NORTH CAROLINA TASK FORCE FOR RACIAL EQUITY IN CRIMINAL JUSTICE

END OF YEAR REPORT 2021

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DEAR GOVERNOR COOPER,

Last year, you created the Task Force for Racial Equity in Criminal Justice and charged us with finding real solutions to eliminate racial disparities and inequities in our criminal justice system. We spent nearly six months immersed in this effort and in December 2020, we submitted 125 recommendations to you spanning every part of the criminal justice system. And while that report was a milestone in our work to make North Carolina a more equal state, our work was not complete.

This year, we've worked to turn those recommendations into reality. Implementation is not an easy or simple process. Our criminal justice system is vast, and the inequities that unfairly harm Black North Carolinians and North Carolinians of color are deeply entrenched in its policies and, often unintentionally, in the ways we carry them

out. But this work is urgent. This year has been proof that while change will not happen overnight, it is possible.

In concert with our Task Force members, local leaders, community advocates, elected representatives, and many others, North Carolina has made significant progress to address disparities in our criminal justice system. This year, Task Force members organized themselves into committees based on how our solutions would be implemented – executive, judicial, legislative, and local policy. We've also created communications and data committees to support the ongoing information and data needs of the other committees and the Task Force as a whole. Our committees have met monthly, and the full Task Force has met quarterly.

Committees have worked to establish strategies that would best realize their assigned recommendations, including, but not limited to, shaping training offerings, providing model policies and assistance, promoting collaboration between law enforcement and local governments, finding and leveraging funding opportunities, and raising awareness with the public.

Earlier this year, our Task Force supported several pieces of landmark legislation that advance many of our recommendations. The General Assembly passed and you signed into law several changes that will improve our criminal justice system. Those include improving law enforcement accountability by establishing a duty to intervene, requiring more enhanced data on officer-involved use of force incidents, and better training law enforcement officers to address the myriad of issues they face in communities while maintaining their own mental and physical health. These laws will also help stem the school-to-prison pipeline and keep many young people out of our criminal justice system, strengthen pretrial system practices, and ensure more dignity for pregnant women and other vulnerable people while they are incarcerated.

We are grateful to you for taking action to implement some of our recommendations, such as creating the Juvenile Sentence Review Board. We've worked to address state policies with other appropriate state actors – on substance use treatment, charging decisions, crisis intervention programs, school safety and discipline, and pretrial practices, among others. We've also partnered with local governments and community organizations to help them find ways to fund and develop these solutions in their communities. After all, many of our recommendations are local in nature and will be most successful if they are tailored to the unique needs of each community. We call on all North Carolinians to help champion our recommendations in their communities.

This is only a snapshot of some of the work the Task Force has accomplished in the past year. More details are included in the following pages of this report. All of these efforts are rooted in the hard work of so many North Carolinians from every corner of the state. Members of the Task Force and its staff have put countless hours toward these efforts, as have community advocates, directly impacted people, law enforcement, public health and public safety experts, researchers, legislators, and victims and survivors. Their contributions have led to much-needed improvements to our law enforcement and criminal justice systems in 2021.

Our work is by no means finished. Our state has a distance yet to go to create a fairer North Carolina – one where every person is guaranteed equal justice under the law. We need teamwork and collaboration at every level of government and from every stakeholder in our communities. We thank you for your continued dedication and interest in this work. As co-chairs of the Task Force, we are committed to working alongside you to create a safer, more just North Carolina for all.

Sincerely,

Anita Earls

Associate Justice

anita Earl

Supreme Court of North Carolina

Josh Stein

Attorney General

North Carolina

Co-Chairs of the North Carolina Task Force for Racial Equity in Criminal Justice



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SHERIFF CLARENCE BIRKHEAD Sheriff, Durham County Committees: Executive Branch Action



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THE HONORABLE
MITCH COLVIN
Mayor, Fayetteville
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Action



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CHIEF GINA HAWKINS
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THE HONORABLE
MIKE HAWKINS
Former Transylvania County
Commissioner
Committees: Local Policy
Action



MR. HENDERSON HILL Senior Counsel, ACLU Capital **Punishment Project Committees: Judicial Branch** Action



MAXWELL President, North Carolina NAACP, New Hanover NAACP **Committees: Local Policy** Action

MS. DEBORAH DICKS



THE HONORABLE **MUJTABA A. MOHAMMED** North Carolina Senate **Committees: Legislative Action**



THE HONORABLE MARCIA H. MOREY North Carolina House of Representatives **Committees: Legislative Action**



MR. KERWIN PITTMAN Founder, Recidivism Reduction **Educational Program Services Committees: Executive Branch** Action



POLLARD Executive Director, North Carolina Office of Indigent **Defense Services Committees: Judicial Branch** Action

MS. MARY SHEEHAN



THE HONORABLE **RONNIE SMITH** Chair, Martin County Board of Commissioners **Committees: Local Policy** Action



DIRECTOR JEFF SMYTHE Director, NC Criminal Justice Standards Division **Committees: Local Policy** Action



THE HONORABLE **ALAN THORNBURG** Superior Court Judge, **Buncombe County Committees: Judicial Branch** Action

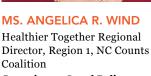


MR. TALLEY WELLS Executive Director, NC Council on Developmental Disabilities **Committees: Legislative Action**



Healthier Together Regional Coalition **Committees: Local Policy**

Action, Communications





THE HONORABLE JAMES RAEFORD WOODALL, JR. District Attorney, Prosecutorial District 18 **Committees: Judicial Branch** Action

PROGRESS



LEGISLATION PASSED

North Carolina made important progress toward accomplishing a number of Task Force for Racial Equity in Criminal Justice (TREC) recommendations when Governor Cooper signed the following pieces of legislation into law in 2021:

SENATE BILL 300 (SESSION LAW 2021-138)

Recommendations #6-9: Strengthen community policing practices.

 Part 11 of SB 300. Expands mandatory in-service training to include community policing.

Recommendations #31-35: Revise use of force policies.

- Part 3 of SB 300. Requires the Criminal Justice Standards Division to create and maintain a statewide database for law enforcement agencies that tracks all critical incident data of law enforcement officers in North Carolina. A "Critical Incident" is defined as an incident involving use of force by a law enforcement officer that results in death or serious bodily injury to a person.
- Part 8 of SB 300. Requires law enforcement agencies to create an early warning system within the agency to monitor officer actions and behaviors, including discharge of a firearm, use of force, vehicle collisions, and citizen complaints.
- Part 14 of SB 300. Establishes a duty for law enforcement officers to intervene and report excessive use of force by another officer.

Recommendations #36-46: Improve law enforcement accountability and culture.

 Part 1 of SB 300. Requires the North Carolina Sheriffs' Education and Training Standards Commission and the North Carolina Criminal Justice Education and Training Standards Commission (Standards Commissions) to develop and maintain a statewide database accessible to the public on its website that contains all revocations and suspensions of law enforcement officer certifications.

- Part 2 of SB 300. Provides a process to have all law enforcement officers' fingerprints entered in state and federal databases and authorizes agencies to participate in the Rap Back service which would alert the State Bureau of Investigation (SBI) if the officer has a subsequent arrest. The Rap Back Program would maintain and continuously compare fingerprints to arrest records throughout the United States so that the Standards Commissions can quickly and efficiently identify when a certified individual has been arrested and take appropriate investigative action.
- Part 3 of SB 300. Requires the Criminal
 Justice Standards Division to create and
 maintain a statewide database for law
 enforcement agencies that tracks all critical
 incident data of law enforcement officers
 in North Carolina. A "Critical Incident"
 is defined as an incident involving use of
 force by a law enforcement officer that
 results in death or serious bodily injury to
 a person.
- Part 5 of SB 300. Requires the Standards Commissions to develop uniform, statewide minimum standards for law enforcement officers and justice officers and adopt these standards as rules.
- Part 7 of SB 300. Requires a psychological screening prior to initial certification.
- Part 8 of SB 300. Requires law enforcement agencies to create an early warning system within the agency to monitor officer actions and behaviors, including discharge of a firearm, use of force, vehicle collisions, and citizen complaints.
- Part 10 of SB 300. Requires the SBI to investigate upon the request of the governor or a sheriff, chief of police, district attorney, head of a state law

enforcement agency, or the commissioner of prisons if a law enforcement officer uses force against an individual that results in the death of the individual.

Recommendation #51: Recruit and retain a racially equitable work force.

 Part 9 of SB 300. Requires the Standards Commissions to develop a best practice guide to help law enforcement agencies recruit and retain a diverse workforce.

Recommendations #56-59: Train law enforcement to promote public safety and earn community support.

- Part 11 of SB 300. Expands mandatory in-service training to include community policing, minority sensitivity, use of force, duty to intervene and report, mental health for criminal justice officers, ethics, response to domestic violence cases, and juvenile justice issues.
- Part 12 of SB 300. Allows the Standards Commissions to revise law enforcement training requirements more quickly in response to changes in the field.

Recommendation #60: Enhance the law enforcement profession.

 Part 7 of SB 300. Requires the Standards Commissions to jointly study the benefits, if any, of requiring physical fitness testing throughout the career of a law enforcement officer and if it should be incrementally adjusted based upon the age of the law enforcement officer.

Recommendations #74-78: Shrink the criminal code.

- Part 13 of SB 300. Limits some local ordinances that may impose a criminal penalty and provides a compliance defense for certain violations.
- Part 20 of SB 300. Creates a legislative study of the criminal code.

Recommendations #79-83: Improve pretrial release and accountability practices.

Part 14 of SB 300. Requires first appearance within 72 hours (This legislation was <u>later amended</u> to allow first appearances to be held within 96 hours when the court is closed for more than 72 hours) for all charges when the defendant is in custody.

These new laws
represent necessary
reforms to our public
safety system that
advance criminal justice
policy in our state. But
there is more to do to
improve our general
statutes to address
disparities so people are
treated fairly and our
communities are made
safer.

SENATE BILL 207 (SESSION LAW 2021-123)

Recommendations #66-70: Stem the school to prison pipeline and rethink juvenile justice.

- Part 4 of SB 207. Allows a prosecutor to decline to prosecute in superior court a matter that would otherwise be subject to mandatory transfer if the juvenile allegedly committed an offense that would be a Class D, E, F, or G felony if committed by an adult. This would allow 16- and 17- year-olds to remain in the juvenile justice system with the district attorney's consent.
- Part 5 of SB 207. Raises the minimum age of juvenile jurisdiction from six to ten, unless the juvenile is alleged to have committed an A-G felony, in which case the minimum age is eight.

HOUSE BILL 608 (SESSION LAW 2021-143)

Recommendation #106: Protect pregnant people in jails and prisons.

Part 2 of HB 608. Prohibits the North Carolina Department of Public Safety (DPS) and correctional employees from applying restraints on a pregnant woman incarcerated during the second and third trimester of pregnancy, during labor and delivery, and during the postpartum recovery period. An incarcerated person who is in the postpartum recovery period may only be restrained if a correctional facility employee makes an individualized determination that an important circumstance exists. In this case, only wrist handcuffs held in front of the incarcerated person's body may be used and only when she is ambulatory.



EXECUTIVE ORDER ISSUED

Recommendation #70: Establish a juvenile review board within the Governor's Clemency Office.

In April 2021, Governor Cooper formed the Juvenile Sentence Review Board based on TREC's recommendation. The four-person advisory board, established by Executive Order 208, is tasked with reviewing certain sentences imposed in North Carolina on individuals who were tried and sentenced in adult criminal court for acts committed before turning 18. The review board makes recommendations to the governor concerning clemency and commutation of such sentences when appropriate.

NEW STATE
GOVERNMENT
FUNDING
OPPORTUNITIES
ALIGNED WITH TREC
RECOMMENDATIONS

THE GOVERNOR'S CRIME COMMISSION

The Governor's Crime Commission (GCC) approved several new priorities for Federal Fiscal Year (FFY) 2022 that are based on TREC recommendations. These new priorities were included in the FFY 2022 request for applications (RFA) released on Nov. 1, 2021. The RFA will solicit applicants for grant projects that begin performance on Oct. 1, 2022.

Recommendation #1: Respond more appropriately to situations concerning mental illness, autism, intellectual disabilities, substance abuse, homelessness, and other non-emergency situations.

GCC approved the implementation of two new priorities for FFY 2022 Byrne Justice Assistance Grants (JAG) federal funds. One of the new JAG priorities seeks to fund three to five pilot programs providing mental health diversion and coresponder projects. Models that can be used include those that are promoted by the National Alliance on Mental Illness. These pilot projects must show collaboration among local law enforcement agencies, mental health service providers, and local governments.

Recommendation #2: Add crisis intervention training for current law enforcement officers.

The other new FFY 2022 Byrne JAG priority will provide grants to law enforcement agencies that are seeking to utilize the Memphis crisis intervention training (CIT) model. The funding can be used by law enforcement agencies working to ensure that their officers complete CIT, an important TREC recommendation. Funds will also be available to support the North Carolina Justice Academy (Justice Academy) and/or other community partners' efforts to broaden and enhance the Crisis Intervention Model as implemented in North Carolina.

Recommendation #4: Develop and provide funding to help communities build violence prevention programs.

Recommendation #61: Establish and fund restorative justice programs in local communities across the state and at various points of the criminal justice system.

GCC recently approved a new funding priority for Victims of Crime Act funds. The new priority, victim-focused violence intervention, will focus on funding agencies that provide the following services: a) community violence intervention, b) hospital-based violence intervention, and c) restorative justice.

THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES

Recommendation #16: Establish and expand access to diversion programs.

Recommendation #17: Treat addiction as a public health crisis.

Recommendation #89: Study and adopt evidence-based reforms for reducing and eventually eliminating racial disparities in charging decisions and prosecutorial outcomes.

In October 2021, the North Carolina Department of Health and Human Services (DHHS) released a funding opportunity that will award a total of \$5.8 million to at least nine organizations statewide to increase access to high-quality opioid use disorder treatment for people in the criminal justice system. This funding will help establish or expand programs including pre-arrest or pre-conviction diversion, comprehensive jail-based medication assisted treatment programs, and overdose prevention education and naloxone distribution upon release programs. This funding is responsive to several TREC recommendations, including the goal to treat addiction as a public health crisis.

Recommendation #1: Respond more appropriately to situations concerning mental illness, autism, intellectual

disabilities, substance abuse, homelessness, and other non-emergency situations.

DHHS also is working to help local communities establish non-law enforcement responses to public health issues. They recently received a planning grant for mobile crisis teams. While the state can support these efforts, regional collaboration is also important to build the expertise and framework needed for pilot programs. Localities like Pitt County, Chapel Hill, Durham, Greensboro, and Buncombe County have been willing to share their expertise and experiences with interested local leaders.

THE GOVERNOR'S HIGHWAY SAFETY PROGRAM

The Governor's Highway Safety Program also funds data-driven initiatives related to traffic safety and may support a number of projects that align with TREC recommendations.

\$5.8 Million

to be awarded by DHHS to at least 9 organizations statewide to expand addiction treatment in the criminal justice system



STATE AGENCY POLICY REFORMS

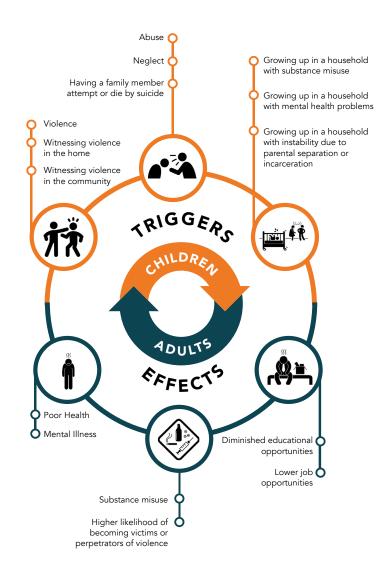
ADMINISTRATIVE OFFICE OF THE COURTS

In our 2020 report, we identified Adverse Childhood Experiences (ACEs) and their impact as a key area of study to improve our criminal justice system. As such, TREC was heartened to learn about the establishment of the Chief Justice's Task Force on ACEs-Informed Courts, which will help ensure that the judicial system is responsive to the needs of individuals who have experienced or are experiencing trauma. We look forward to collaboration with the new Task Force as we explore implementation of ACEs-informed TREC recommendations relevant to the judicial system.

Recommendation #82: Promote court appearance strategies and develop alternative responses to failure to appear.

Additionally, the Administrative Office of the Courts is advancing its court reminder system initiative to improve compliance with court dates

and reduce the need for pretrial detention.



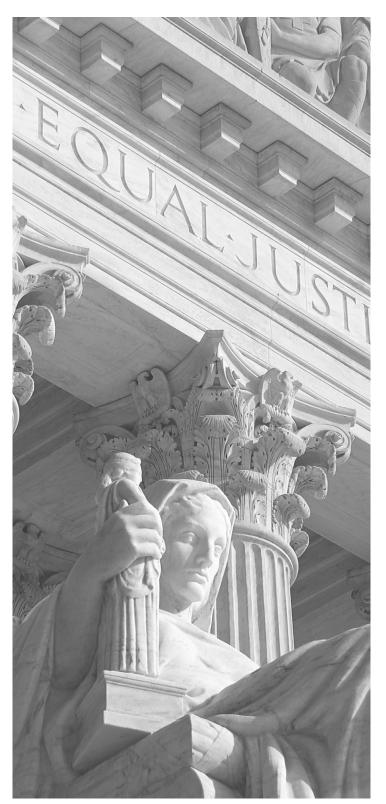
Court reminder systems have been shown to decrease failures to appear by

up 26%

Source: https://nccriminallaw.sog.unc.edu/improving-north-carolinas-criminal-court-date-notification-system/

DEPARTMENT OF PUBLIC SAFETY

Over the past year, DPS has proactively addressed a variety of TREC recommendations in support of strengthening public safety while also eliminating disparate outcomes in the criminal justice system for communities of color. Below are some highlights of TREC recommendations being addressed by DPS entities.



DPS LAW ENFORCEMENT

Recommendation #2: Reimagine public safety and reinvest in communities.

All DPS law enforcement agencies have either already implemented or are scheduled to implement CIT.

Recommendation #14: Require all consent searches to be based on written, informed consent.

State Highway Patrol (SHP) policy requires troopers to obtain owner/operator written consent to search a vehicle whenever practical.

Recommendation #27: Adopt a mandatory statewide policy on law enforcement facilitation of peaceful demonstrations.

In April 2021, State Capitol Police (SCP) updated its policies to better facilitate peaceful demonstrations. SCP adopted written directive 900-02 Response to Protests and Civil Disturbances. It states that SCP recognize the First Amendment right of citizens to peaceably assemble and articulates its policy to respect and facilitate lawful First Amendment activity.

Recommendation #31: Strengthen use of force practices including to prohibit neck holds and require the use of the minimum amount of force necessary.

SHP, SCP, and Alcohol Law Enforcement (ALE) policies all prohibit chokeholds and require the minimum amount of force necessary to apprehend a suspect.

Recommendation #32: Require officers to have first aid kits and render aid.

All DPS law enforcement agencies require their sworn members to render medical aid, when safe to do so, to persons in their custody who are injured. All state troopers, ALE agents, SCP officers, Community Corrections officers, and Special Operations and Intelligence Unit officers have been issued first aid kits.

Recommendation #33: Enact agency policies requiring a duty to intervene and report excessive use of force or other abuse.

All DPS law enforcement agencies require their sworn members to intervene and report in any case where a law enforcement officer may be a witness to what they know to be excessive use of force by another officer.

Recommendation #34: Establish early intervention systems for officers repeatedly violating use of force policies.

All DPS law enforcement agencies have early intervention systems in place to identify patterns of misconduct that could be mitigated through early intervention.

Recommendation #44: Support psychological screenings for all law enforcement officers.

All DPS law enforcement agencies require psychological screening as part of their preemployment hiring process. Additionally, adult correctional officers and juvenile justice officers also are required to pass psychological screening prior to hiring.



DPS OFFICE OF VICTIM SERVICES

Recommendation #63: Improve and expand access to North Carolina's victim compensation fund to increase racial equity.

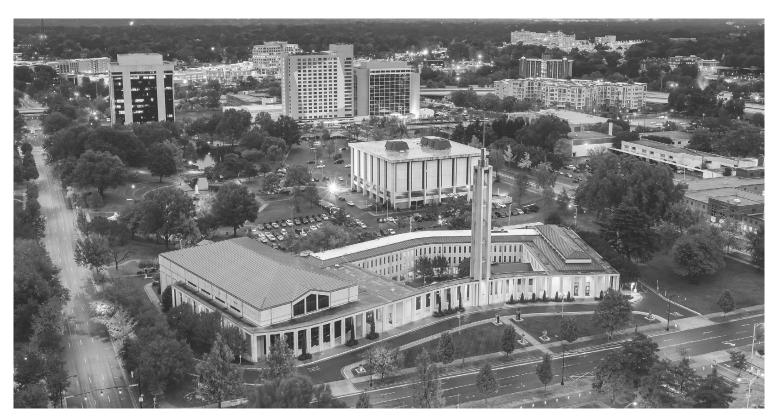
The Office of Victims Services (OVS) is working to improve data collection and analysis capabilities to better focus victim compensation outreach and education on under-served and under-represented communities. Additionally, OVS recently launched a GCC grant-funded public communications and outreach campaign to raise awareness of programs and services OVS offers. The campaign utilizes multiple media formats including television, display banners, newspaper, social media, DMV video boards, and radio.

DPS PRISONS

DPS Prisons has pursued new policies and either introduced or augmented programs as a direct result of TREC's recommendations to amend correctional facilities' practices and programming and address prison discipline.

Recommendation #64: Screen incarcerated individuals for victimization and provide appropriate services.

Prisons utilizes a comprehensive screening process through intake, case management, and internal transfer targeting physical, emotional, or sexual abuse and previous trauma. Prisons recently implemented screening within 24 hours of intake (previously screenings occurred within 72 hours of intake). Prisons has also implemented screening 30 days after intake as part of its regular case management process. Additionally, a variety of programs for victims are offered, to include traumainformed therapy, mental health counseling, anger management, and stress management. The Juvenile Justice Section also screens for victimization upon admission to youth development centers and provides programming and treatment targeted towards individual juvenile needs.



Recommendation #108: Increase funding for mental health services and programs in prisons.

Prisons currently operates five therapeutic diversion units (TDU) with expansion to a sixth site in progress. TDUs provide an evidence-based treatment approach for incarcerated persons diagnosed with serious and persistent mental illness. Prisons has also implemented a new disciplinary credit program, incentivizing good behavior by reducing disciplinary sentences for those who remain infraction free.

Recommendation #110: Expand use of restorative justice and rehabilitation programming.

Availability and quality of programming available to individuals while incarcerated is crucial to their success once released. To this end, Prisons is actively implementing enhanced rehabilitative programming through cognitive behavioral interventions (e.g., Carey Guides for use by case managers). Prisons has also launched a tablet initiative that will expand access to rehabilitative programming, self-help, and increased family contact through tablet computers. A variety of other restorative justice and targeted programming is being implemented, to include expanding the rehabilitative diversion unit (RDU) at Pasquotank Correctional Institute and restorative justice circles at Central Prison and N.C. Correctional Institute for Women.

There are many recommended changes still under consideration and Prisons will continue to keep TREC updated on the progress of the efforts highlighted below.

Recommendation #96: Increase DPS flexibility on incarcerated individuals' release dates.

Approximately 81 percent of the 20,000 people released from prison annually receive sentence credits. Prisons currently awards sentence credits for working prison jobs, attending schools, good

behavior, disciplinary release credits and credits for becoming fully vaccinated for COVID-19.

Prisons established a work group to evaluate additional types of sentence credits, as well as to review and recommend updates for policies dealing with the medical release of those who are ill and/or disabled, extension of limits of confinement, and advanced supervised release.

Recommendation #105: Transform the use of restrictive housing

Prisons established a work group to become American Correctional Association (ACA) -compliant with restrictive housing and special management expected practices by reviewing policies that need to be changed to reduce the number of incarcerated people assigned to restrictive housing, increasing the use of special management housing instead of restrictive housing, decreasing the types of infractions that result in restrictive housing, and reviewing locations which can provide step down facilities and additional TDUs and RDUs.

Recommendation #106: Protect pregnant people in jails and prisons

Prisons established a work group to review maternity leave programs in other jurisdictions for operational details. Prisons is also ensuring its compliance with the Dignity of Women who are Incarcerated Act (Session Law 2021-143).

Recommendation #107: Enhance prison personnel.

Prisons is currently working to implement CIT for all staff, making it a part of annual in-service training, and offering an introductory version during basic training. As of September 2021, more than 4,800 Prisons staff had completed crisis intervention training. Additionally, Prisons staff have completed an online racial bias training, and the Office of Staff Development and Training developed and received approval for a racial equity

and implicit bias training for correctional officer basic training students which will begin in January 2022. Furthermore, the General Assembly recently recently passed and Governor Cooper signed into law a step pay plan for correctional officers that will help Prisons with recruiting and retention.

Recommendation #109: Increase due process protections for people accused of disciplinary offenses.

- Prisons established a working group to review potential changes to disciplinary processes. Process changes will align with ACA standards. This involves reviewing other states' disciplinary processes to gather innovative ideas. To date, nine policies from other state jurisdictions have been received, reviewed, and compared to North Carolina's policies. They have initiated ongoing focus groups with staff and incarcerated persons regarding possible improvements.
- Prisons established a working group to review security risk group (SRG) management and additional expansion of the security threat group management unit (STGMU) program model that Foothills Correctional Institution uses. Expansion of STGMU beds will occur, as well as the tablet program to include programming of this nature.
- Prisons has collected demographic data
 of disciplinary hearing officers (DHOs)
 and people who are incarcerated who
 were involved in the hearing process and
 is currently analyzing the information
 and discussing ways to track the process
 through an easily accessible method such as
 a dashboard or automated report.
- Prisons revised policy B .0200 Offender
 Disciplinary Procedures and is currently
 reviewing potential cost/benefit outcomes
 to enacting the changes by conducting mock
 hearings using the revised disciplinary
 language on previously heard cases.

- Prisons completed its review of how information is confidential reviewed during the disciplinary process. Current data obtained shows that Prisons' policy is consistent on this topic with other states. The goal is to ensure accuracy and truthfulness of confidential statements or sources and that the process remains safe for all persons involved while also ensuring that accused persons are provided with what is needed to defend themselves during the hearing. Prisons continues to expand its training plan for new and existing DHOs and new and existing facility staff.
- In July 2021, Prisons trained 90 staff members on proper referrals for STGMU.
 The survey submitted to field staff regarding improvements in the SRG process is pending results.

DPS JUVENILE JUSTICE

Recommendation #33: Collect data on discipline in schools.

DPS recently released a public-facing school discipline <u>dashboard</u>, which details school-based offense data by juvenile judicial district. It includes information on race and sex and exists as a resource to School Justice Partnerships (SJPs) across the state in assessing progress toward goals.

Additionally, the State Board of Education published Phase 1 of its strategic dashboard monitoring tool, which displays information at the state, district, and school level on a range of educational metrics, including exclusionary discipline practices. Information on subgroups like gender, race, and disability status is also available in many instances.

Recommendation #67: Require a school administrator or school social worker to sign a school-based petition initiated by an SRO before it can be accepted for filing in juvenile court.

Although statewide application of this recommendation would require legislation, its spirit was to have better controls on when and how children are referred to the juvenile justice system. In addition to the legislature's raising the age of minimum jurisdiction, this work can be advanced by augmenting training opportunities for SROs. Juvenile Justice has been conducting trainings with SROs across the state and educating them on the types of matters that will not be accepted to discourage inappropriate referrals from schools.

Recommendation #84: Require racial equity training for court system personnel, including judges, DAs, and public defenders.

Juvenile Justice was awarded a \$237,000 GCC grant, of which \$177,787 was federally funded through the Office of Juvenile Justice and Delinquency Prevention (OJJDP). This grant, effective Jan. 1, 2022, will provide racial equity training to all Juvenile Justice staff and community program providers. Juvenile Justice is seeking another competitive opportunity with Georgetown University to convene local decision-makers and stakeholders in one North Carolina jurisdiction to create opportunities where barriers to racial equity exist in their communities. If selected, the "Transforming the Youth Justice System" grant will provide intensive, action-focused training designed

to support local jurisdictions in their efforts to reduce racial and ethnic disparities and transform the role of the justice system.

POST RELEASE SUPERVISION AND PAROLE COMMISSION

Recommendation #85: Require implicit bias and racial equity training for parole staff.

Post Release Supervision and Parole Commission staff have completed both an "Implicit Bias Workshop" and a "Fairness and Bias in Risk Assessment" training. Community Corrections will begin to incorporate implicit bias training into its annual in-service training curriculum in Spring 2022.



\$237,000 GCC Grant

awarded to DPS
Juvenile Justice to
expand racial equity
training

CRIMINAL JUSTICE
AND SHERIFFS'
TRAINING AND
STANDARDS
COMMISSIONS AND
NORTH CAROLINA
JUSTICE ACADEMY

The Standards Commissions are critical partners in the successful implementation of TREC's law enforcement-focused recommendations. Similarly, the Justice Academy develops and delivers law enforcement training. In the section below, we discuss progress and efforts related to TREC recommendations under the purview of the Commissions and the Justice Academy.

CHANGES TO LAW ENFORCEMENT TRAINING

Recommendation #2: Add crisis intervention training.

Recommendation #29: Review and update protest training.

Recommendation #56: Revamp basic law enforcement training.

Recommendation #57: Recommend changes to in-service trainings.

Prior to the work of TREC, law enforcement training was an area of intense focus and reform in North Carolina. Over the past several months, numerous stakeholder groups have engaged with the Justice Academy and the Standards Commissions on the right trainings for law enforcement officers and the frequency of those trainings. TREC was heartened to know that many of its training recommendations related to basic law enforcement training (BLET) either have been or will have an opportunity to be implemented as the new BLET is developed. The new BLET is the result of a long-term revamp with input from law enforcement officers, leaders, community advocates, and the general public. It will be released in 2023. Woven throughout the new BLET is a focus on ensuring that officers have a guardian mindset as opposed to a warrior mindset. It will have an increased emphasis on de-escalation, crisis/mental health training, and implicit bias. The Justice Academy has also created many other training topics, such as training on protest response and an optional de-escalation training model as a "train-the-trainer" course in April of this year. To date, 180 officers from 179 agencies have received this training.

As this reform work was ongoing, legislation was passed (Session Law 2021-138) which allows both Standards Commissions to more quickly set inservice training topics instead of going through administrative rulemaking. This change will enable the Standards Commissions to make changes more efficiently in response to immediate needs and should prove critical to the success of the state's law enforcement training efforts.

Going forward, the Standards Commissions' Joint In-Service Training (Joint IST) committee has identified its plan to set new training requirements periodically that are consistent with these new legislative mandates, advancements in the field, and the call for policing reform. In this context, TREC recently presented several recommendations to the Standards Commission's Joint IST committee, including updates to baseline crisis intervention training, duty to intervene, protest response, and robust de-escalation training as periodic requirements. Other stakeholders, from advocacy groups to the SBI, have made similar recommendations, and the Standards Commissions are considering all options.

Recommendation #22: Train all public school employees and SROs on the proper role of SROs.

Standards Commissions The have already recognized that SROs need specialized training and have created a mandate accordingly. At the same time, TREC recommended that both SROs and school personnel receive training on the proper use of an SRO to keep the juvenile system out of areas that should be handled by school discipline and/or restorative practices. The North Carolina Department of Public Instruction's Center for Safer Schools is working to develop a training on this issue and the Justice Academy is considering updates to its SRO training on this topic.

RULE CHANGES UNDERWAY AT THE COMMISSIONS

Recommendation #27: Adopt a mandatory statewide policy on law enforcement facilitation of peaceful demonstrations.

Recommendation #28: Create and update protest guidelines to consider best practices and First Amendment concerns.

Recommendation #40: Revise standards to require that officers not engage in excessive or unjustified use of force or abuse the power of the position.

Recommendation #41: Expand authority to allow for suspension, revocation, or denial of certification based upon an officer's excessive use of force or abuse of power.

Recommendation #42: Require notification by both the officer and the agency for specific use of force incidents.

Recommendation #43: Increase transparency about officer discipline and decertification through a publicly available database.

Recommendation #44: Support psychological screenings for all law enforcement officers.

Recommendation #45: Repeat psychological evaluations either after a certain number of years of service or before promotion.

Recommendation #46: Strengthen the ongoing development of a statewide law enforcement accreditation program.

Recommendation #51: Develop and disseminate best practices guide for recruitment and retention.

Recommendation #52: Expand Criminal Justice Fellows program statewide.

Recommendation #53: Collect data on law enforcement recruitment and diversity efforts.

Recommendation #55: Require law enforcement agencies of a certain size to create a diversity task force.

Recommendation #60: Study the effects of officers' physical and mental health on job performance.

TREC presented to both Standards Commissions regarding its policy recommendations to improve accountability for use of force, mandate accreditation statewide, and the creation of diversity task forces for law enforcement agencies. Both Standards Commissions agreed to refer our recommendations to the appropriate committees for rulemaking consideration. The Standards Commissions have developed a voluntary pilot NC Law Enforcement Accreditation program using GCC funding.

We look forward to the Standards Commissions' consideration of these important ideas. In the case of accreditation, the General Assembly would need to require the mandate, but the Standards Commissions' collaboration and support is critical.



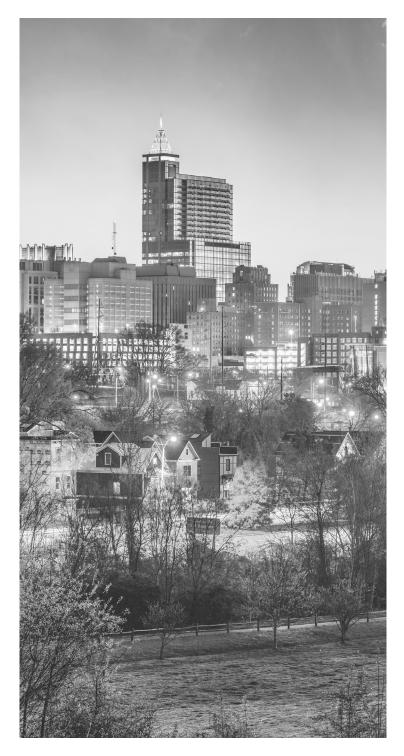
LOCAL IMPLEMENTATION OF TREC RECOMMENDATIONS

Many of the recommendations made in TREC's December 2020 report require local implementation. Depending on the specific nature of the recommendation and/or the locality in question, a variety of different stakeholders, from law enforcement to non-profits to court officials, can be the principal instigator for change. Much of our work to date has been creating materials that clarify the exact steps different local actors can take to implement these system-changing programs and policies.

Our local strategy moving forward will rely on these materials to promote change in cities and counties across the state. The details of our strategy can be found in the sections below. But first, we would like to highlight some of the great and numerous ways localities around North Carolina have implemented the TREC recommendations in the past year.

EXAMPLES OF TREC SOLUTIONS IN PRACTICE

Across North Carolina. communities working to implement racial equity reforms recommended in the TREC report. In May, Wake County approved changes to the role of SROs in schools. In June, Buncombe County approved a plan to improve justice outcomes for communities impacted by racial inequity, which included a number of criminal justice recommendations. In June, Fayetteville approved plans to create a citizen's advisory board. In September, New Hanover County committed to funding violence prevention and invention programs in the wake of school violence. In September, the city of Durham earned a partnership with the Harvard Kennedy School Government Performance Lab to implement an alternative responder program. The Greensboro Police Department deployed a co-responder team to respond to mental health calls. The Raleigh Police Department trained its entire department on its duty to intervene policy. In June, the town of Chapel Hill issued a "Reimagining Community Safety" Task Force report, which built on many ideas from the TREC report. Several communities are engaging in the process to create SJPs, including Judicial District 13 in Jackson County which formalized their SJP in October 2021. Judicial districts are continuing to participate in court reform pilot projects like the newly launched UNC School of Government's Court Appearance project in New Hanover, Orange, and Robeson counties. Bond policy revisions and pretrial reforms are also are also underway, including a new bond policy in Cumberland County as of September 2021 and an ongoing reform project in <u>Orange County</u>. These changes represent progress toward implementing TREC's recommendations and promoting racial equity in communities across the state. TREC's informational materials and presentations aim to build on these local efforts.



JUDICIAL DISTRICT SURVEYS

TREC made clear in the December 2020 report quantitative research and evidence are critical to understanding the scope of our challenges and track our progress. This includes collecting data related to our own recommendations and their implementation status. Therefore, over the summer of 2021, TREC drafted three separate surveys for all law enforcement agencies, prosecutors, and superior and district court judges in North Carolina on their current policies and practices in areas covered in the TREC report. We will use the results to understand how these stakeholders are addressing TREC-recommended changes, to serve as a baseline for assessing implementation progress, and to direct resources and assistance.

TREC partnered with the Duke School of Science and Law to analyze the results of the judicial survey. The researchers found that most judicial jurisdictions are interested in policy reforms, but the time investment needed for policy development and a lack of partnerships pose barriers to change for many. TREC aims to work with jurisdictions to expand the below recommended policies, along with others included in the survey, to more judicial jurisdictions across the state.

We will conduct a survey again in one year to assess adoption of model policies and implementation of recommended programs.

COURT REMINDER SYSTEM

Recommendation #82: Automatically enroll defendants for the NCAOC's court reminder system.

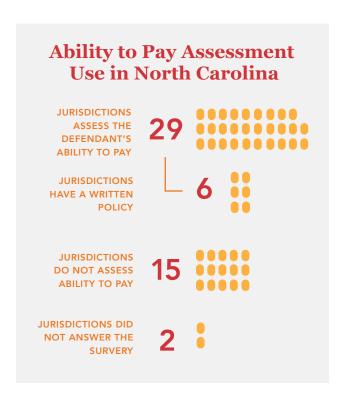
There are administrative changes that could be adopted to help mitigate some of the disproportionate burdens people of color face when interacting with the criminal justice system. That includes implementing a court reminder system to improve attendance and reduce the chances an individual fails to appear in court.



ASSESSMENT OF ABILITY TO PAY

Recommendation #101: Assess a defendant's ability to pay prior to levying any fines and fees.

Trial court judges retain significant discretion under existing law to waive or reduce certain fines and fees imposed on individuals in criminal or civil proceedings, and the Supreme Court of North Carolina could enact a general rule of practice addressing some aspects of this issue.



MODEL POLICY DEVELOPMENT

Many recommendations by TREC advocated for the implementation of specific policies or establishment of new programs. Over the past year, we realized a resource gap exists for many stakeholders to research and draft policies on top of their regular duties. On the programmatic front, getting started can be the hardest part – gathering best practices, understanding funding options and thinking through necessary partnerships can be a big lift for already busy stakeholders.

To advance local reform, TREC has established a project to create or collect model policies and information sheets for TREC recommended programs. We have also created one-pagers to distill the TREC report into immediate, actionable steps to be taken by a specific system actor. These will help guide North Carolina's law enforcement agencies implementing these policies and programs that advance racial equity and uphold public safety.

Several documents are already live on the TREC model policy package <u>webpage</u>, and the catalogue will continue to grow. These will serve as an integral part of our local implementation strategy.

MODEL POLICIES

Traffic Stops
Consent Searches
Early Intervention Systems
Suggested Jury Practices to Judges
Nonpayment of Fines and Fees
Prosecutor Guide

Data Collection

Habitual Felony Review Process/Restrictions

Officer Involved Use of Force

Minimum Age of Prosecution

School-based Referrals

Ability to Pay

Advanced Supervised Release

Bail / Pretrial Policy

Juries

Dismissal of Criminal Justice Debt

Expunction Efforts

De-prioritization of Low-Level Offenses:

Marijuana / Traffic Offenses / Class 3

Misdemeanors

INFORMATION SHEETS

Pre-Arrest Diversion
Post-Arrest Diversion
Reimaging 911
Use of Force
Violence Prevention
Restorative Justice

ONE PAGERS

Prosecutors

Judges and Judicial Officers
Local Government Officials
Juvenile Justice System Actors
Local Law Enforcement

COMMUNITY ENGAGEMENT

Since its formation, TREC has been committed to engaging with the public and key partners in the implementation of the report's recommendations. TREC's outreach has been ongoing and responsive to a range of identified opportunities and needs for local decision-makers. Outreach events have provided education for the public on complex topics and for local elected officials on best practices and time-sensitive funding opportunities. Additionally, TREC has continued to welcome and receive feedback from citizens committed to a fairer justice system.

LEARNING SERIES

TREC's "Learning Series" presents an opportunity to dive deeper into complex, cross-cutting issues relating to racial disparities in the criminal justice system. These sessions bring together experts, practitioners, advocates, and community members for an honest, in-depth conversation, with the goal of building knowledge and a shared commitment to advancing TREC's mission. To date, TREC has hosted four learning sessions.

The first learning session, "Race, Data, and Policing," examined law enforcement's increased reliance on data and predictive analytics to make policing decisions and the ways this reliance can have the unintended consequence of exacerbating the racial discrimination and disparity in the criminal legal system. The second session, "Victims of Color," explored whether victims of color are treated differently than white victims by police, prosecutors, judges, and juries, in general or in specific kinds of cases. The third session, "Local Solutions to Substance Misuse," discussed the public health crisis of addiction and local solutions to help those struggling with substance use. The fourth session, "Embracing Inclusive Juries," explored the challenges and possibilities of raciallyequitable jury system reform. Going forward, TREC will continue to host learning series to spotlight important and emerging issues.

TREC's "Learning Series" present an opportunity to dive deeper into complex, cross-cutting issues.

COUNTY COMMISSIONERS

Local government actors are critical to the system changes that TREC has recommended. This includes county commissioners, who provide funding for schools, court systems, community-based interventions public safety issues. In 2021, the North Carolina Association of County Commissioners (NCACC) agreed to forge an ongoing partnership with TREC to discuss these ideas among county commissioners across the state. In August 2021, TREC presented to the NCACC's annual meeting and brought experts on pretrial services, emergency response reform, and diversion/ school justice partnerships. TREC will continue collaboration with the NCACC's Justice and Public Safety Steering Committee to continue these conversations with local government leaders.

COUNCIL OF GOVERNMENTS

TREC presented to regional councils of government (COGs) across the state whose boards are comprised entirely of municipal and county officials. To date, teams have presented to eight COGs including the statewide Board of Council of Governments. More presentations are scheduled.

ARP SESSIONS

technical assistance sessions

for local communities preparing to utilize their American Rescue Plan (ARP) funding

500+ attendees participated on these calls

PUBLIC COMMENT SESSIONS

members of the public

reached out across four public comment sessions

75+ letters recieved in 2021 sharing constituents perspectives

COUNCIL OF GOVERNMENT

COG
presentations
given by our teams

including the statewide Board of Council of Governments



STAKEHOLDER GROUPS FORMED

From its beginnings, TREC has sought to engage stakeholder groups in its work. As we seek to implement recommendations, particularly on the local level, it is important to consult with stakeholder groups. That means continuing to consult with partners like the GCC and the North Carolina Commission on Racial and Ethnic Disparities. We also created new stakeholder groups including the Law Enforcement Advisory Group (LEAG) to provide real world insight into policing policy recommendations. TREC believes that law enforcement engagement and buy-in is critical in our work. The LEAG has met a half a dozen times and has provided valuable input. We will be starting similar groups for prosecutors, victims/survivors, and victim advocates in the coming months.

THE WORK AHEAD

Significant work remains to accomplish TREC's recommendations to improve law enforcement and the courts in North Carolina and make these systems more racially equitable. Priority areas for 2022 include continuing to:

- Improve policing practices, including our recommendations around training and use of force.
- Enhance law enforcement accountability, including recommendations such as establishing a statewide sentinel event review process and a comprehensive public use of force database, requiring body-worn cameras, releasing footage promptly during critical incidents, and further addressing the wandering officer problem.
- Invest in community-based solutions to reduce violence.
- Reduce reliance on fines and fees, and financial conditions in the pretrial period.
- Improve data systems so that policymakers, researchers, and the public better understand the criminal justice system and its impacts.
- Promote ideas that reduce the number of school-based juvenile justice system referrals, including hiring more behavioral health professionals in schools, and better equipping all adults with the tools they need to work with our children by training them on mental health, first aid, cultural competence/ diversity/inclusion, and developmental disability.

TREC will advance its goals through a variety of strategies including:

- Pursuing a legislative agenda in the short session
- Working with state agencies

- Partnering with local governments and law enforcement agencies and promoting regional collaboration
- Leveraging funding opportunities within state government and working with philanthropic partners
- Developing trainings, model policies, and resources to aid stakeholders in implementation, and
- Educating the public about our recommendations and the need to improve racial equity in the criminal justice system.

The following TREC committees will continue to meet and refine implementation strategies throughout 2022: executive, legislative, local policy, judicial, data, and communications.

Recognizing that there are a variety of different perspectives on the state of the criminal justice system in North Carolina, we will continue to work with all interested stakeholders and identify common ground in order to continue making tangible progress.

Finally, TREC recommendations were not intended to be the final word on changes necessary to improve criminal justice in North Carolina. The nature of ambitious and farreaching recommendations is that they are unlikely to be accomplished in a single year or two, and as changes are implemented and the results studied and understood, new goals and needs will emerge. To that end, TREC recommended its work be institutionalized in state government beyond 2022. Next year, we will explore sustainability strategies so that the work of advancing racial equity in criminal justice continues.

IMPLEMENTATION STATUS CHARTS

The charts below reflect the status of TREC's 125 Recommendations as of December 2021. The listed solutions, recommendations, and necessary actions were defined in the original report published in December 2020. The implementation effort and status columns reflect TREC's progress over the past year.

DEFINITIONS OF THE RECOMMENDATION STATUSES

Success: Recommendation and/or necessary action identified by TREC is complete.

Partial Success: Part of the recommendation and/or necessary action is complete and additional effort is needed to fulfill the full recommendation or accomplish implementation.

Under Consideration: TREC has presented the recommendation to relevant stakeholders associated with the determined implementation effort and they are considering enactment.

Strategy in Development by Task Force: TREC is actively developing a strategy on this recommendation, including the development of model policies, stakeholder convenings and meetings, facilitation of funding opportunities, and other advocacy.

Not Accomplished: Implementation efforts have not been successful to date or have not yet begun.

Reimagining Public Safety

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
1	Reimagine public safety and reinvest in communities	Respond more appropriately to situations concerning mental illness, autism, intellectual disabilities, substance abuse, homelessness, and other non-emergency situations	Local policy change; Administrative rule change by Standards Commissions; Legislative change	Governor's Crime Commission / DHHS - Funding Opportunity	Partial Success
2	Reimagine public safety and reinvest in communities	Add crisis intervention training for current law enforcement officers	Local policy change; State administrative rule change by the Standards Commissions; Legislative change	Standards Commissions	Under Consideration
3	Reimagine public safety and reinvest in communities	Fund grassroots organizations that employ promising and peaceful strategies to help communities promote public safety	Local policy change; State policy change	Local Implementation Work	Under Consideration
4	Reimagine public safety and reinvest in communities	Develop and provide funding to help communities build violence prevention programs	Local policy change; State policy change	Governor's Crime Commission - Funding Opportunity	Partial Success
5	Reimagine public safety and reinvest in communities	Form local Community Safety and Wellness Task Forces to examine public safety and wellness needs	Local policy change	Local Implementation Work	Under Consideration

Improving Policing Practices

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
6	Strengthen community policing practices	Adopt community policing philosophies and plans in collaboration with the communities law enforcement serve	Local agency policy change; State agency policy change	Local Implementation Work	In Development
7	Strengthen community policing practices	Train law enforcement agency heads on community policing	State policy change by North Carolina Justice Academy	Legislative	Partial Success
8	Strengthen community policing practices	Encourage or require officers to spend non- enforcement time, or live in, the neighborhoods they serve	Local agency policy change; State agency policy change; Local government policy change	Local Implementation Work	In Development
9	Strengthen community policing practices	Publicly acknowledge mistakes by law enforcement to build trust and transparency	Local agency policy change; State agency policy change	Local Implementation Work	In Development
10	Reform investigations	Improve law enforcement drug enforcement data collection and reporting	Legislative change	Legislative	Not Accomplished
11	Reform investigations	Use data and objective criteria, instead of officers' subjective perceptions and beliefs, to drive the level of police presence in neighborhoods	State policy change; Local policy change	Recommendation with Task Force	Not Accomplished
12	Reform investigations	Deemphasize felony drug posession arrests for trace quantities under .25 grams	State agency policy change; Local agency policy change	Local Implementation Work - Model Policy	In Development
13	Reform investigations	Prioritize traffic stops that improve traffic safety	State agency policy change; Local agency policy change	Local Implementation Work - Model Policy	In Development
14	Reform investigations	Require all consent searches to be based on written, informed consent	State agency policy change; Local agency policy change; Legislative change	Local Implementation Work - Model Policy	In Development
15	Reform investigations	Restrict state law enforcement use of asset forfeiture on low-level seizures where there is no conviction	Agency policy change; Task Force collaboration; Legislative change	Recommendation with Task Force	Not Accomplished
16	Promote diversion and other alternatives to arrest	Establish and expand access to diversion programs	State policy change; Local policy change; Legislative change	Department of Health and Human Services - Funding Opportunity; Inclusion in Budget	Partial Success
17	Promote diversion and other alternatives to arrest	Treat addiction as a public health crisis, including substance use addictions that disproportionately impact Black and brown communities, such as crack cocaine	State policy change; Task Force collaboration	Local Implementation Work - Model Policy	In Development

Improving Policing Practices

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
18	Promote diversion and other alternatives to arrest	Encourage citations and summons in lieu of arrest whenever possible	State agency policy change; Local agency policy change; Legislative change	Local Implementation Work - Model Policy	In Development
19	Revise the role of School Resource Officers	Hire behavioral health professionals in schools	Local policy change; Legislative change	Legislative	Under Consideration
20	Revise the role of School Resource Officers	Fund school personnel training on mental health, first aid, cultural competence/ diversity/inclusion, and developmental disability	Local policy change; Legislative change	Legislative	Not Accomplished
21	Revise the role of School Resource Officers	Develop inclusive processes for selecting and overseeing SROs	Local policy change	Local Implementation Work	Under Consideration
22	Revise the role of School Resource Officers	Train all public school employees and SROs on the proper role of SROs	State policy change by the Department of Public Instruction and the Justice Academy	North Carolina Center for Safer Schools/ North Carolina Justice Academy	Under Consideration
23	Revise the role of School Resource Officers	Collect data on discipline in schools and school-based referrals to the juvenile courts	State policy change by the Department of Public Instruction and the Department of Public Safety; Local agency policy change	Department of Public Safety	Success
24	Revise the role of School Resource Officers	Encourage School Justice Partnerships to reduce students' juvenile court involvement	Local policy change	Adminstrative Office of the Courts	Partial Success/Under Consideration
25	Revise the role of School Resource Officers	Support Task Force on Safer Schools State Action Plan	Task Force collaboration	Recommendation with Task Force	Success
26	Codify judicial approval of no- knock warrants and clarify requirements for use of force in serving search warrants	Change entry by force statute to require the necessary probable cause be specifically listed in the warrant before breaking and entering to execute a warrant and to clarify the meaning of unreasonable delay after an officer announces presence in the execution of a search warrant	Legislative change	Legislative	Not Accomplished

Improving Policing Practices

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
27	Peacefully facilitate protests and demonstrations	Adopt a mandatory statewide policy on law enforcement facilitation of peaceful demonstrations	Local agency policy change; State agency policy change; State administrative rule change by the Standards Commissions	Department of Public Safety	Partial Success
28	Peacefully facilitate protests and demonstrations	Create and update protest guidelines to consider best practices and First Amendment concerns	State administrative rule change by the Standards Commissions	Standards Commissions	Under Consideration
29	Peacefully facilitate protests and demonstrations	Review and update protest and demonstration training	State policy change by North Carolina Justice Academy; State administrative rule change by the Standards Commissions; Task Force collaboration	North Carolina Justice Academy	Success
30	Peacefully facilitate protests and demonstrations	Commission a study on racial disparities in how protests and demonstrations are policed in North Carolina	State policy change	Study	In Development
31	Revise use of force policies	Strengthen use of force practices including to prohibit neck holds and require the use of the minimum amount of force necessary	Local agency policy change; State agency policy change; Legislative change	Legislative	Not Accomplished
32	Revise use of force policies	Require officers to have first aid kits and render aid	Local agency policy change; State agency policy change	Legislative	Not Accomplished
33	Revise use of force policies	Enact agency policies requiring a duty to intervene and report excessive use of force or other abuse	Local agency policy change; State agency policy change	Legislative	Partial Success
34	Revise use of force policies	Establish early intervention systems for officers repeatedly violating use of force policies	Local agency policy change; State agency policy change; Legislative change	Legislative	Success
35	Revise use of force policies	Define and collect use of force data	Local agency policy change; State agency policy change	Legislative	Partial Success

Enhancing Accountability

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
36	Improve law enforcement accountability and culture	Expand investigative and oversight authority of local citizen oversight boards	Local policy change; Legislative change	Legislative	Not Accomplished
37	Improve law enforcement accountability and culture	Reform investigation and prosecution procedures for officer-involved use of force incidents	Legislative change	Legislative	Partial Success
38	Improve law enforcement accountability and culture	Establish statewide sentinel event reviews to evaluate law enforcement practices and suggest policy changes	State agency policy change by Standards Commission; Local agency policy change; Legislative change	Recommendation with Task Force	Not Accomplished
39	Improve law enforcement accountability and culture	Support Rap Back Program	Task Force collaboration; Legislative change	Legislative	Success
40	Improve law enforcement accountability and culture	Revise standards to require that officers not engage in excessive or unjustified use of force or abuse the power of the position	State administrative change by Standards Commissions	Standards Commissions	Under Consideration
41	Improve law enforcement accountability and culture	Expand authority to allow for suspension, revocation, or denial of certification based upon an officer's excessive use of force or abuse of power	State administrative change by Standards Commissions	Standards Commissions	Under Consideration
42	Improve law enforcement accountability and culture	Require notification by both the officer and the agency for specific use of force incidents	State administrative change by Standards Commissions; Task Force collaboration	Standards Commissions	Under Consideration
43	Improve law enforcement accountability and culture	Increase transparency about officer discipline and decertification through a publicly available databse	NCDOJ policy and procedure change; Task Force collaboration	Legislative	Success
44	Improve law enforcement accountability and culture	Support psychological screenings for all law enforcement officers	State administrative change by Standards Commissions	Legislative	Success

Enhancing Accountability

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
45	Improve law enforcement accountability and culture	Repeat pscyhological evaluations either after a certain number of years of service or before promotion	State administrative change by Standards Commissions	Standards Commissions	Under Consideration
46	Improve law enforcement accountability and culture	Strengthen the ongoing development of a statewide law enforcement accreditation program	Administrative rule change by Standards Commissions; Task Force collaboration; Legislative change	Standards Commissions	Under Consideration
47	Mandate use of body worn/ dashboard cameras and increase transparency of footage	Mandatory body worn cameras for all law enforcement agencies	Legislative change	Legislative	Not Accomplished
48	Mandate use of body worn/ dashboard cameras and increase transparency of footage	Deploy dashboard cameras in all patrol and field vehicles, except for undercover vehicles	Local agency policy change; State agency policy change; Legislative change	Legislative	Not Accomplished
49	Mandate use of body worn/ dashboard cameras and increase transparency of footage	Provide citizen oversight boards and local government governing bodies access to law enforcement recordings	Local agency policy change; State agency policy change; Legislative change	Legislative	Not Accomplished
50	Mandate use of body worn/ dashboard cameras and increase transparency of footage	Require police recordings of critical incidents to be publicly released within 45 days	Legislative change	Legislative	Not Accomplished

Strengthening Recruitment, Training, and the Profession

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
51	Recruit and retain a racially equitable work force	Develop and disseminate best practices guide for recruitment and retention	Local agency policy change; State agency policy change; Administrative rule change by Standards Commissions; Task Force collaboration; Legislative change	Legislative	Success
52	Recruit and retain a racially equitable work force	Expand Criminal Justice Fellows program statewide	Legislative change	Legislative	Partial Success
53	Recruit and retain a racially equitable work force	Collect data on law enforcement recruitment and diversity efforts	Local agency policy change; State agency policy change; Administrative rule change by Standards Commissions; Legislative change	Standards Commissions	Under Consideration
54	Recruit and retain a racially equitable work force	Ensure the North Carolina Administrative Code provisions regarding Minimum Standards and Revocation, Denial, and Decertification are the same for both Commissions	Administrative rule change by Standards Commissions	Standards Commissions	Success
55	Recruit and retain a racially equitable work force	Require law enforcement agencies of a certain size to create a diversity task force	Local agency policy change; State agency policy change; Task Force collaboration; Legislative change	Standards Commissions/ Legislative	Under Consideration
56	Train law enforcement to promote public safety and earn community support	Revamp basic enforcement training	State policy change by the Standards Commissions and the North Carolina Justice Academy; Administrative code changes; Legislative change	North Carolina Justice Academy	Partial Success
57	Train law enforcement to promote public safety and earn community support	Recommend changes to inservice training	State policy change by North Carolina Justice Academy; Administrative rule change by Standards Commissions; Legislative change	Legislative	Partial Success

Strengthening Recruitment, Training, and the Profession

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
58	Train law enforcement to promote public safety and earn community support	Require trainings on internal law enforcement agency policies	Local agency policy change; State agency policy change	North Carolina Justice Academy	Under Consideration
59	Train law enforcement to promote public safety and earn community support	Evaluate law enforcement training programs for effectiveness and desired outcomes	State policy change by North Carolina Justice Academy; Task Force collaboration; Legislative change	North Carolina Justice Academy	Under Consideration
60	Enhance the law enforcement profession	Study the effects of officers' physical and mental health on job performance	Local agency policy change; State agency policy change; State administrative rule change by the Standards Commissions	Standards Commissions	Partial Success

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
61	Support restorative justice initiatives and victim equity	Establish and fund restorative justice programs in local communities across the state and at various points of the criminal justice system	Local policy change	Governor's Crime Commission - Funding Opportunity	Partial Success
62	Support restorative justice initiatives and victim equity	Form a victim advisory group to help develop restorative justice programs and other equity programs for crime victims	Local policy change; Task Force collaboration	Recommendation with Task Force	In Development
63	Support restorative justice initiatives and victim equity	Improve and expand access to North Carolina's Victim Compensation Fund to increase racial equity	State policy change by the Department of Public Safety	Department of Public Safety	Not Accomplished
64	Support restorative justice initiatives and victim equity	Screen incarcerated individuals for victimization and provide appropriate services	State policy change by the Department of Public Safety	Department of Public Safety	Under Consideration
65	Support restorative justice initiatives and victim equity	Recognize racial equity and the rights and perspectives of, and the potential consequences to, harmed parties, survivors, and their families during the justice system process and when any reform is proposed	State policy change; Task Force collaboration	Recommendation with Task Force	In Development
66	Stem the school to prison pipeline and rethink juvenile justice	Raise the minimum age of juvenile court jurisdiction to 12	Legislative change	Legislative	Partial Success
67	Stem the school to prison pipeline and rethink juvenile justice	Require a school administrator or school social worker to sign a school-based petition initiated by a School Resource Officer before it can be accepted for filing in juvenile court	Legislative change	Legislative	Not Accomplished
68	Stem the school to prison pipeline and rethink juvenile justice	Allow prosecutors the discretion to accept pleas in juvenile court for juveniles charged with Class A through G felonies, in line with the Raise the Age Act	Legislative change	Legislative	Partial Success

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
69	Stem the school to prison pipeline and rethink juvenile justice	Replace juvenile life without parole with life with parole sentences and parole eligibility after twenty- five years for first degree murder convictions	Legislative change	Legislative	Not Accomplished
70	Stem the school to prison pipeline and rethink juvenile justice	Establish a juvenile review board within the Governor's Clemency Office	State policy change	Executive Order	Success
71	Decriminalize marijuana possession	Deprioritize marijuana- related arrests and prosecution	State agency policy change; Local agency policy change; Prosecutorial policy change	Local Implementation Work - Model Policy	In Development
72	Decriminalize marijuana possession	Decriminalize the possession of up to 1.5 ounces of marijuana	Legislative change	Legislative	Not Accomplished
73	Decriminalize marijuana possession	Convene a task force of stakeholders to study the pros and cons and options for legalization of possession, cultivation and/ or sale of marijuana	State policy change; Legislative change	Legislative	Not Accomplished
74	Shrink the criminal code	Reclassify Class III misdemeanors that do not impact public safety or emergency management as noncriminal/civil infractions	Legislative change	Legislative	Partial success
75	Shrink the criminal code	Enact legislation with a sunset provision for all local ordinance crimes that criminalize poverty or behavior in public places	Legislative change	Legislative	Success
76	Shrink the criminal code	Eliminate citizen-initiated criminal charges	Legislative change	Legislative	Not Accomplished
77	Shrink the criminal code	Review and recommend changes to the criminal code	Legislative change	Legislative	Success
78	Shrink the criminal code	Provide for the appointment of counsel in cases where the defendant is facing a \$200 fine	Legislative change	Legislative	Not Accomplished
79	Improve pretrial release and accountability practices	Eliminate cash bail for Class I, II, and III misdemeanors unless risk to public safety	Judicial policy change; State policy change by Administrative Office of the Courts; Legislative change	Local Implementation Work - Model Policy	In Development

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
80	Improve pretrial release and accountability practices	Require first appearance within 48 hours or next day in which District Court is in session	Judicial policy change; State policy change by Administrative Office of the Courts; Legislative change	Legislative	Partial Success
81	Improve pretrial release and accountability practices	Require preventative detention hearing within five days and repeal bond doubling	Legislative change	Legislative	Not Accomplished
82	Improve pretrial release and accountability practices	Promote court appearance strategies and develop alternative responses to failure to appear	Judicial policy change; State policy change by Administrative Office of the Courts; Local policy change; Legislative change	Legislative/Local Implementation Work	In Development
83	Improve pretrial release and accountability practices	Create independent pretrial services and improve data collection	Local policy change; State policy change by Administrative Office of the Courts	Local Implementation Work	Under Consideration
84	Implement racial equity training for court system actors	Require racial equity training for court system personnel, including judges, DAs, and public defenders	State policy change by Admistrative Office of the Courts	State Agency Work	Partial Success
85	Implement racial equity training for court system actors	Require implicit bias and racial equity training for parole staff	State policy change by the Department of Public Safety	Department of Public Safety	Success
86	Implement racial equity training for court system actors	Require racial equity and victim services training for Victim Compensation Fund employees and members	State policy change by the Department of Public Safety	Department of Public Safety	In Development
87	Promote racially equitable prosecutorial practices	Educate prosecutors, their staff, and officers of justice on unconscious bias in the criminal justice process and prosecutorial decisionmaking	State policy change by the Conference of District Attorneys	Conference of District Attorneys	Under Consideration
88	Promote racially equitable prosecutorial practices	Enhance prosecutors' data collection, technology, training opportunities, and staffing	Prosecutorial policy change; Legislative change	Local Implementation Work - Model Policy	In Development

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
89	Promote racially equitable prosecutorial practices	Study and adopt evidence- based reforms for reducing and eventually eliminating racial disparities in charging decisions and prosecutorial outcomes	Prosecutorial policy change; Legislative change	Local Implementation Work - Model Policy	In Development
90	Promote racially equitable prosecutorial practices	Establish working groups led by district attorneys to review and approve every habitual felony charging decision	Prosecutorial policy change	Local Implementation Work - Model Policy	In Development
91	Facilitate fair trials	Increase representation of North Carolinians serving on juries through expanded and more frequent sourcing, data transparency, and compensation	Local policy change; Local policy change by county jury commisions; Judicial change by senior resident superior court judges; Task Force collaboration; Legislative change	Study	In Development
92	Facilitate fair trials	Broaden protection against the use of preemptory challenges in jury selection for discriminatory purposes	Administrative rule change by North Carolina Supreme Court	Rule change by North Carolina Supreme Court	Not Accomplished
93	Facilitate fair trials	Provide implicit bias training to all jury system actors	State policy change; State policy change of the Administrative Office of the courts; Local judicial district change; Local judicial district change by clerks of court; Task Force collaboration; Legislative change	Administrative Office of the Courts	Not Accomplished
94	Facilitate fair trials	Establish a state commission on the jury system, with an eye towards comprehensive reform	State policy change; Legislative change	Study	In Development

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
95	Reduce current sentencing and incarceration disparities	Increase funding for Governor's Clemency Office and Parole Commission	State policy change; State policy change by the Parole Commission; Legislative change; legislative appropriations	Legislative	Not Accomplished
96	Reduce current sentencing and incarceration disparities	Increase NCDPS flexibility on incarcerated individuals' release dates	State policy change by Department of Public Safety	Department of Public Safety	Under Consideration
97	Reduce current sentencing and incarceration disparities	Establish a Second Look Act to reduce racially disparate sentences through the review and action of those currently incarcerated	Legislative change	Legislative	Not Accomplished
98	Reduce current sentencing and incarceration disparities	Create and fund an independent Conviction Integrity Unit with representation from prosecutors and defense lawyers and to ensure Indigent Defense Services has significant funding to pay lawyers who handle post-conviction work	Legislative change	Legislative	Not Accomplished
99	Reduce current sentencing and incarceration disparities	Amend Motion for Appropriate Relief statute to allow a judge to overcome technical defects in the interest of justice or where the petition raises a significant claim of race discrimination	Legislative change	Legislative	Not Accomplished
100	Reduce current sentencing and incarceration disparities	Reinstate the Racial Justice Act for individuals sentenced to death	Legislative change	Legislative	Not Accomplished
101	Reduce use of fines and fees	Assess a defendant's ability to pay prior to levying any fines and fees	Administrative rule change by North Carolina Supreme Court	Rule change by North Carolina Supreme Court	Under Consideration
102	Reduce use of fines and fees	Reduce court fines and fees	Legislative change	Legislative	Not Accomplished
103	Reduce use of fines and fees	Eliminate state government reliance on fines and fees	Legislative change	Inclusion in Budget	Partial Success

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
104	Reduce use of fines and fees	Develop a process to eliminate criminal justice debt	State agency policy change; Local government action; NC Supreme Court rule change; Task Force collaboration; Legislative change	Local Implementation Work - Model Policy	In Development
105	Amend incarceration facilities' practices and programming and address prison discipline	Transform the use of restrictive housing	State policy change by Department of Public Safety	Department of Public Safety	Under Consideration
106	Amend incarceration facilities' practices and programming and address prison discipline	Protect pregnant people in jails and prisons	State policy change by Department of Public Safety	Legislative	Success
107	Amend incarceration facilities' practices and programming and address prison discipline	Enhance prison personnel	State policy change by Department of Public Safety; Legislative changes	Legislative	Partial Success
108	Amend incarceration facilities' practices and programming and address prison discipline	Increase funding for mental health services and programs in prisons	State policy change by Department of Public Safety	Department of Public Safety	In Development
109	Amend incarceration facilities' practices and programming and address prison discipline	Increase due process protections for people accused of disciplinary offenses	State policy change by the Department of Public Safety	Department of Public Safety	Under Consideration

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
110	Amend incarceration facilities' practices and programming and address prison discipline	Expand use of restorative justice and rehabilitation programming	State policy change by Department of Public Safety	Department of Public Safety	Partial Success
111	Study and revise future sentencing guidelines	Broaden the use of Advanced Supervised Release	Prosecutorial policy change; Legislative change	Local Implementation Work - Model Policy	In Development
112	Study and revise future sentencing guidelines	Eliminate the future use of Violent Habitual Felony Status	Legislative change	Legislative	Not Accomplished
113	Study and revise future sentencing guidelines	Eliminate future use of Habitual Felony Status for individuals under the age of 21 or convicted of non- violent drug offenses	Legislative change	Legislative	Not Accomplished
114	Study and revise future sentencing guidelines	Amend the habitual felony statute to limit the "look back" period to within 8 years of the charged offense	Legislative change	Legislative	Not Accomplished
115	Study and revise future sentencing guidelines	Analyze and report on racial disparities in sentencing laws and recommend possible changes	State policy change by the Sentencing Commission	Study	In Development
116	Study and revise future sentencing guidelines	Review all future sentences after 20 years or before	Legislative change	Legislative	Not Accomplished
117	Study and revise future sentencing guidelines	Prohibit capital punishment for people with serious mental illness and people 21 or younger at the time of the offense and prohibit the use of juvenile adjudications to be considered as aggravating factors	Legislative change	Legislative	Not Accomplished
118	Study and revise future sentencing guidelines	Establish a truth and reconciliation commission to study North Carolina's history of criminal justice and race	State policy change; Legislative change	Recommendations with Task Force	Not Accomplished

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
119	Reduce collateral consequences of criminal convictions	Expand voting rights to those on probation, parole, or post-release supervision for a felony conviction	Legislative change	Legislative	Not Accomplished
120	Reduce collateral consequences of criminal convictions	Opt out entirely of federal ban on SNAP benefits for individuals convicted of certain felony drug charges, eliminating 6-month disqualification period and other eligibility requirements	Legislative change	Legislative	Not Accomplished
121	Reduce collateral consequences of criminal convictions	Allow NCDMV hearing officers to waive license restoration fees and other service fees for failure to appear or failure to pay	Legislative change	Legislative	Under Consideration
122	Reduce collateral consequences of criminal convictions	Reform the Certificate of Relief petition process to create efficiencies for individuals with multiple convictions across multiple counties	Legislative change	Legislative	Not Accomplished
123	Reduce collateral consequences of criminal convictions	Support the Statewide Reentry Council Collaborative's recommendations	State agency policy changes; Local government policy changes; Task Force collaboration; Legislative changes	Recommendation with Task Force	Success

Criminal Justice Data Collection and Reporting

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
124	Improve data collection	Identify the places along the criminal justice system where data collection directly impacts the implementation, evaluation, and monitoring of the Task Force's recommendations and broader questions of racial equity within the criminal justice system	State agency policy changes; Local government policy changes; Task Force collaboration; Adminstrative rule change; Legislative changes	Fact finding / Research	In Development

Going Forward

Solution Number	Recommendation	Soution	Necessary Action	Implementation Effort	Status
125	Create permanent structure	Establish the Commission for Racial Equity in the Criminal Justice System as a permanent, independent commission.	State policy change; Task Force collaboration; Legislative changes	Recommendation with Task Force	Not Accomplished