

**North Carolina Task Force for Racial Equity in Criminal Justice-**

**Working Group #4**

**Meeting #10**

Date: 20 October 2020

Time: 8:00 AM EST

Chairperson: Henderson Hill

In Attendance: Hill, Henderson; Stein, Josh; Dyer, Karen; Pollard, Mary; Earls, Anita; Restucha-Klem; Mercedes; Cooper, Ameshia; Locklear Clark, Brooke; McGhee, Jasmine; Robinson, Michael; Hawkins, Mike; Spolar, Ellen; Thornburg, Alan; Benison, Malia

Not In Attendance: n/a  
  
[Meeting Livestream Recording](https://www.youtube.com/watch?v=4bbNW4Jhxzk)

**MEETING MINUTES**

1. **Welcome and** [**Approval of the Minutes**](https://justice365.sharepoint.com/:w:/r/sites/TaskForceMemberSharePoint/Working%20Groups/Working%20Group%20%234/WG%20%234%20-%20Meeting%20Minutes/Working%20Group%20%234%20Meeting%20Minutes%20%239.docx?d=w635ba4b0ae4d49379beab538cd8a3def&csf=1&web=1&e=kMhpcU)
   * *Hill* provides a welcome and thank you to participating guests
   * *Hawkins* moves to approve, *Locklear-Clark* seconds
2. **Slate of** [**Collateral Consequences Recommendations**](https://justice365.sharepoint.com/:w:/r/sites/TaskForceMemberSharePoint/_layouts/15/Doc.aspx?sourcedoc=%7BDE929C00-16F4-453A-8E7C-52678A5228C8%7D&file=Collateral%20Consequences.docx&action=default&mobileredirect=true)

*Restucha-Klem* introduces the panelists and provides overview to the recommendations that will be presented.

* + *Daniel Bowes* introduces himself. He begins by noting that at least 2 million people in NC have a criminal record. Civil disabilities arise out of this. In other words, an individual’s criminal record produce collateral consequences that hinder them in many other aspects in life. Notes that UNCSOG CCAT is a useful resource to view each civil disability and its statutory origins. Bowes provides an example of how severly these criminal records can impact individual’s lives post-conviction. For example, a residential housing agency stated that they will not lease or sell to anyone who was convicted of a felony within the last 99 years. Bowes then moves into civil disabilities, such as employment exclusions. The largest problem here is that there is no individual assessment of each person to determine their risks. This issue disproportionately effects black people, especially black men with a previous felony. The recommendations largely focus on either complete elimination of criminal records (Second Chance) or limiting and placing requirements on how employers review an applicant’s criminal record (Freedom to Work). Other recommendations should be focused around assessing collateral consequences of civil disabilities. For example, there is no risk posed by an individual who has been without a driver’s licenses for 15 years.
    1. *Hill* asks if the recommendations presented are fully formed and do not require any more corroboration or drafting by the workgroup.
       1. *Irene Lawrence* states that the recommendations are essentially good to go, and she can provide insight as to which legislative recommendations would be most advantegous to push along.

1. **Discussion:** [**Collateral Consequences Recommendations**](https://justice365.sharepoint.com/:w:/r/sites/TaskForceMemberSharePoint/_layouts/15/Doc.aspx?sourcedoc=%7BDE929C00-16F4-453A-8E7C-52678A5228C8%7D&file=Collateral%20Consequences.docx&action=default&mobileredirect=true)
   * *Restucha-Klem* introduces and reviews the collateral consequences recommendations. The recommendations are categorized into five topics. Notes that there will soon be a survey circulated to account for specific WG feedback.
   * *Lawrence* reviews the major recommendations. She notes that each recommendation does not explicitly state racial equity, although it is an implicit consideration within the recommendations.
   * *Lawrence* covers select recommendations. She states the housing recommendation is arguably the most important. The recommendation will provide housing support specialist and peer support counselor who will help individuals approach the public and private housing market with insight from both professionals and others who have also taken on this reentry journey. Lawrence also notes the recommendation that deals with healthcare.
   * *Thornburg* asks for input on recommendations surrounding voting rights for those who have been convicted of felonies.
     1. *Bowes* responds and notes how the 13th amendment plays into the perpetuation of slavery by way of the prison system. The stripping of civic life because of a felony conviction is not just. Bowes also notes that most persons convicted of felonies do not even go to prison. Bowes also notes that there is still voter suppression and overprosecution of individuals even when they finally become eligble to vote again.
     2. *Lawrence* seconds this, and states that civil liberities such as voting should not have been lost in the first place.
     3. *AG Stein* chimes in and states that it is difficult to draw the line. some states persons who are released are able to vote, but other states (Maine and Vermont\*) go further and allow persons in prison to vote.
     4. *Thornburg* then asks what if someone’s probation is extended for monetary reasons, at what point would they receive their voting rights still?
        1. *AG Stein* provides update on recent court decision related to his question
2. **General Discussion** 
   * *Hill* opens the floor to members for discussion beyond just collateral consequences. WG may discuss the public comment sessions, prison discipline, fines and fees, etc.
     1. *Pollard* revisits the [prison discipline recommendations](https://justice365.sharepoint.com/:w:/r/sites/TaskForceMemberSharePoint/Working%20Groups/Working%20Group%20%234/Recommendations/Prison%20Discipline%20Recommendations.docx?d=wc3e53fe21dcf4716b8cce40d6286edcb&csf=1&web=1&e=3z8tYe). She is curious if we can broaden it to incorporate public comments and some of the information and recommendations that we have heard this morning (juvenile educational programs; DPS allowing child visitation). In addition, the public comment session this past Friday mentioned the story of a man on death row who reached out with recommendations for TREC. She also notes two meaningful letters from incarcerated individuals (Mr. King and Mr. Heart) who made policy proposals on restorative justice programs. Pollard thinks it would be great to incorporate the specific programs the individuals touched on.
        1. *Restucha-Klem* notes that WG3 is assigned the restorative justice process as a whole.
        2. *McGhee* – WG3 has invited TREC members to their upcoming meeting on the topic.
     2. *Restucha­-Klem* notes that only 2 workgroup members have responded to the survey on prison discipline recommendations, and that feedback has been incorporated and appears to have consensus. She also encourages Pollard to insert any recommendations that she would like to be included.
        1. *Pollard* states that she will have the recommendations inserted by COB tomorrow.
        2. *Restucha-Klem* will circulate another survey once this is done.
   * *Restucha-Klem* transitions the discussion to Hill’s [death penalty recommendations](https://justice365.sharepoint.com/:w:/r/sites/TaskForceMemberSharePoint/_layouts/15/Doc.aspx?sourcedoc=%7B3CB15105-5DFD-42B9-A305-DF9AAD166947%7D&file=2020.10.10%20Death%20Penalty%20Recommendation%20Template.docx&action=default&mobileredirect=true).
     1. *Hill* asks the WG to go through the template and make sure that the tone and language matches the WG consensus. Hill notes this should be done before and anticipation of the meeting on November 5th.
   * *Bowes* makes a comment on the issue of pending charges. For example, persons may be released from prison, pulled over during a traffic stop, and it comes up that there is a 10 year pending charge that was never taken care of/resolved by the DA. There is legislation to address the issue, but the implementation and practice thereof has not been active or effective.
     1. *Hill* highlights that this is a very traumatic thing to happen. These remote charges that are uncovered during a very innocent pursuit, like a traffic stop, creates an irrational escalation of the interaction with law enforcement. This is a very avoidable situation that should be prioritize to enhance public safety and reduce racial disparities.
   * *Thornburg* makes note that he must leave the meeting early.
   * *Radcliff* speaks on the Match Program\*. There is a huge importance on the family connection. There are many implications for children who witness their parents incarceration and re-incarceration.
     1. *Hill* asks how accessible are parenting classes?
        1. *Radcliff* states that they are moving towards evidence-based, more accessible programs. She notes that individuals often bounce around from a few different prisons without ever even seeing a parenting class. They are largely at women prisons. She also notes that there is no emphasis on these programs in jails.
        2. *Pollard* states that the program allows for mothers to go to an apartment with their child and cook them a meal. She feels it is a very underappreciated program.
        3. *Radcliff* notes that the program’s need for men as well has often been overlooked.
        4. *Locklear-Clark* notes that time is of the essence. The bond is important, but upon release, access to resources is also very important. It requires a lot of funding, but these parents should be connected with the approporaite services that will help with their reunification with the child.
           1. *Justice Earls* emphasizes Locklear-Clarks point. The right to be a parent at all is at stake here for these individuals.
           2. *Lawrence* states that there are some lesiglative proposals that any primary care giver should not be incarcerated.
   * *Pollard* mentions the Second Look is important to her and she’d like to discuss it further.
     1. *Hill* notes that the next meeting will cover this. In addition,
     2. by Thursday 10/22 he should have a draft template on a SLA recommendation for distribution to WG.
     3. *Restucha-Klem* notes that the [updated work schedule](https://justice365.sharepoint.com/:w:/r/sites/TaskForceMemberSharePoint/Working%20Groups/Working%20Group%20%234/Workgroup%20%234%20Schedule.docx?d=wa213c71ec8834da99874bbda55ba4128&csf=1&web=1&e=OXyBUy) displays what each meeting will cover.
3. **Next Steps**
   * *Restucha-Klem* summarizes that before the next meeting members complete the survey on prison discipline ASAP; review Pollard’s additions to prison discipline prior to them being sent to the Task Force for a Straw Poll; and complete the survey that will be sent on collateral consequences recommendations. Prior to 11/5 meeting, review and provide feedback on Death Penalty recommendation
   * *Hill* provides closing remarks and thanks panelists.