend court sessions in both District and Superior Court. A detailed overview of the process followed by the Task Force to reach their recommendations is contained in Appendix III.

## **Recommendations Summary**

The Task Force spent several meetings, as well as time outside of the meetings, working to create and prioritize their recommendations. The prioritized summary recommendations are listed below. Full recommendations and key observations are included in the following section. Implementation considerations and supplemental information are included in Appendix I and II.

- 1) Establish Oversight Function
- 2) Align Police Departments/District Attorney Priorities
- 3) Focus on Part One Chronic Offenders
- 4) Create Criminal Justice System Report
- 5) Complete Information Systems Review
- 6) Collaborate with Charlotte-Mecklenburg Schools and Public Schools
- 7) Expand Use of Specialty Courts
- 8) Implement Alternative Solutions to Incarceration
- 9) Examine Staffing/Salaries
- 10) Target Juvenile/Jail Programs
- 11) Maximize Use of Monitoring Devices
- 12) Conform to American Bar Association (ABA) Performance Standards
- 13) Increase Police Visibility
- 14) Follow-up on Property Crimes
- 15) Effectively Use Citations and Warning Tickets
- 16) Increase Support to Victims

## **Full Recommendations/ Key Observations**

The Task Force spent several meetings, as well as time outside of the meetings, working to create and prioritize their recommendations. The prioritized recommendations are listed below, with supplemental information and recommended action steps/measures for success for each included in Appendix I and II.

### **Recommendation 1: Establish Oversight Function**

**Establish a function/position within Mecklenburg County and a permanent Citizen Advisory Committee to promote collaboration and coordination across all components of the Criminal Justice System. The function/position will be given authority to establish performance measures; will work with the Citizen Advisory Committee; will recommend funding priorities related to the Criminal Justice System to the County Manager; and will seek to increase effectiveness of the Criminal Justice System.**

#### **Key Observations:**

There is a lack of coordination among the variety of elected and appointed positions in the Criminal Justice System. This creates inconsistencies and perpetuates a “silo” mentality. We feel strongly that the leadership (both elected and appointed) of all agencies must take responsibility for more than just their individual area and should have a stronger sense of accountability for the entire system.

### **Recommendation 2: Align Police Department/District Attorney Priorities**

**Encourage the immediate creation of a formal agreement to align priorities between the Police Departments in Mecklenburg County and the District Attorney’s Office.**

#### **Key Observations:**

It is clearly impossible to prosecute everyone that is arrested, which creates the strong need for the police chiefs in Mecklenburg County and the District Attorney to work to develop joint priorities. There needs to be a consistent focus regarding the probability of prosecution and the importance of police officers providing adequate information to insure the best possible case going forward.



### **Recommendation 3: Focus On Part One Chronic Offenders**

**Increase focus on Part One (see Appendix II for a list of Part One offenses) chronic offenders by a) identifying and fast-tracking the arrest and prosecution of Part One chronic offenders and b) developing a system-wide, comprehensive plan that reduces the number of chronic offenders. Establish a separate division within the District Attorney's Office that focuses on the expedited prosecution of chronic offenders.**

#### **Key Observations:**

A large percentage of serious crimes are attributable to a finite and definitive group of criminals. Current prosecutor priorities focus on the crime rather than the recidivist. Police intelligence can identify these chronic offenders.

### **Recommendation 4: Create Criminal Justice System Report**

**Increase the accountability of the entire Criminal Justice System by creating one consolidated, transparent, understandable, easily accessible, broadly disseminated and regular report available to the public that communicates the effectiveness and efficiency of the Criminal Justice System. The responsibility for this reporting would fall to the position referenced in recommendation one.**

#### **Key Observations:**

Neither the public, nor leadership, have adequate, consolidated sources of information regarding the Criminal Justice System. There is a need for consistent, visible information regarding the performance of the Criminal Justice System and the leadership of that System.

### **Recommendation 5: Complete Information Systems Review**

**Complete a comprehensive independent review of information systems used in the Mecklenburg County Criminal Justice System and produce and implement an Information System Strategic Plan for the Criminal Justice System.**

#### **Key Observations:**

Detailed information regarding the current status (i.e. use and general availability) of any information technology in the Criminal Justice community within Mecklenburg County is not available for evaluation. With the exception of the Clerk of Court's Office, there is universal agreement among the Criminal Justice agencies that there is a severe gap in what technology is available and what is required to run the Criminal Justice System adequately. There are frequent delays in communicating information between agencies which contributes to delays in case handling, prosecution, decision making and final disposition.

Some agencies within the system are unable to even read electronic information sent by another agency within the county due to incompatible information technology. There is no calendaring software in use for efficient scheduling of critical court resources (support staff and facilities). There is a significant and immediate need for Case Management software in the District Attorney's Office. Multiple reports analyzing the Criminal Justice System have identified gaps in information technology, however little corrective action has been taken to resolve these issues, thus responsibility for failures in the system has often been attributed to this area.

### **Recommendation 6: Collaborate With Charlotte-Mecklenburg Schools and Public Schools**

**Increase collaboration and resources between the Criminal Justice System, Charlotte-Mecklenburg Schools and other public schools with a focus on prevention and offenders.**

**Key Observations:** Many serious crimes are committed by school-age persons, and the number of serious crimes committed by juveniles continues to increase. The school system and the Criminal Justice System have not sufficiently worked together to develop the most effective crime prevention programs. Studies show that early-intervention reduces crime.

### **Recommendation 7: Expand Use Of Specialty Courts**

**Increase usage of, and provide greater support for, specialty courts (see Appendix II for a list of Specialty Courts in Mecklenburg County).**

**Key Observations:**

Special needs such as mental illness, juveniles, substance abuse and chronic offenders place a burden on the courts. Specialty courts have proven to be effective in decreasing jail population and cutting recidivism.

### **Recommendation 8: Implement Alternative Solutions To Incarceration**

**Implement and expedite alternative solutions to incarceration for first-time offenders.**

**Key Observations:**

Alternative solutions have proven to be effective in reducing incarceration. It is necessary to provide alternatives to incarceration by providing workable alternatives as early as possible.

### **Recommendation 9: Examine Staffing/Salaries**

**Adjust and maintain staffing ratios and salaries for all positions within the Criminal Justice System to industry standards. Additionally, explore alternatives for how to retain employees in all areas of the Criminal Justice System.**

#### **Key Observations:**

The Mecklenburg County Criminal Justice System and its staff have not grown proportionately to the County's population and caseload. Because of a high cost of living, large caseload, and the complexities of the Mecklenburg County Criminal Justice System, the System is losing personnel to other counties within North Carolina. Competition with the private sector is also an issue. Because of the high turnover rate there is a loss of institutional knowledge, as well as a loss of return on investment, thus affecting the effectiveness of the System.

### **Recommendation 10: Target Juvenile/Jail Programs**

**Target and support resources to programs for juveniles and jail inmates – such as GED's, drug treatment, job training, counseling, etc. in order to prevent and reduce crime through youth intervention programs and through programs that provide jail inmates alternatives to criminal lifestyles and recidivism.**

#### **Key Observations:**

Programming, including training, counseling, and treatment programs, helps with reform of offenders. Programming also assists in the reduction of recidivism. There is currently a waiting list for most jail programs.

### **Recommendation 11: Maximize Use Of Monitoring Devices**

**Fully implement and increase the efficiency of the use of monitoring devices (see Appendix II for an overview of current monitoring bracelet usage) where appropriate through the entire Criminal Justice System (i.e., courts, police, Sheriff, probation, juveniles).**

**Key Observations:** Electronic Monitoring appears to be an effective tool versus incarceration. There is an opportunity for coordinating the procurement of monitors across agencies in the local Criminal Justice System. There may also be opportunities for reducing duplicative work within the monitoring function.

### **Recommendation 12: Conform To American Bar Association (ABA) Performance Standards**

**Reduce the number of days it takes to process cases through the Criminal Justice System to the American Bar Association standards (see Appendix II for the definition of ABA Standards).**

**Key Observations:**

The system is currently not meeting either the North Carolina or ABA standards for case processing. Mecklenburg County's pre-trial expenses are high because of the case backlog. Delayed case processing times contribute to jail overcrowding issues and waste tax dollars.

### **Recommendation 13: Increase Police Visibility**

**Support full implementation of increased police visibility on the streets.**

**Key Observations:**

There is a perception that police visibility reduces crime. While acknowledging that efforts are being made in this area, it is important that people in our community feel safe.

#### **Recommendation 14: Follow-up on Property Crime**

**Encourage all Police Departments within Mecklenburg County to investigate and follow-up with those individuals who experience property crimes.**

##### **Key Observations:**

Current resources prohibit full-investigation of property crimes. Property crimes are currently reported via the internet or telephone and are often not followed up on at the scene of the crime. Property crimes make up a high percentage of the reported crimes in Mecklenburg County. The Task Force was greatly concerned about the lack of onsite follow-up and questioned whether there should be a requirement for onsite follow-up.

#### **Recommendation 15: Effectively Use Citations and Warning Tickets**

**Encourage the appropriate use of citations and warning tickets to increase the efficiency of the system.**

##### **Key Observations:**

More frequent use of warning tickets and citations can eliminate the use and need of jail beds. It appears that there is inconsistent use of citations and warning tickets. Several previous reports have recommended a focus on increased use of citations.

#### **Recommendation 16: Increase Support to Victims**

**Increase attention to victims' assistance programs and efforts.**

##### **Key Observations:**

There is a public perception of lack of responsiveness to victims in the current system. The Task Force believes that support and communication to the victims throughout the process needs increased attention.

## Conclusion

The Task Force carefully considered all information provided to them, and ultimately were able to develop an understanding of the complexities of the Mecklenburg County Criminal Justice System and the issues it faces. Based on information gleaned during their three-month process, the Task Force created and prioritized their 16 recommendations, which were previously listed. The 16 recommendations address the current system deficiencies with the mindset of restoring functional effectiveness to the operations of city, county and state criminal justice related agencies. The Task Force is hopeful that the BOCC will fully approve and fund the implementation of these recommendations. Specifically, the Task Force asks the BOCC to endorse the recommendations in this report and to release funds from restricted contingency to begin funding the implementation of the recommendations.

The Co-Chairs and members of the Task Force would like to extend their gratitude to the Mecklenburg County Board of County Commissioners for the opportunity to serve the community through their participation on the Justice and Safety Task Force. In addition, the Members would like to extend their appreciation to all the leaders and employees within our Criminal Justice System who contributed countless hours of their time and expertise to help the Task Force understand the complexities and challenges of the system. The Task Force members were selected to best represent a wide variety of perspectives on the issue of crime, and yet, everyone shared a deep commitment to the well-being and vitality of our community. In the best spirit of citizen engagement, through many hours of education, discussion, and debate, the Task Force was able to reach consensus on 16 recommendations that can make the most impact on crime in Mecklenburg County. Finally, the Task Force is humbled to serve the citizens of Mecklenburg County, and would encourage all of us to learn about, work with, respect and support all the leaders and employees of the Criminal Justice System. Only through working together will we be able to truly make a difference.

## Appendix I – Suggested Action

Priority Order	Mecklenburg County Justice & Safety Task Force Final Recommendations	Implementation Considerations
1	<p>Establish a function/position within Mecklenburg County and a permanent Citizen Advisory Committee to promote collaboration and coordination across all components of the Criminal Justice system. Function/Position will be given authority to establish performance measures; will work with Citizen Advisory Committee; will recommend funding priorities related to Criminal Justice system to County Manager; will seek to increase effectiveness of the Criminal Justice system.</p>	<p>Establish the Citizen's Criminal Justice Advisory Board. The BOCC will make appointments within 90 days of BOCC acceptance of the final Justice and Public Safety Task Force recommendations.</p> <p>Establish and fund the oversight function/position, including a detailed job description, within 90 days of BOCC acceptance of the final Justice and Public Safety Task Force recommendations.</p> <p>A formal communication process will be developed between the function/position, the Citizen's Criminal Justice Advisory Board, Criminal Justice system agencies, and the public.</p> <p>The function/position will develop a system performance scorecard. Typical performance management instruments should be used; a feedback instrument should be developed and aligned with each job description; performance goals should be developed; 360-degree internal and external feedback should be provided.</p>
2	<p>Encourage the immediate creation of a formal agreement to align priorities between the Police Departments in Mecklenburg County and the DA's office with respect to defendants and cases.</p>	<p>DA and Police Chiefs will determine and agree on priorities, including arrest and prosecution strategy, in a formal agreement. This formal agreement will be reviewed by the BOCC, the new function/position (Referenced in recommendation #1), and the Citizens Advisory Committee within 120 days of the final Justice and Public Safety Task Force recommendations.</p> <p>The priorities established by the formal agreement between the DA and Police Chiefs will be implemented within 180 days of the final Justice and Public Safety Task Force recommendations.</p>
3	<p>Increase focus on Part One chronic offenders by a) identifying and fast tracking the arrest and prosecution of Part One chronic offenders and b) developing a system-wide, comprehensive plan that reduces the number of chronic offenders. Establish a separate division within the DA's office that focuses on the expedited prosecution of chronic offenders.</p>	<p>Establish a standard definition of the term "chronic offender" across Mecklenburg County Criminal Justice agencies.</p> <p>Establish a standard weekly report, identifying chronic offenders (as defined in recommendation above), and distribute that report to all Criminal Justice agencies in Mecklenburg County.</p> <p>Handling and disposition of each Part One chronic offender with an active case in the Criminal Justice system are to be specifically discussed regular (monthly) meetings of the Criminal Justice heads. Establish reasonable target for reducing the number of days it takes to move these offenders through the system. (Recommended time period of six months to one year for disposition.)</p> <p>In the long-term: Measure and track the number and disposition of Part One chronic offenders each year to determine rate of reduction. Use FY08 repeat offender statistics as baseline for measurement.</p>
4	<p>Increase the accountability of the entire Criminal Justice System by creating a transparent, understandable, easily accessible, broadly disseminated and regular report available to the public that communicates the effectiveness and efficiency of the Criminal Justice System. The responsibility for this reporting would fall to the position referenced in recommendation number one.</p>	<p>Identify all available data elements that are available to be tracked and establish report metrics that and determine specific measurements.</p> <p>Produce and distribute quarterly report that will track all activities of court system (ex. judges sentences, DA's conviction rate, etc). Criminal Justice Advisory Committee will audit report content to ensure continuity and standardized measurements across the justice system. Contents of quarterly report should be written so that it is comprehensible by the average citizen and serves as useful tool for criminal justice system. Report should be easily accessible via a designated criminal justice page on the County's Charneck.org website.</p>
5	<p>Complete a comprehensive independent review of information systems used in Mecklenburg County Criminal Justice System, and produce an Information System Strategic Plan for the Criminal Justice System.</p>	<p>BOCC will fund the information systems review, which is to be completed within 120 days of BOCC acceptance of the final Justice and Public Safety Task Force recommendations. The resulting Information Technology Strategic Plan, including recommendations and a timeline for implementation of recommendations, would be presented to and acted upon by all stakeholders. Full funding should be provide by local and state governmental officials.</p> <p>A technology system that will allow each agency within the Criminal Justice system to interface and transfer information needs to be explored, developed, and implemented.</p>



Priority Order	Mecklenburg County Justice & Safety Task Force Final Recommendations	Implementation Considerations
6	Increase collaboration and resources between criminal justice system and CMS, with a focus on prevention and offenders.	<p>Establish a committee of representatives from effective programs, law enforcement and public schools, who will : 1) identify juveniles who are at risk, 2) plan interventions, 3) facilitate referrals, and 4) place youth in effective prevention programs.</p> <p>Measure decrease number of juvenile offenders. Use FY08 data as a baseline for measurement.</p> <p>Measure increase graduation rate in high-crime schools. Use FY08 data as a baseline for measurement.</p> <p>Measure reduction in the number of criminal offenses by students in the CMS system. Use FY08 data as a baseline for measurement.</p>
7	Increase, and provide greater support for, specialty courts.	<p>Increase the number of cases processed through specialty courts. Use FY08 data as a baseline for measurement.</p> <p>Increase funding levels and staffing for specialty courts compared to previous levels.</p> <p>Consider adding a specialty court for chronic offenders.</p>
8	Implement and expedite alternative solutions to incarceration for first-time offenders.	<p>Track the decrease in percentage of 2<sup>nd</sup> offenses (measured as a percentage of offenders from the pool of 1<sup>st</sup> time offenders). Track whether first-time offenders gained employment, attended/graduated from school, and/or participated in mental health/substance abuse programs. Use this data to determine the effectiveness of participation in these activities on keeping first-time offenders from re-entering the criminal justice system.</p> <p>Require first-time offenders to obtain a GED, High School Diploma, or trade school certification. Use data to identify the most successful programs and target those programs for additional funding.</p>
9	Adjust and maintain staffing ratios and salaries for all positions within the Criminal Justice System to industry standards. Additionally, explore alternatives for how to retain employees in all areas of the Criminal Justice System.	<p>Receive a staffing condition report with recommendations on staffing ratios and salary from each Criminal Justice agency. Recommendations should be based on established industry standards for areas with similar populations and caseloads as Mecklenburg County.</p> <p>Immediately explore alternatives to retain system employees, which are in danger of leaving due to the lack of incentives. Develop and implement retention programs. Fund retention incentives tied to a required years of service commitment. Measure success of incentives based on increased retention rate and years of service. Use FY08 data as a baseline for measurement.</p>
10	Target and support resources to programs for juveniles and jail inmates—such as GEDs, drug treatment, job training, counseling, etc. In order to prevent and reduce crime through youth intervention programs and through programs that provide jail inmates alternatives to criminal lifestyles and recidivism.	<p>Measure the effectiveness of existing programs within the criminal justice system by tracking: 1) the number of program participants compared to graduates; 2) the number of offenses committed by program graduates vs. the number of offenses committed by inmates who did not participate in programs (i.e. Track the recidivism rate).</p> <p>Measure the effectiveness of existing rehabilitation programs that are provided by other county agencies outside of the criminal justice system.</p>

Priority Order	Mecklenburg County Justice & Safety Task Force Final Recommendations	Implementation Considerations
11	Fully implement and increase the efficiency of the use of monitoring devices where appropriate throughout the entire Criminal Justice System (i.e., courts, police, sheriff, probation, juveniles).	<p>Implement a mechanism where CMPD, Mecklenburg County Sheriff's Department and probation services can utilize existing monitoring systems to save on time, funds, and be more efficient on crime reduction across the board including juvenile offenders. Measure success by tracking the number of monitoring devices utilized: reduction of offenses committed while monitored: number of crimes solved thru monitoring.</p> <p>Measure the number and percentage of crimes committed by individuals wearing monitoring devices. (Pretrial and Probation/Parole) Use FY08 data as a baseline for measurement.</p> <p>Track recidivism rates among individuals wearing monitoring devices in the probation and parole system. Use FY08 data as a baseline for measurement.</p> <p>Successful implementation of this recommendation can be measured by staffs' ability to give an accurate account of offenders activities and efficiently and effectively communicate that to the appropriate parties.</p>
12	Reduce the number of days it takes to process cases through the Criminal Justice System to the ABA standards.	<p>*See Appendix II for detailed information regarding American Bar Association (ABA) standards.</p> <p>Produce a "Case Aging" report for Mecklenburg County and distribute monthly. Include measurement of the average number of days to required to complete all steps within the case flow process.</p> <p>Document the ABA standard for case processing and reduce the average number of days to process cases to disposition to meet this standard. Complete analysis as a whole group and also by type of crime.</p> <p>Encourage the implementation of the "Criminal Case Management System" and measure the improvement in the Criminal Justice System after 6 months.</p>
13	Support full implementation of Increased police visibility on the streets.	<p>Measure the number of officers on patrol duty and man-hours spent patrolling compared to baseline year FY08, including a report showing 'scheduled' and 'actual' staffing.</p> <p>Measure the impact on crime reduction 6 months to 1 year after implementation. Compare number and type of crimes committed in all geographic patrol areas during FY08 baseline year to the number of crimes committed during the current year.</p> <p>Conduct poll/survey to determine citizens' perception of their level of safety.</p>
14	Encourage Police Department to investigate and follow up with those individuals who experience property crimes.	<p>Implement a policy that all reported property crimes are investigated at the site of the crime by a CMPD staff person.</p> <p>Track the number property crime reports completed in-person vs. those completed on-line/via telephone.</p> <p>Track success based on the number of property crimes committed. Use FY08 property crimes as baseline.</p>
15	Encourage the appropriate use of citations to increase the efficiency of the system.	<p>Establish, document and communicate citation procedure and expectation standards. Conduct training in the police department to address the appropriate use of citations.</p> <p>Produce and distribute monthly citation report summary, that measures the increased use of citations. Quantify the number of police man/hours saved by using citations vs. making arrests. Track the number of citations written compared to the number of inmates in jail to determine if increased use of citations results in a reduced number inmates.</p> <p>Measure the number of jail inmates charged with minor offenses to determine if increased use of citations results in a reduced number of inmates. (A specific definition of crimes considered as "minor offenses" must be agreed upon.)</p> <p>Measure increased revenue to the City/County generated by the increased use of citations.</p>
16	Increase attention to victims' assistance programs and efforts.	Receive a staffing condition report with recommendations on victims' assistance programs and efforts from each Criminal Justice agency. Bring resources in-line with cities of comparable size to Mecklenburg County.

## Appendix II - Supplemental Information

This section contains additional information that is designed to clarify the recommendations made in the previous section. The intent of this section is to define terms and/or references contained in the recommendations and to provide additional information about on-going County efforts that are related to the implementation of the recommendations. Supplemental information is provided only where appropriate, therefore, all recommendations are not listed below. Each recommendation that is listed is identified by its priority ranking.

### **Recommendation 3: Focus On Part One Chronic Offenders**

**Increase focus on Part One chronic offenders by a) identifying and fast-tracking the arrest and prosecution of Part One chronic offenders and b) developing a system-wide, comprehensive plan that reduces the number of chronic offenders. Establish a separate division within the District Attorney's Office that focuses on the expedited prosecution of chronic offenders.**

The following information is provided on the Federal Bureau of Investigation website: ([http://www.fbi.gov/ucr/cius\\_02/html/web/appendices/07-append02.html](http://www.fbi.gov/ucr/cius_02/html/web/appendices/07-append02.html)). The Uniform Crime Reporting Program classifies offenses into two groups, Part I and Part II crimes. Each month, contributing agencies submit information on the number of Part I offenses (Crime Index) known to law enforcement; those offenses cleared by arrest or exceptional means; and the age, sex, and race of persons arrested. Contributors provide only arrest data for Part II offenses.

The **Part I offenses**, those that comprise the Crime Index due to their seriousness and frequency, are defined below:

- **Criminal homicide**—a.) Murder and nonnegligent manslaughter: the willful (nonnegligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded. The Program classifies justifiable homicides separately and limits the definition to: (1) the killing of a felon by a law enforcement officer in the line of duty; or (2) the killing of a felon, during the commission of a felony, by a private citizen. b.) Manslaughter by negligence: the killing of another person through gross negligence. Traffic fatalities are excluded. While manslaughter by negligence is a Part I crime, it is not included in the Crime Index.

- **Forcible rape**—The carnal knowledge of a female forcibly and against her will. Rapes by force and attempts or assaults to rape regardless of the age of the victim are included. Statutory offenses (no force used—victim under age of consent) are excluded.
- **Robbery**—The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated assault**—An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.
- **Burglary (breaking or entering)**—The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.
- **Larceny-theft (except motor vehicle theft)**—The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket-picking, or the stealing of any property or article which is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
- **Motor vehicle theft**—The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on the surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category.
- **Arson**—Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

#### **Recommendation 4: Create Criminal Justice System Report**

**Increase the accountability of the entire Criminal Justice System by creating a transparent, understandable, easily accessible, broadly disseminated and regular report available to the public that communicates the effectiveness and efficiency of the Criminal Justice System.**

The County is using a best practice model from the National Center for State Courts called CourTools. This model provides a set of performance measures to collect data on gauging the efficiency and effectiveness of the Criminal Justice System. Performance measures include, but not limited to, assessing the age of pending cases, disposition time in days and clearance rates.

#### **Recommendation 7: Expand Use Of Specialty Courts**

**Increase, and provide greater support for, specialty courts.**

Specialty Courts are courts or programs that deal with particular issues or cases and alternative means of resolution besides a court verdict. In Mecklenburg County there are a variety of Specialty Courts including: Family Court, STEP Drug Treatment Court, Business Court, Child Support Court, Domestic Violence Court, Environmental Court, Small Claims Court, Mental Health Court, and Juvenile Court.

#### **Recommendation 11: Maximize Use Of Monitoring Devices**

**Fully implement and increase the efficiency of the use of monitoring devices where appropriate through the entire Criminal Justice System (i.e., courts, police, Sheriff, probation, juveniles).**

There are currently two separate electronic monitoring programs in use by the Sheriff's Office and the Charlotte-Mecklenburg Police Department.

- **Sheriff's Office:** 100 monitors available for use; 70-80 monitors used at any given time; Used for low-level offenders, e.g. minor drug offenses, non-violent crimes; Used to Free-up jail beds; Offenders' bonds are below the threshold of what bondsmen allow (less than \$1000); GPS monitoring provided by a private company who notifies them when a bracelet is cut; and Sheriff's Office currently doesn't have the staff to increase number of monitors.

- **CMPD:** 200 monitors available for use; Monitoring approximately 140 offenders who have been given a bond; Used for higher-level offenders, e.g. armed robbers and house burglars; Managed and monitored in-house; Daunting task to manage them; Real-time monitoring is vital; and staff used for monitoring has doubled from 3 to 6.

The Sheriff and Police Chief have begun conversations regarding the electronic monitoring programs and any ways where the two could be combined to gain greater efficiencies.

**Recommendation 12: Conform To American Bar Association (ABA) Performance Standards**

**Reduce the number of days it takes to process cases through the Criminal Justice System to the American Bar Association (ABA) standards.**

The ABA has set guidelines for processing cases from arrest to disposition or conviction.

Felony guidelines:

- 90 percent of cases should be disposed of within 120 days of arrest
- 98 percent of cases should be disposed of within 180 days of arrest
- 100 percent of cases should be disposed of within 365 days of arrest
- Misdemeanor guidelines:
  - 90 percent of cases should be disposed of within 30 days of arrest
  - 100 percent of cases should be disposed of within 90 days of arrest

## **Appendix III – Detailed Process Overview**

### **About the Process**

The design process was established with a goal to bring together a group of 14 Mecklenburg County residents led by co-chairs, the Honorable Shirley Fulton and Dr. Harry Nurkin to complete the charge of the Task Force. The co-chairs were selected because of their community commitment and leadership along with content background and were recruited by Harry Jones, Mecklenburg County Manager. The members of the Task Force were selected from some 300 online applications and were chosen to represent all ranges of diversity in Mecklenburg County including geography, race, gender, age and background. While there were some members with content expertise and experience in the justice and safety arenas, final selection was made on a number of factors including interest, diversity across the county and ability to commit time.

A design process and project management team was established in partnership between the Mecklenburg County Manager's Office and The Lee Institute, a nonprofit organization with a mission to design and implement processes to resolve issues collaboratively. Michelle Lancaster-Sandlin, General Manager, and Janet Payne, Assistant to the County Manager, served as team members from Mecklenburg County. Anne Udall, Executive Director, Doug Bacon, Associate Director and Jeanne Kutrow, Project Associate, served as team members from The Lee Institute.

The design process was developed based on the belief that citizens have a critical role to play in the future of the local community and that when these citizens engage in well-designed, informed and inclusive processes, they will create authentic visions and strategies for their communities.

Under the leadership of the co-chairs, the Task Force met for 13 sessions, lasting approximately 3-4 hours each, between July 23, 2008 and October 29, 2008.

The overall goal of the designed process was to orient, introduce and inform members of the Task Force about the complexity of the Criminal Justice System and the issues

surrounding justice and public safety in Mecklenburg County. After this information was presented, the Task Force established for itself decision-making criteria which were applied in making preliminary and then final recommendations back to the BOCC.

### **The Work Plan**

The initial meeting (7/23/08) of the Task Force provided members with an overview of the following: 1) the BOCC's charge to the Task Force, 2) proposed timeline for the committee's work, 3) the Mecklenburg County Criminal Justice System, and 4) existing studies on justice and safety in Mecklenburg County.

At meetings held between July 30, 2008 and August 27, 2008, subject-matter experts, including appointed and elected public officials, presented information and data to Task Force members about the Criminal Justice System in Mecklenburg County and North Carolina. (A full list of all presenters can be found on page 7 of this report.) After each presentation, a question and answer session was held.

From September 3, 2008 through October 22, 2008, using the information and data presented and extensive written reports and prior studies (see Appendix IV for a full list of reference material provided to Task Force members), Task Force members began the decision-making process that led to the list of sixteen Final Recommendations found in this report.

### **Decision-Making Process**

The Task Force used simple consensus for the decision-making. When consensus could not be reached, voting was used, with a 75-80 percent majority necessary to approve any action. During the decision making process, most decisions were reached through consensus.

The process included the following steps:

- 1) The Task Force developed broad criteria to be used as a guide in developing the final recommendations;
- 2) The Task Force worked in small groups to develop broad observations and conclusions;



- 3) The broad observations and conclusions were used to develop a list of preliminary recommendations;
- 4) The Task Force ranked the preliminary recommendations;
- 5) The ranking results were used to develop a list of final recommendations;
- 6) The final recommendations were ranked by Task Force members, resulting in the final priority order;
- 7) Action steps were developed for each recommendation;
- 8) A draft report was written by County staff and reviewed and edited by Task Force members.

## Appendix IV – Resources

The following resources were provided as reference material to the Task Force members:

Title	Author	Date of Publication	Distributed To Task Force By:
State of North Carolina 26th Judicial District - Caseload Inventory By County 07/01/07 to 06/30/08 (Data Provided for County of Mecklenburg)	North Carolina Judicial Branch Administrative Office of the Courts	July-08	Clerk of Court
CMPD Crime Statistics through week ending 08/24/2008	CMPD Analysis Unit	August-08	CMPD
CMPD Property Crime Statistics through week ending 08/24/2008	CMPD Analysis Unit	August-08	CMPD
10A NCAC 14J, Rules and Laws Governing the Operations, Surveillance and Monitoring of Jail Facilities	North Carolina Department of Health and Human Services - Jail and Detention Section	June-03	County Staff
2007 Substance Abuse Indicators Report CharMeck Drug Free Coalition	Paul C. Friday; Cindy Murphy; Sarah Turk	January-08	County Staff
Bail Policy for 26th Judicial District	State of North Carolina 26th Judicial District	October-02	County Staff
CMPD Annual Summary Report 2007	Charlotte-Mecklenburg Police Department (CMPD)	April-08	County Staff
Criminal Case Management Plan (CCMP) and Administrative Order Adopting Criminal Rules - 26th Prosecutorial/Judicial District - Mecklenburg County	Trail Court Administrator's Office	August-08	County Staff
Felony Classification Under The Structured Sentencing Act - Offenses committed on or after December 1, 2002	North Carolina Sentencing and Policy Advisory Commission		County Staff
Mecklenburg County Board Bulletin: Projected FY09 Funding for Public Safety-Related Services	Mecklenburg County	June-08	County Staff
Mecklenburg County Detention Operations Master Plan Executive Summary	Kimme & Associates	May-08	County Staff
Mecklenburg County Jail Pretrial Study	UNCC Department of Criminal Justice: Paul C. Friday and Joseph B. Kuhns	April-05	County Staff
Mecklenburg County Sheriff's Office - Case Tracking Analysis (Bond Information)	Mecklenburg County Sheriff's Office (MCSO)	December-07	County Staff
North Carolina Administrative Office of the Courts - Evaluation of the Operation, Efficiency, and Effectiveness of the Technology Services Division - Recommendation Report	North Carolina Administrative Office of the Courts	June-08	County Staff
North Carolina Court System : Definitions and Explanations of Court Performance Management System (CPMS) Data	North Carolina Judicial Branch Administrative Office of the Courts	January-96	County Staff
North Carolina Court System Time Guidelines for Trial Court Cases	North Carolina Judicial Branch Administrative Office of the Courts	January-96	County Staff
Preliminary Findings from Chronic Offender Study	Mecklenburg County Sheriff's Office (MCSO)	January-07	County Staff
Summary of Criminal Justice System Recommendations from 3 Decades of Studies (1982-2005) - Plus 2008 Master Plan	Mecklenburg County	August-08	County Staff
Without Favor, Denial or Delay - A Court System for the 21st Century -- Full Version	J. Spencer Bell - North Carolina Bar Association Committee on Improving and Expediting the Administration of Justice In North Carolina	June-05	County Staff
Technology System Analysis Document	Dwayne Campbell - Mecklenburg County IST	September-08	County Staff on behalf of Dwayne Campbell - Mecklenburg County IST
Alternatives to Incarceration	The Center for Community Transitions	September-08	County Staff on behalf of The Center for Community Transitions
Re-entry Information	The Center for Community Transitions	September-08	County Staff on behalf of The Center for Community Transitions

<b>Title</b>	<b>Author</b>	<b>Date of Publication</b>	<b>Distributed To Task Force By:</b>
<b>Mecklenburg County 2006-2007 Expenditures on Courts</b>		January-08	District Attorney
<b>CMPD Arrest Data for 2007 - 2 Page Handout</b>	Mecklenburg County Sheriff's Office (MCSO)	August-08	MCSO
<b>Mecklenburg County Sheriff's Office - Citizens Academy Brochure</b>	Mecklenburg County Sheriff's Office (MCSO)	June-05	MCSO
<b>Community Mental Health and Justice Model Program - PowerPoint Presentation by Area Mental Health Agency</b>	Mecklenburg County Area Mental Health	August-08	Mecklenburg County Area Mental Health
<b>Judicial Branch - Administrative Office of the Courts - Personnel Allocated to Mecklenburg County</b>	North Carolina Judicial Branch Administrative Office of the Courts	June-05	Senator Dan Clodfelter
<b>State Judicial Council Recommendations for Judicial Branch Salaries</b>	North Carolina Judicial Branch Administrative Office of the Courts	January-08	Senator Dan Clodfelter
<b>American Muder Mystery</b>	Atlantic Monthly Magazine: Written by Hanna Rosin	July/August 2008	Task Force Member - Rivana Stadlander
<b>Governor's Crime Commission Criminal Gang Study 2008: Interpreting the Data and Dispelling Myths</b>	Governor's Crime Commission	March-08	Task Force Member - Rivana Stadlander
<b>Homicide Task Force PowerPoint Presentation Handout -</b>	Homicide Task Force - City Council Appointed Body	March-06	Task Force Member - Rivana Stadlander
<b>2006-2007 Annual Community Report</b>	Trail Court Administrator's Office	August-08	Trail Court Administrator
<b>Courthouse 101: PowerPoint Presentation by the Trail Court Administrator's Office</b>	Trail Court Administrator's Office	August-08	Trail Court Administrator