

North Carolina Task Force

for Racial Equity in Criminal Justice

WAYS PROSECUTORS CAN IMPROVE CRIMINAL JUSTICE

With 1.5 million [criminal charges](#) filed across the state in 2020, prosecutors have a significant role in ensuring that North Carolina's criminal justice system treats everyone fairly and achieves its goal of keeping people safe. You sit at the crossroads between law enforcement and the courts and routinely make critical decisions about whether to proceed with prosecution, attempt an alternative diversion strategy, or adopt evidence-based prosecutorial reforms within their office. The decisions you make determine whether a person's criminal charges move forward in court and, in large part, what the response to those charges will be, including criminal convictions or incarceration, and the collateral consequences that come with them.

The below recommendations (from the North Carolina Task Force for Racial Equity in Criminal Justice's [December 2020 report](#)) outline solutions that you can help implement. We have organized these solutions by category and the TREC recommendation number corresponds to the full report. In some cases, we have tweaked the language to reflect progress since we published our report. Finally, while some recommendations can only be accomplished statewide legislatively, prosecutors have the discretion to implement local changes to advance these recommendations.

RECOMMENDATIONS FOR PROSECUTORS

Category	TREC Recommendation
Improve law enforcement	37. Request the SBI and a special prosecutor for any officer-involved use of force investigations
Stem the school-to-prison pipeline and rethink juvenile justice.	68. Accept pleas, as appropriate, in juvenile court for juveniles charged with Class D, E, and F felonies, in line with the Raise the Age Act
Decriminalize marijuana possession	71. Deprioritize marijuana-related prosecution
Improve pre-trial release and accountability practices	79. Do not ask for cash bail for Class I, II, and III misdemeanors and opt for written promise unless there's a risk to public safety
Implement racial equity training for court system actors	84 & 87. Undergo racial equity and unconscious bias training with your staff

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Promote racially equitable prosecutorial practices	88. Partner with outside organizations to improve data collection, and identify technology and training opportunities
	89. Study and adopt evidence-based reforms for reducing and eventually eliminating racial disparities in charging decisions and prosecutorial outcomes
	90. Establish or participate in working groups led by district attorneys to review and approve every habitual felony charging decision

ABOUT THE TASK FORCE FOR RACIAL EQUITY IN CRIMINAL JUSTICE

The North Carolina Task Force for Racial Equity in Criminal Justice, which is co-chaired by Supreme Court Associate Justice Anita Earls and Attorney General Josh Stein, was established in June 2020. For more information about the Task Force, please visit <http://ncdoj.gov/trec> or email criminaljustice@ncdoj.gov.