

**Wake County Board of Commissioners**  
**Public Safety Committee**  
**October 7, 2019**  
**2:00 p.m.**  
**Wake County Justice Center Room 2800**

**Commissioners Present:**

Matt Calabria, Chair  
Greg Ford

**Commissioner Absent:**

Jessica Holmes, Vice-Chair

**Other Commissioners Present:**

Vickie Adamson  
Susan Evans  
Sig Hutchinson  
James West

**Wake County Staff Present:**

David Ellis, County Manager; Chris Dillon, Assistant County Manager; Denise Foreman, Assistant County Manager; Ben Canada, Assistant to the County Manager; Derwick Paige, Chief Community Vitality Officer; Johnna Rogers, Chief Operating Officer; Kelli Braunbach, General Services Director; Ryan Davidson, Business Administration Director; Paarth Mehta, Senior Budget and Management Analyst; Michelle Burgess, Budget and Management Analyst; Jennifer Gibbs, Re-entry Coordinator; Denise Hogan, Clerk to the Board; Yvonne Gilyard, Deputy Clerk to the Board; and Michelle Cerett, Executive Assistant to the Board.

**Others Present:** Judge Robert Rader; Chief District Court; Lorrin Freeman, Wake County District Attorney; Eric Johnson, Community Relations Manager, Alliance Health; Ann Oshel, Senior Vice President, Alliance Health; and Roosevelt Richards, Crisis Intervention Coordinator, Alliance Health.

**Meeting Called to Order:** Commissioner Calabria called the meeting to order at 2:00 p.m. and welcomed everyone to the meeting.

**Approval of the Minutes**

Commissioner Ford moved, seconded by Commissioner Calabria, to approve the minutes of the August 19, 2019 Public Safety Committee meeting.

## **Criminal Justice Programming in Wake County**

Commissioner Calabria shared the agenda for today's meeting.

### **Today's Agenda**

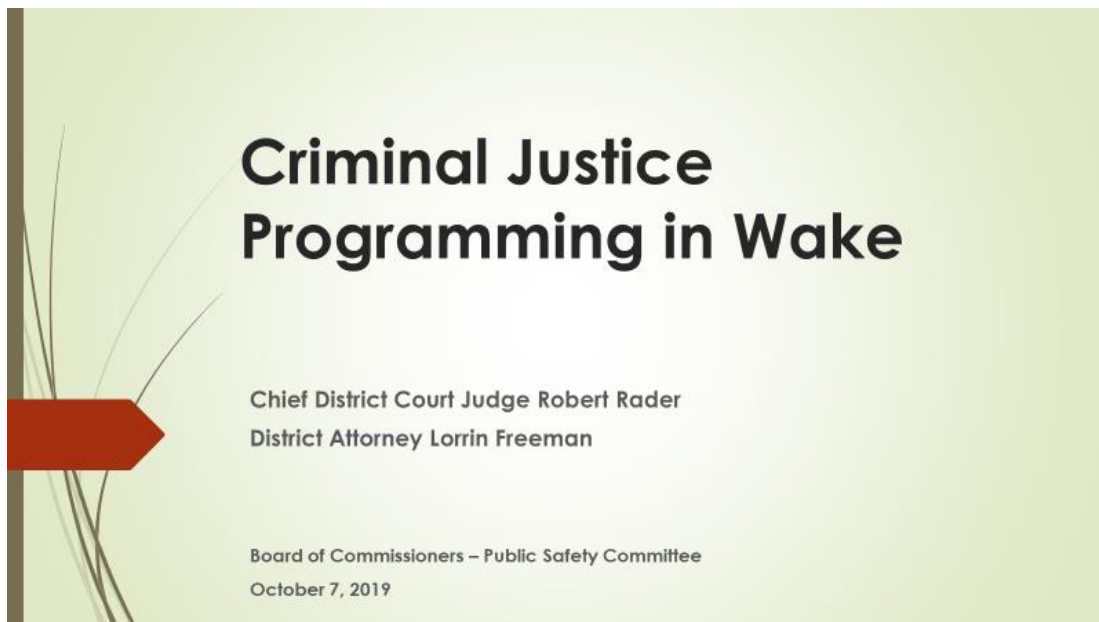
1. Approval of Minutes, Committee Meeting of 8-19-19
2. Criminal Justice Programming in Wake County

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WAKE COUNTY

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Commissioner Calabria welcomed Judge Robert Rader, Chief District Court Judge, 10<sup>th</sup> Judicial District; and Ms. Lorrin Freeman, Wake County District Attorney, and said they will be presenting information on Criminal Justice programming in Wake County.



Judge Rader shared the county's role for court facilities. He said the Supreme Court is celebrating its 200<sup>th</sup> anniversary this week. He said the District Court and Court of

Appeals were developed in the 1960's. He said all positions within the court system are state funded. He said the only county role in the courts is providing the facilities, office space, and furniture. He said the video court saves the county money and time, and greatly reduces security risks in court facilities.



**4** **County's Role for Court Facilities**

**§ 7A-302. Counties and municipalities responsible for physical facilities.**

*In each county in which a district court has been established, **courtrooms, office space** for juvenile court counselors and support staff as assigned by the Juvenile Justice Section of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety, and related judicial facilities **(including furniture)**, as defined in this Subchapter, **shall be provided by the county**, ...*

Security Screening   Video Court   Electronic Security   Fixed Assets   Audio/Visual   Building Cabling

He shared the current court operations in Wake County. He said the Magistrate courtrooms are operated 24 hours a day, 7 days a week.



**3** **Current Court Operations in Wake**

- 6 Superior Courtrooms Running Daily
  - 2 Civil & 4 Criminal
- 18 District Courtrooms Running Daily
  - 9 Civil & 9 Criminal
- 4 Magistrates Courtrooms Running Daily
  - 2 Civil & 2 Criminal

Commissioner Hutchinson asked what the criterion is for Superior Court and District Court. Judge Rader said the case is assigned based on the charges and/or the amount of the lawsuit.

Commissioner West asked how Magistrates are appointed. Judge Rader said the Clerk of Court recommends appointees to the Senior Superior Court Judge, who makes the appointment.

Judge Rader shared the various types of District Court courtrooms.



Commissioner West asked how involuntary commitments are affected by HIPAA laws. Judge Rader said the individual is assessed at a mental health facility to determine the level of care needed. Ms. Freeman said involuntary commitment hearings are confidential and sealed.

Judge Rader shared the caseload filings and dispositions for FY 2017-18.

A presentation slide titled "Caseload Filings & Dispositions FY 2017-18" with a red arrow graphic pointing to the title. The slide contains a table with three columns: "Types of Cases", "Cases Filed", and "Cases Disposed".

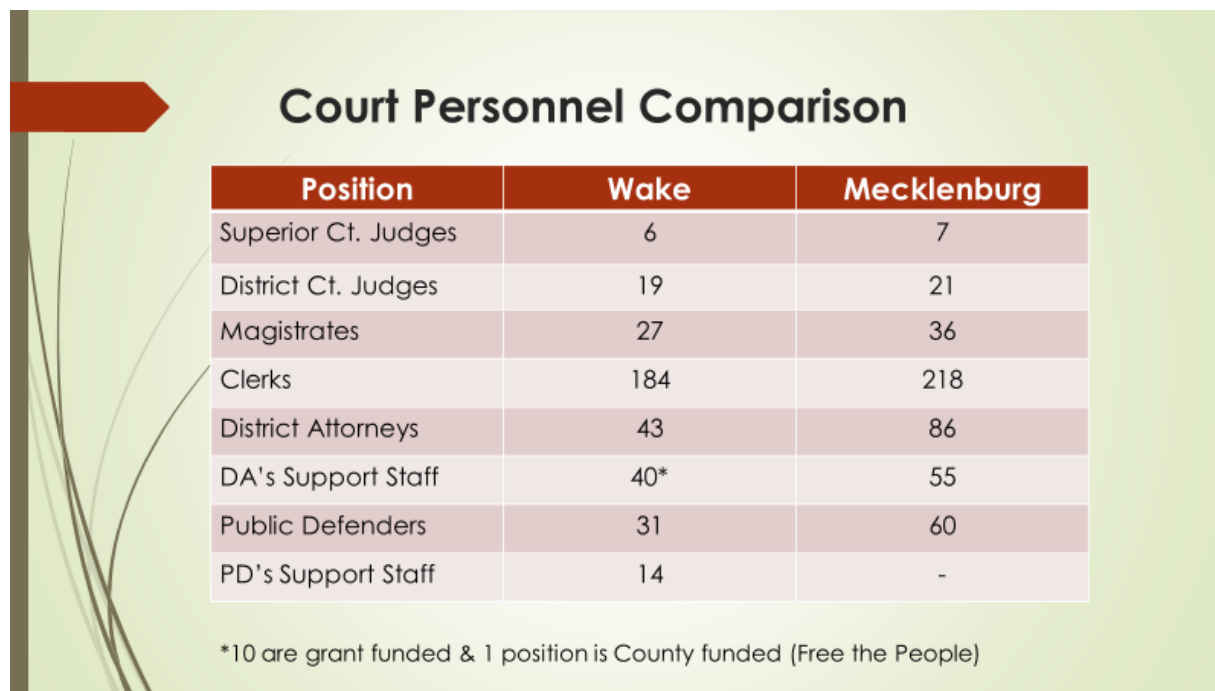
<u>Types of Cases</u>	<u>Cases Filed</u>	<u>Cases Disposed</u>
Superior Ct. Civil	2,250	1,997
District Ct. Civil	15,707	16,077
Magistrate Ct. Civil	19,250	18,993
Estates	4,504	4,103
Special Proceedings	3,212	3,250
Superior Ct. Criminal	5,454	6,381
District Ct. Criminal	125,886	138,121
<b>TOTAL</b>	<b>176,263</b>	<b>188,922</b>

He shared a staff comparison between Wake County and Mecklenburg County. He said Wake County is the most understaffed court in the state.

Commissioner Evans asked why Wake County courts are so understaffed. Judge Rader said court positions are politically created. He said while Wake County is understaffed, Mecklenburg is overstaffed. He said Mecklenburg County is the only county in the state that receives a large amount of financial support from county funds.

Ms. Freeman said Drug Court is a good example of county funding for court programs. She said Drug Court funding was eliminated five years ago by the state. She said some counties eliminated the program and others converted to county funding.

Judge Rader said Wake County Drug court is primarily grant funded. He said legislators have tried to get the drug court funding reinstated but have been unsuccessful.

The slide features a title 'Court Personnel Comparison' in bold black font, preceded by a red arrow pointing right. Below the title is a table with three columns: 'Position', 'Wake', and 'Mecklenburg'. The table lists eight positions: Superior Ct. Judges, District Ct. Judges, Magistrates, Clerks, District Attorneys, DA's Support Staff, Public Defenders, and PD's Support Staff. The 'Wake' column shows values 6, 19, 27, 184, 43, 40\*, 31, and 14 respectively. The 'Mecklenburg' column shows values 7, 21, 36, 218, 86, 55, 60, and - respectively. A footnote at the bottom states '\*10 are grant funded & 1 position is County funded (Free the People)'.

<b>Position</b>	<b>Wake</b>	<b>Mecklenburg</b>
Superior Ct. Judges	6	7
District Ct. Judges	19	21
Magistrates	27	36
Clerks	184	218
District Attorneys	43	86
DA's Support Staff	40*	55
Public Defenders	31	60
PD's Support Staff	14	-

\*10 are grant funded & 1 position is County funded (Free the People)

He shared the goals of the Court system.

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## System Goals

- ▀ **Protect the Public**
- ▀ **Accountability of violations of the law**
- ▀ **Rehabilitation and assistance**

He shared the various programs offered through the court system.

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## System Programs

- ▀ **Pretrial Release Programs**
- ▀ **Deferred Prosecution Programs**
- ▀ **Recovery Court**
- ▀ **Reentry Efforts**
- ▀ **Future Considerations**

He shared the pretrial best practices that have been implemented in Wake County. He said Wake County has the highest percentage in the state of citations versus arrests, which saves the county a considerable amount of money. He said counties are required by law to hold first appearances within 96 hours but, Wake County holds them Monday through Friday. He said Wake County is one of 40 counties in the state that offer pretrial release programs.

## Pretrial Best Practices Implemented

- Increased Use of Citations v. Arrests
- First Appearance for All Defendants (Misd. & Felonies)
- First Appearance Within 24 Hours
- Advanced Screening for Pretrial Release Eligibility
- Automated Court Date Reminder System
- Specialized Pretrial Release Program
- State of the Art Electronic Monitoring & CAM Program

Judge Rader shared information on county funded pretrial release programs. He said the average jail population is 1,200 inmates per day. He said without the pretrial release program, the daily jail population would increase by nearly 800 inmates. He said defendants are only eligible for pretrial release if their crime is not violent and they don't have a history of not showing up for court.

## Pretrial Release Programs – County Funded

	Free the People	Pretrial Release	Pretrial Monitoring	Total/ Average
<b>Operated By</b>	DA's Office	Non-Profit (ReEntry)	Non-Profit (ReEntry)	
<b>Cost to Defendant</b>	No Cost	No Cost	No Cost - Indigent Defendants \$10/day - Self-Pay Program	
<b>FY19 County Cost</b>	\$54,365	\$524,854	\$316,235	<b>\$895,454</b>
<b>FY19 Cost/Day*</b>	\$3.81	\$2.18	\$9.68	<b>\$3.11</b>
<b>FY19 Average Daily Population Reduction</b>	39	661	90	<b>789</b>

\*Historically use average cost/day in jail of \$70

He shared information on the pretrial monitoring that is done for pretrial release inmates. He said each inmate is monitored electronically and some are subjected to



continuous alcohol monitoring (CAM). He said the pretrial release conditions are determined by the person's criminal history and current charges.

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## **Pretrial Release Programs – County Funded**

### **Pretrial Release**

- Defendant released under supervision of Re-Entry.
- Must call case manager on a specific frequency.
- Given court date reminders.

### **Pretrial Monitoring**

- Defendant monitored by GPS or Continuous Alcohol Monitoring (CAM) device as ordered by Judicial Official as condition of release

He said the Free the People Program typically sees frequent offenders and those with a history of not showing up for court, etc. He said Free the People Court is held every Thursday.

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## **Pretrial Release Programs – County Funded**

### **Free the People**

- Defendant usually has low level of charges (i.e. Class 3 misdemeanors such as trespass & drunk in public) and prior convictions.
- If defendant was held until the officer's next regularly scheduled court date it would many times result in their serving more time than the maximum sentence for the offense.
- Provides an opportunity to drastically shorten the time period for which they are held and avoid the potential subsequent incarceration for Failure to Appear.
- Allows DA to engage in case management and identify other pending matters that the defendant may have in order to do a global resolution to their cases when feasible.
- All are represented by the Public Defender's Office.



Judge Rader shared ongoing pretrial reform efforts.

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## Ongoing Pretrial Reform Efforts

- **Pretrial Assessment Tool**
  - Working with key stakeholders to recommend a new assessment tool
  - Tool must be evidence-based and validated
  - More defendants may become eligible
  - Tool will provide additional info for Judicial Officials
  - Tool will not replace judicial discretion
- **Current Project Status**
  - County contracting with NC State to evaluate Assessment tools
  - Key stakeholders have selected the **Public Safety Assessment (PSA)** for further evaluation
  - Currently undergoing retro-evaluation with arrest data from May 2018 to validate PSA with local data.

Ms. Freeman shared information on the deferred prosecution programs. She said pretrial release has become increasingly popular. She said it reduces court cost and limits the impacts on the individual's life, job, and family. She said Wake County has more diversion prosecution programs than any other county in the state.

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## Deferred Prosecution Programs

- The Wake County District Attorney's Office is committed to diverting offenders, when appropriate, understanding that not every criminal charge requires a conviction.
- **Our office has more diversion programs available than any other District in North Carolina.**
- We primarily focus on first-time offenders and youthful offenders but there are diversion programs available, in limited circumstances to defendants with criminal history.
- Our philosophy is grounded in the understanding that leaving individuals stable, contributing members of our community is in the interest of public safety.

She shared the available diversion programs offered by the court system.

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## Available Diversion Programs

1. Young Adult Criminal Deferral
2. Teen Court
3. Pre-Filing Diversion
4. First Offenders Programs
5. Domestic Violence Diversion
6. Mediation
7. Worthless Checks Program
8. Drug and Alcohol Diversion
9. Mental Health Diversion

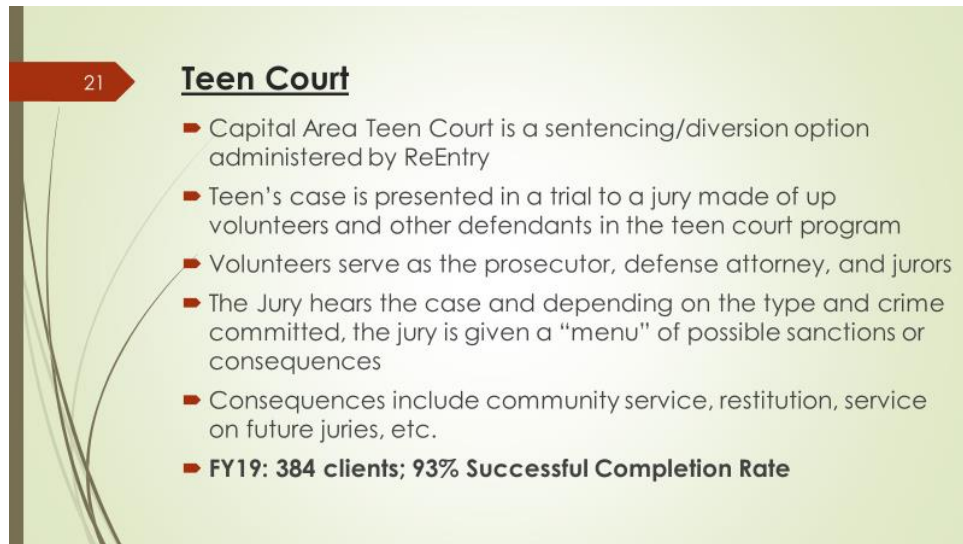
She shared details on the Young Adult Criminal Deferral Program. She said this program is restricted to first time offenders. She said Raise the Age will affect this program. She said currently, offenders age 16 and over are referred to adult court, but the Raise the Age initiative will increase it to the age of 18. She said North Carolina is one of the last of two states to implement the Raise the Age initiative.

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## Young Adult Criminal Deferral

- Defendant must be 16 or 17 at the time of the offense and must be charged with misdemeanors only.
- The defendant may have no prior convictions (other than traffic offenses).
- This diversion was created in response to the "Raise the Age" legislation that rolls out in 2020.
- From July 1, 2017 to June 30, 2018, 52 youth were eligible and chose to participate in the program. **A total of 48 (92%) participants successfully completed the program** and were diverted from the adult criminal justice system.

She shared details on the Teen Court program. She said this program keeps youth out of the court system, but still teaches them there are consequences for their actions.

A presentation slide with a light green background and a dark green sidebar on the left. The sidebar contains a red arrow pointing right with the number '21' inside. The main content area has the title 'Teen Court' in bold black text. Below the title is a bulleted list of six items, each preceded by a red square bullet. The last item is in bold.

**21**

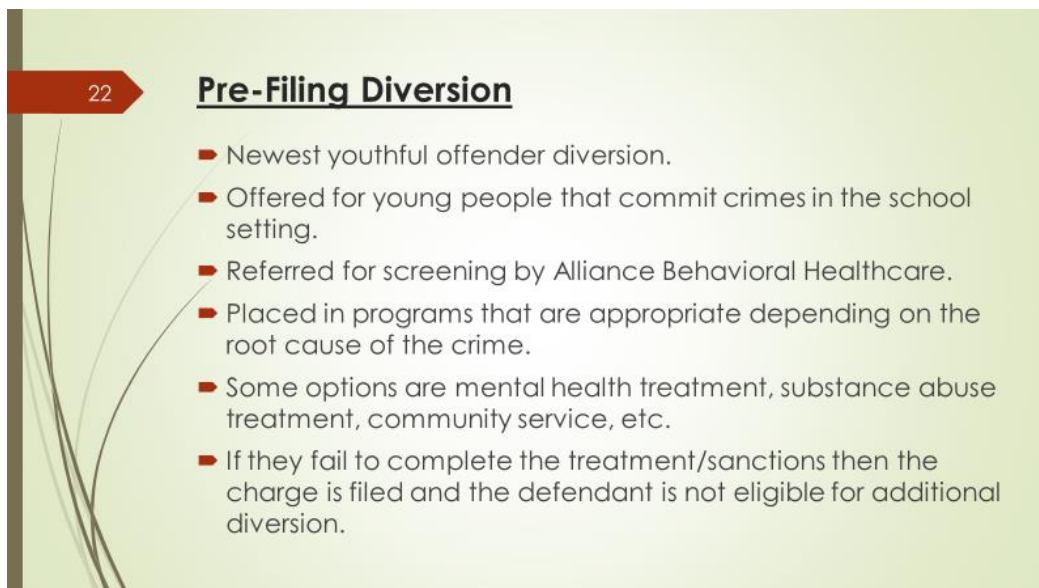
### **Teen Court**

- Capital Area Teen Court is a sentencing/diversion option administered by ReEntry
- Teen's case is presented in a trial to a jury made of up volunteers and other defendants in the teen court program
- Volunteers serve as the prosecutor, defense attorney, and jurors
- The Jury hears the case and depending on the type and crime committed, the jury is given a "menu" of possible sanctions or consequences
- Consequences include community service, restitution, service on future juries, etc.
- **FY19: 384 clients; 93% Successful Completion Rate**

She shared details on the Pre-Filing Diversion Program. She said Alliance Health is a great partner with the county for mental health services. She said school resource officers often make referrals for students to the Pre-Filing Diversion program.

Commissioner Adamson asked what consequences a student faces if the program is not completed. Ms. Freeman said the case is held for six to nine months and if the program is completed, the case is not filed. If the program is not completed, the court system pursues the criminal charges.

Commissioner Calabria asked if Pre-Filing Diversion is always used for students. Ms. Freeman said the school resource officers use various tactics based on the crime and the student's situation.

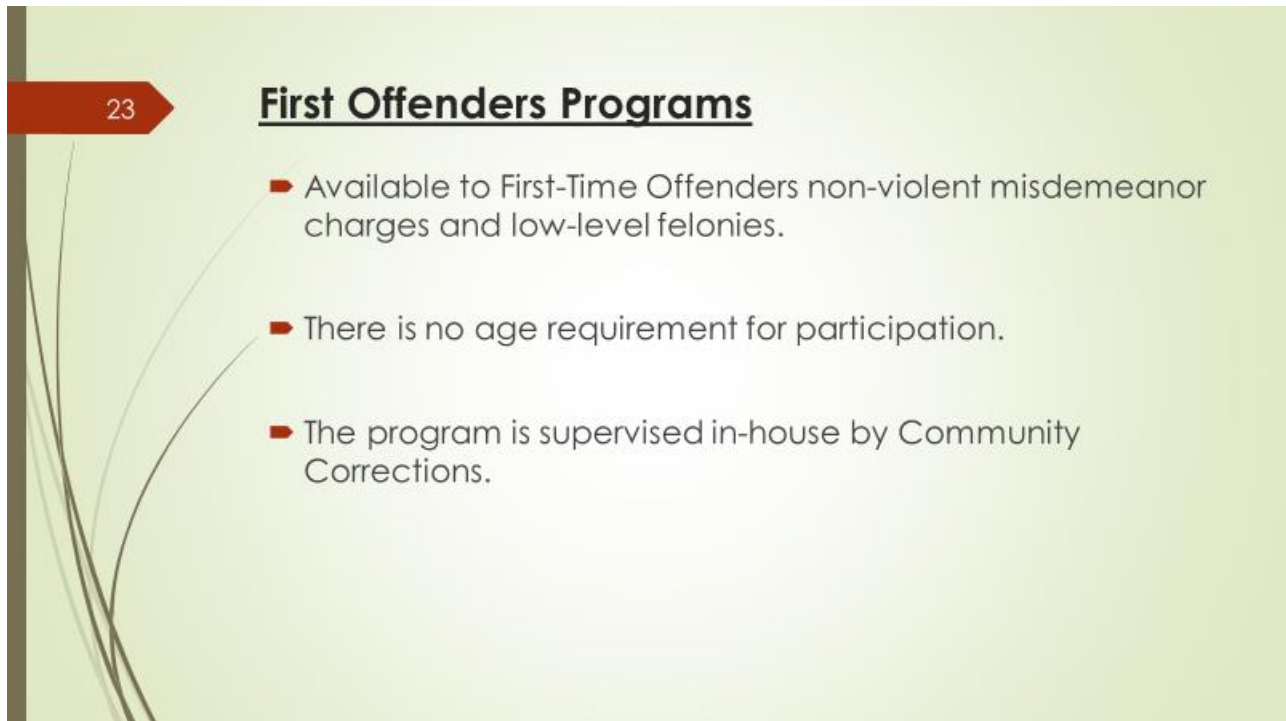
A presentation slide with a light green background and a dark green sidebar on the left. The sidebar contains a red arrow pointing right with the number '22' inside. The main content area has the title 'Pre-Filing Diversion' in bold black text. Below the title is a bulleted list of six items, each preceded by a red square bullet.

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### **Pre-Filing Diversion**

- Newest youthful offender diversion.
- Offered for young people that commit crimes in the school setting.
- Referred for screening by Alliance Behavioral Healthcare.
- Placed in programs that are appropriate depending on the root cause of the crime.
- Some options are mental health treatment, substance abuse treatment, community service, etc.
- If they fail to complete the treatment/sanctions then the charge is filed and the defendant is not eligible for additional diversion.

Ms. Freeman shared details on the First Offenders program. She said the Probation Department has operated the First Offenders Program for many years. She said it is similar to the Pre-Filing Diversion Program.

A presentation slide with a light green background and a dark green sidebar on the left. The sidebar contains a red arrow pointing right with the number '23' inside. The main content area has the title 'First Offenders Programs' in bold, underlined black text. Below the title is a bulleted list with three items, each preceded by a red square bullet point. The text is in a dark grey font.

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### **First Offenders Programs**

- Available to First-Time Offenders non-violent misdemeanor charges and low-level felonies.
- There is no age requirement for participation.
- The program is supervised in-house by Community Corrections.

She shared details on the Misdemeanor Diversion program.

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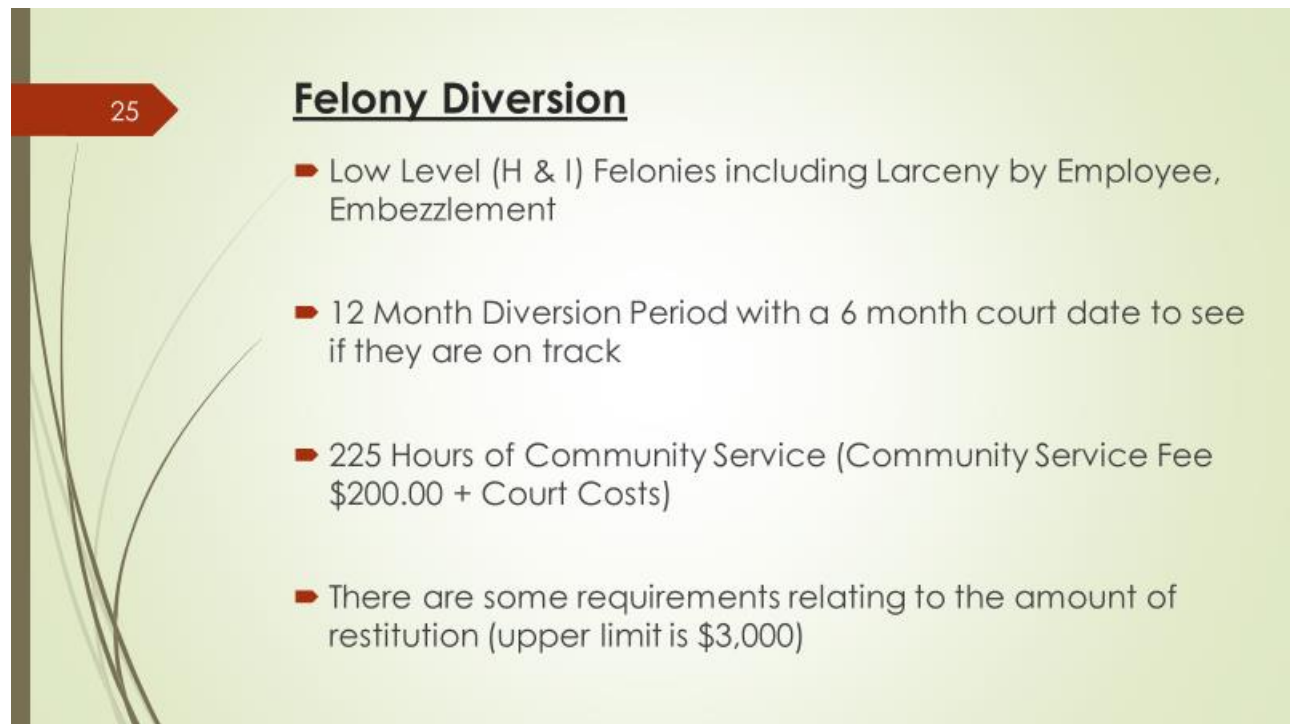
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### **Misdemeanor Diversion**

- Non-Violent, Non Domestic Violence Cases
- 75 Hours of Community Service
- Six Month Duration
- Defendant Pays Community Service Fee (\$200.00) and Court Costs



She shared details on the Felony Diversion Program.

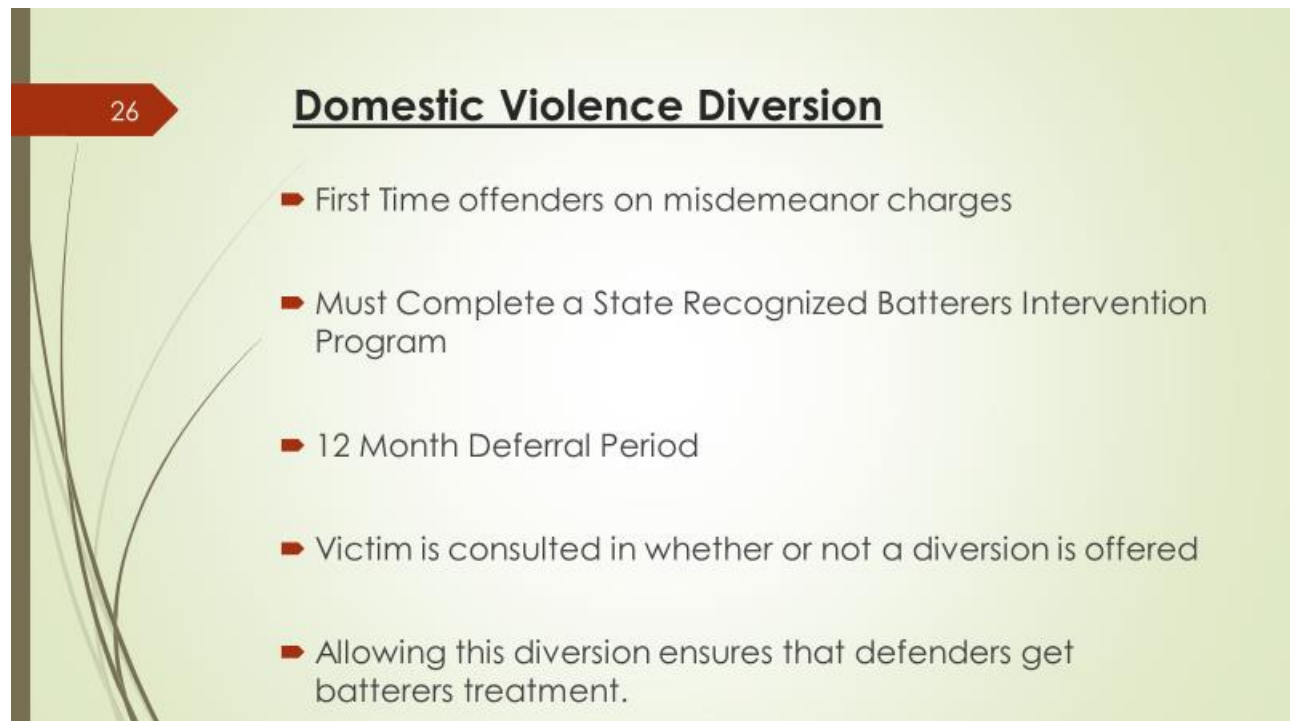
A presentation slide with a light green background and a dark green vertical bar on the left. A red arrow-shaped box on the left contains the number '25'. The title 'Felony Diversion' is underlined. A list of four bullet points is on the right, each preceded by a red arrow. A faint graphic of reeds is on the left side of the slide.

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### Felony Diversion

- Low Level (H & I) Felonies including Larceny by Employee, Embezzlement
- 12 Month Diversion Period with a 6 month court date to see if they are on track
- 225 Hours of Community Service (Community Service Fee \$200.00 + Court Costs)
- There are some requirements relating to the amount of restitution (upper limit is \$3,000)

Ms. Freeman shared details on the Domestic Violence Diversion Program. She said offenders are only allowed into this program if the victim agrees and the defendant meets the strict criterion. She said history has shown that offenders are unlikely to re-offend if they have completed this program.

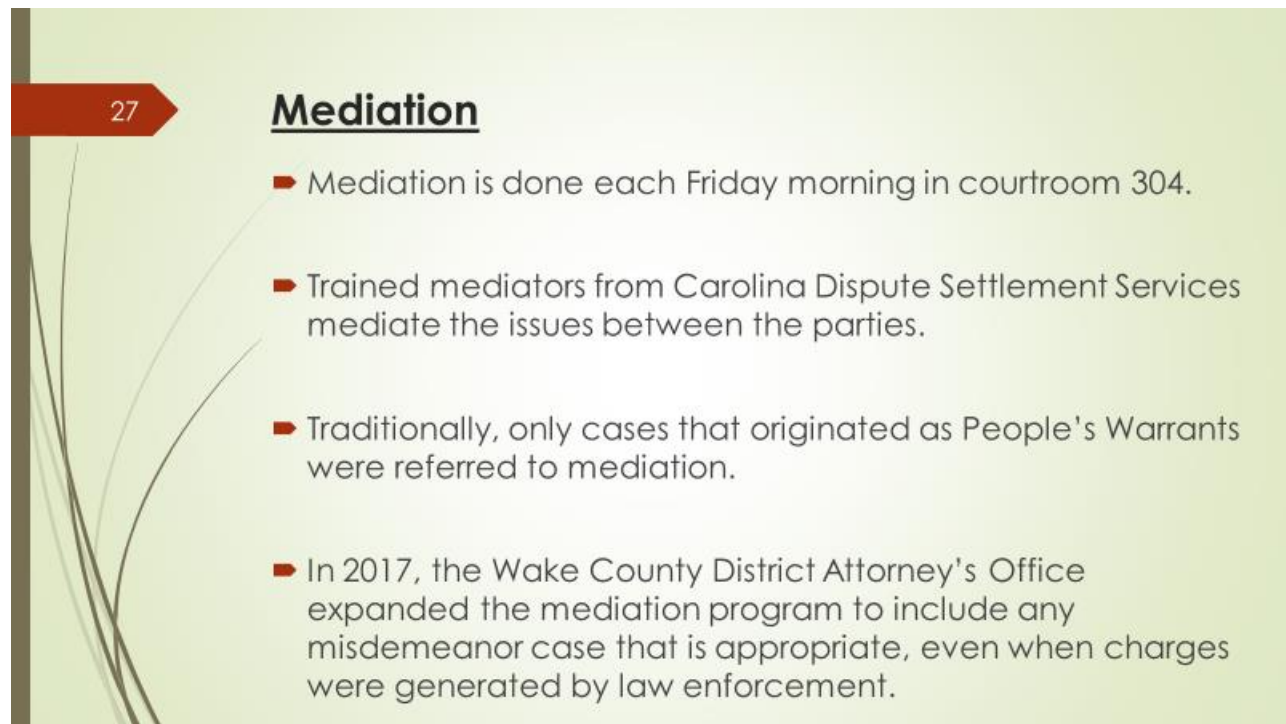
A presentation slide with a light green background and a dark green vertical bar on the left. A red arrow-shaped box on the left contains the number '26'. The title 'Domestic Violence Diversion' is underlined. A list of five bullet points is on the right, each preceded by a red arrow. A faint graphic of reeds is on the left side of the slide.

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### Domestic Violence Diversion

- First Time offenders on misdemeanor charges
- Must Complete a State Recognized Batterers Intervention Program
- 12 Month Deferral Period
- Victim is consulted in whether or not a diversion is offered
- Allowing this diversion ensures that defenders get batterers treatment.

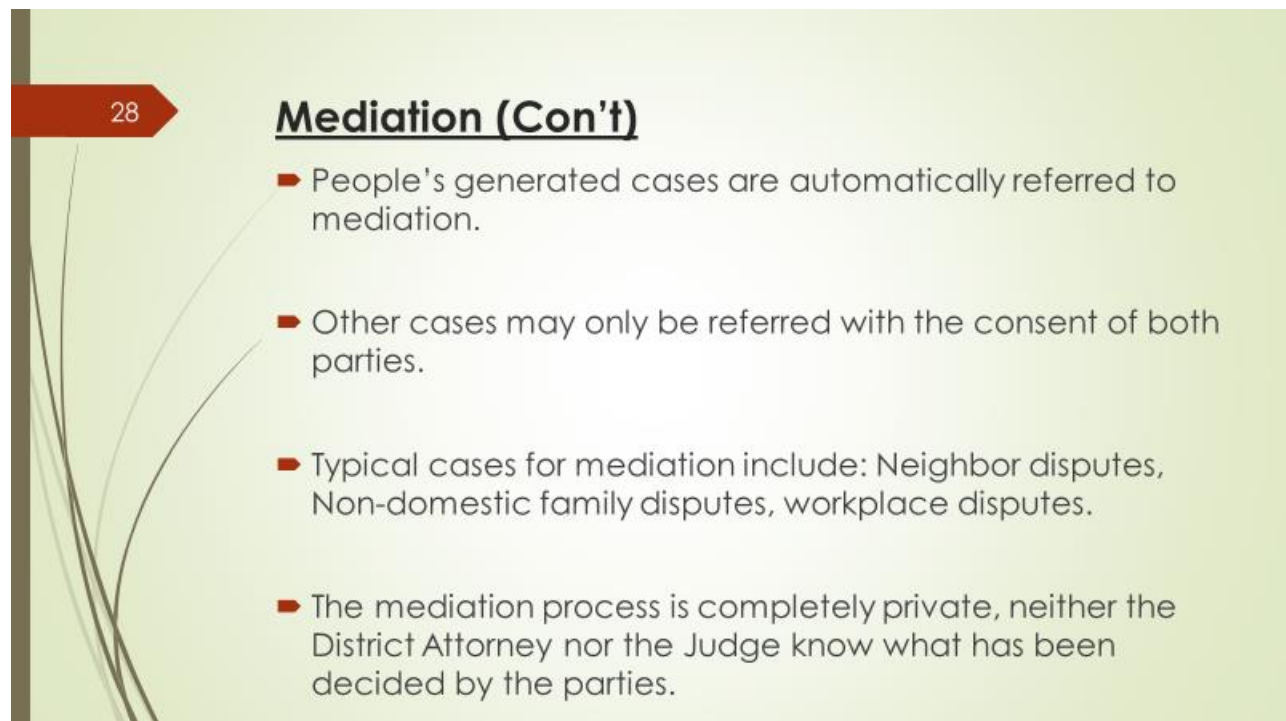
She shared details on the Mediation Program. (Two slides)

A presentation slide with a light green background and a dark green vertical bar on the left. A red arrow-shaped box on the left contains the number 27. The title 'Mediation' is in bold black text. A bulleted list with red square markers contains four items.

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## **Mediation**

- Mediation is done each Friday morning in courtroom 304.
- Trained mediators from Carolina Dispute Settlement Services mediate the issues between the parties.
- Traditionally, only cases that originated as People's Warrants were referred to mediation.
- In 2017, the Wake County District Attorney's Office expanded the mediation program to include any misdemeanor case that is appropriate, even when charges were generated by law enforcement.

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## **Mediation (Con't)**

- People's generated cases are automatically referred to mediation.
- Other cases may only be referred with the consent of both parties.
- Typical cases for mediation include: Neighbor disputes, Non-domestic family disputes, workplace disputes.
- The mediation process is completely private, neither the District Attorney nor the Judge know what has been decided by the parties.

Commissioner Adamson asked the what percentage of cases are solved through mediation. Ms. Freeman said the program has a 90 percent success rate.



Ms. Freeman shared details on the Worthless Check Program. She said the state eliminated funding for this program, but the county has continued to fund it. She said this year alone \$80,000 has been successfully collected through the program.

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### Worthless Check Program

- Our office teams with business owners, vendors, and others to help recover monies owed from worthless checks.
- Checks written for amounts less than \$1,000 are eligible for the program.
- The person that writes the bad check is given the "opportunity" to make the check good before we commence criminal prosecution.
- Also total restitution collected for participating agencies: \$79,676 (2019 YTD)

Ms. Freeman shared information on the Drug and Alcohol Diversion Program. She said this program has been in place for many years but has been expanded as needed.

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### Drug and Alcohol Diversion (90-96)

- We call these types of diversions "90-96" because that is the relevant statute that allows for this type of diversion.
- In Wake County, we rely on Southlight to provide treatment for defendants placed in this program.
- Multiple treatment plans are available.
- Defendants can be placed in out-of-county or out of State placements if necessary.

She shared how the 90-96 program works. She said the program lasts six to twelve months.

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## How 90-96 Works

- Defendants come to court and are screened by employees of Southlight.
- Depending on the Defendant's record, the type of charge, and the age of the defendant, they are signed up for a diversion program that is appropriate.
- The case is continued to allow the defendant to complete treatment.
- On their compliance date, Southlight prepares the appropriate paperwork and the cases are either dismissed, continued (to allow the defendant to complete unfinished treatment, etc) or judgment is entered.

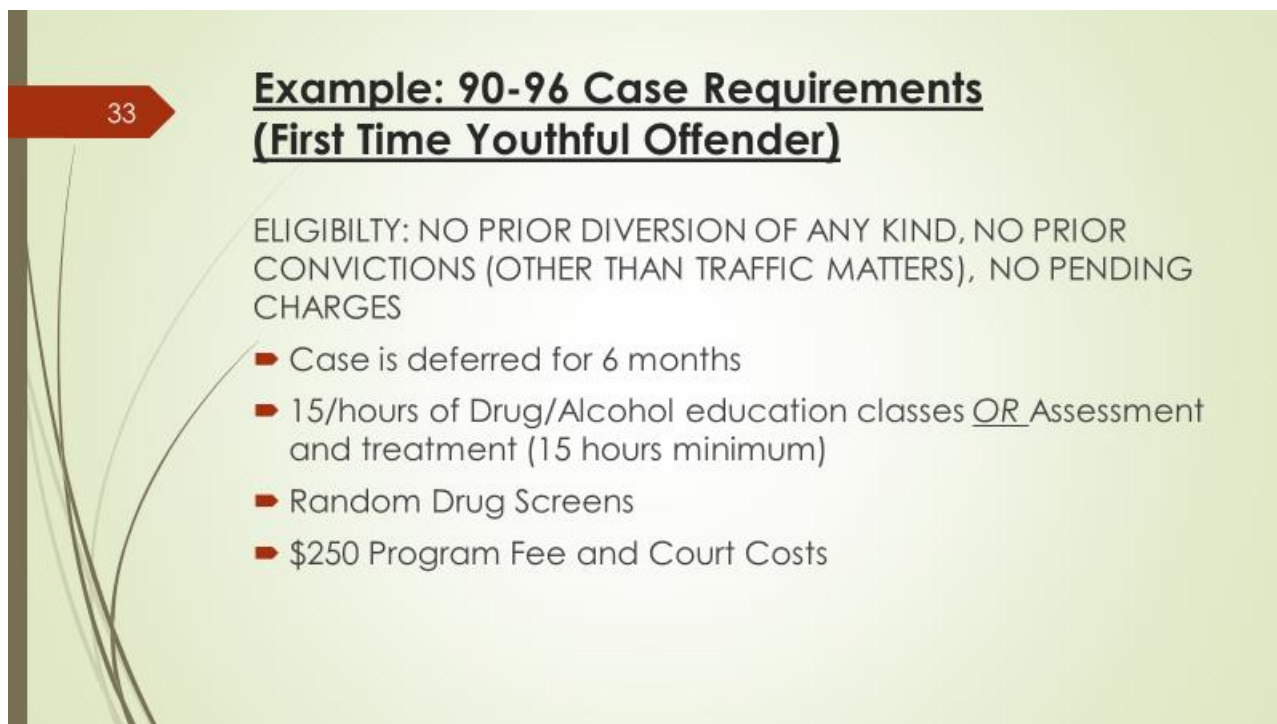
She shared the success rates of the 90-96 program.

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## 90-96 Success Rates

- Misdemeanor Drug and Alcohol Diversion
  - CY 2018 79%
  - CY 2019 (January - August) 86%
- Felony Drug Diversion
  - CY 2018 85%
  - CY 2019 (January - August) 79%

She shared an example of the case requirements for the 90-96 program.



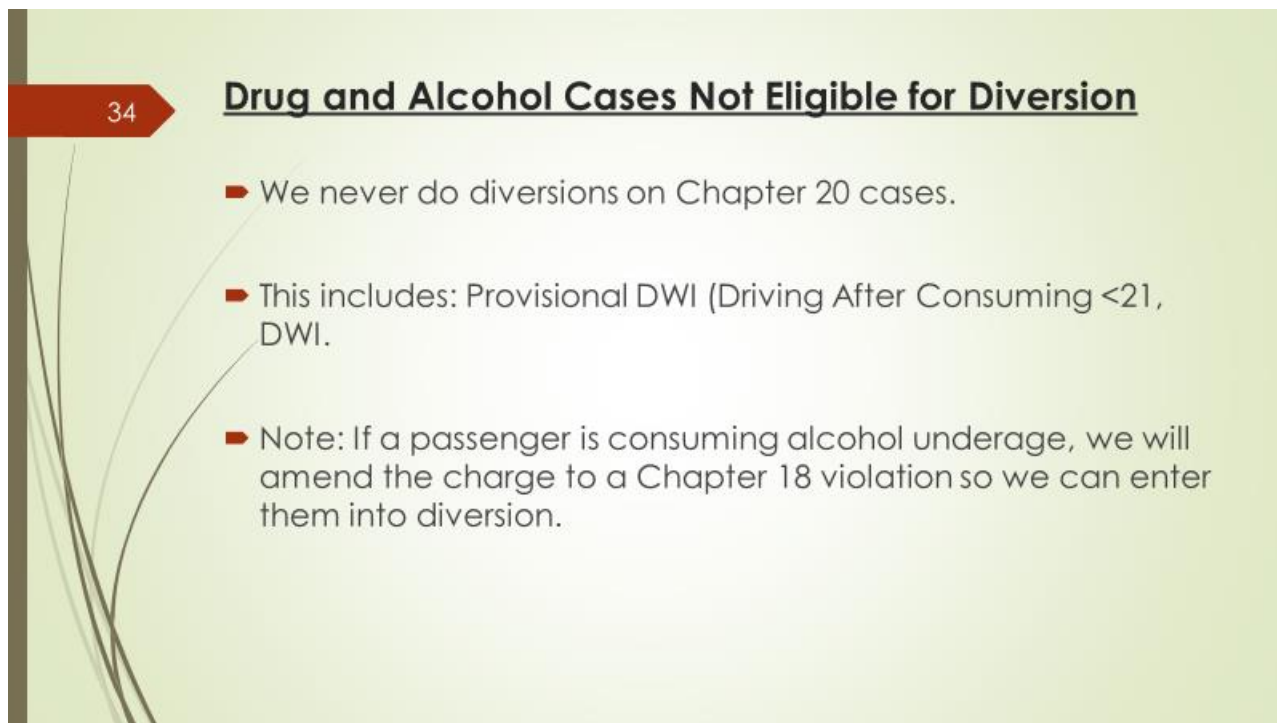
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### **Example: 90-96 Case Requirements (First Time Youthful Offender)**

ELIGIBILITY: NO PRIOR DIVERSION OF ANY KIND, NO PRIOR CONVICTIONS (OTHER THAN TRAFFIC MATTERS), NO PENDING CHARGES

- Case is deferred for 6 months
- 15/hours of Drug/Alcohol education classes OR Assessment and treatment (15 hours minimum)
- Random Drug Screens
- \$250 Program Fee and Court Costs

Ms. Freeman shared examples of cases that are not eligible for the diversion program.



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### **Drug and Alcohol Cases Not Eligible for Diversion**

- We never do diversions on Chapter 20 cases.
- This includes: Provisional DWI (Driving After Consuming <21, DWI.
- Note: If a passenger is consuming alcohol underage, we will amend the charge to a Chapter 18 violation so we can enter them into diversion.

She shared information on the Mental Health Diversion Program. She said she has spent a lot of time on this program and thanked the commissioners for their support.

She said defendants in the program are monitored closely to ensure they are compliant with the recommended treatment and medication. She said defendants do not have to be first offenders to qualify for the Mental Health Diversion Program.

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## Mental Health Diversion

- Offered to defendants with chronic mental health issues.
- Charges must (generally) arise as a result of the defendant's mental health issues.
- Diversion is often structured to incentivize treatment and mental health management.
- Defendant must agree to waive HIPAA issues and allow for regular communication with mental health providers.

	New Participants	Leaving Program	Successful Completion	% Successful
Prior to FY2018	15	8	6	75%
FY2018	18	12	7	58%
FY2019	30	28	23	82%
FY2020 YTD	6	7	5	71%
<b>Total</b>	<b>54</b>	<b>47</b>	<b>35</b>	<b>74%</b>

Commissioner West commented on the lack of family support for repeat offenders. He said the mental health system is difficult to maneuver for some. He asked if Mental Health Court closes the gap for those individuals. Ms. Freeman confirmed that it does close the gaps and said she is very supportive of Mental Health Court.

Ms. Freeman shared two stories of defendants who completed the Mental Health Diversion Program. She said supportive housing has a huge impact on Mental Health diversion. She said a software program is being developed that will compile medical, criminal, and homeless information from all agencies on individuals treated by the Mental Health Diversion Program.



## Mental Health Diversion

- **Two Defendant Stories:**

- James: His mom noticed changes in his behavior and was worried by them. She sent him to get an assessment. However, with out more collateral information, she was finding it difficult for her concerns to be taken seriously. A few months later he was charged with misd. B&E and Injury to Real Property resulting from him experiencing a mental health crisis. Now that he had pending charges and cataloged behavior in the form of a police report, he was properly assessed and diagnosed. **He entered the mental health deferral program and was able to successfully remain in treatment and earn a dismissal of the charges.**
- Danielle: An accidental fire she set as a child lead to trauma that affected her mental health. She knew she had mental health issues but was unemployed and lacked direction and access to treatment. Her disorder manifested itself as uncontrollable compulsions to steal. It was putting her children's and her life in jeopardy. Facing larceny charges she was brought to court where she was put in touch with a social worker from Alliance and received a diagnosis and treatment plan that would allow her to control her compulsions as well as help her earn a dismissal of the charges through the MHD program. **She successfully completed her deferral and she now has maintained a steady job working in the cafeteria at her child's school and she still receives treatment from Alliance.**

Ms. Freeman shared information on the Recovery Court Diversion Program.

## Recovery Court

- Post-Conviction Treatment Program for Defendants with Addiction Issues
- Defendant is placed on Probation for 12+ Months.
- Defendants attend a court session twice monthly on Friday mornings.
- Defendants are required to be in appropriate treatment, randomly drug tested, etc.
- If there are relapses, new charges (non-drug), or other issues, the defendant can be sanctioned by the Judge.
- Sanctions include jail weekends, community service, additional treatment, etc.

She shared the statistics on the recovery court for FY2019.

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### Recovery Court Data (FY2019)

- Total participants served: 116
- Graduation Rate: 39%
- Number of participants who received Medication Assisted Treatment (MAT): 18
- Number of drug-free babies born: 1
- Number of participants tested for Sexually Transmitted Infection (STI) since November 2018: 5

Ms. Freeman shared examples of re-entry efforts. She said expunction clinics are held annually to help offenders get charges expunged. She said multiple agencies are involved in this effort.

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### Expunction Clinics

- In 2016 began meeting with Community Partners to assist with Expunction of past convictions that can be a barrier to work, housing, and professional licensure.
- Community members submitted their names for consideration and the Wake County Public Defender's office assisted in determining which defendants would be eligible for expunction or certificates of relief.
- Partners from the defense bar, the Clerk of Court, Judges, and the District Attorney's Office held the clinic at the Chavis Community Center.
- Dozens of community members were able to get relief from past convictions.



She said the biggest reason for license suspension is failure to appear charges.

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## **License Restoration**

- An off-shoot of the Expunction Clinic is a license restoration program.
- In 2017 began partnering with Community Partners and the Wake County Public Defenders office to initiate a Driver License Restoration Program.
- We have had several clinics where we work together to resolve old outstanding tickets, fees and fines, to get people driving (legally) again.
- We have helped dozens of members of our community get their licenses again.

She shared future considerations for the committee. She said that she appreciates the support of the county. She said court staff has a fantastic relationship with county staff.

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## **Future Considerations**

- Public safety concerns
- Court resource needs as established by workload formulas
- Community resources availability

Commissioner Ford asked what needs to be done to keep the court system flowing steadily. Ms. Freeman said additional positions would be helpful, but they have not requested them.

Commissioner Ford commented on the court system facilities master plan. He asked if space is an issue for the courts. Ms. Freeman said space is not an issue, but there is a shortage of staff to operate some programs. She said the Justice Center building was designed to accommodate 50 years of growth.

Commissioner Ford said that Mecklenburg County spends \$12 million more annually on court related staffing than Wake County does.

Commissioner Calabria said the State Bar Association has commented on the court staffing costs in Mecklenburg County.

Ms. Freeman said increasing the number of wrap around services, case managers, and assessment staff would be very helpful. Judge Rader agreed with Ms. Freeman on the needs and said more supportive housing is also needed.

Commissioner Adamson said some counties hold weekend court and asked if it has been considered for Wake County. Judge Rader said night court was done as a pilot for one year and it was decided it was not beneficial.

Commissioner Adamson asked how Medicaid transformation will affect services that Alliance Health currently provides.

Ms. Jennifer Gibbs, Re-entry Coordinator, said there are many unanswered questions, but Alliance is preparing as best they can.

Commissioner Evans said that Wake County is a leader to other counties in the Diversion Program efforts. She agreed with Commissioner Ford that she would like to receive a list of increased staffing needs from the court system.

David Ellis, County Manager, said it would be beneficial to share that information with the Wake Delegation.

Ms. Johnna Rogers, Chief Operating Officer, commented on staffing in Mecklenburg County versus Wake County.

Commissioner Hutchinson asked about cash bonds and if they are still used in Wake County. Ms. Freeman said cash bonds are still used, but diversion courts are used to decrease the need for them.

Commissioner Calabria shared information on the pretrial release programs and asked if Ms. Freeman and her staff are comfortable with the inmates that are being released.

Ms. Freeman said there is a strict criterion for the pretrial release programs, and she is comfortable with it.

Commissioner Hutchinson thanked Ms. Freeman and Judge Rader for their presentation and said it was very beneficial. He shared information on the Wake Directors Group, which was formed in 2015. He said it is very beneficial to have all players at the table to discuss arising issues.

Ms. Freeman asked the commissioners to provide feedback on the court system if they receive it from the community.

Commissioner Adamson shared information on an upcoming conference and said diversion programs will be discussed. She asked if there are requests from the court system for new or expanded diversion courts.

Ms. Freeman said it would be helpful to have a program to assist with the defendants cost of diversion court. She said cost is often a barrier to defendants being able to enter a diversion program.

Commissioner Calabria asked for feedback on the Family Justice Center model and said it is considered a national best practice model.

Ms. Freeman said the model has some promises, but she needs more information to make an accurate assessment. She said the programs at Interact are a huge resource for the community. She asked the commissioners to continue to support the sexual assault programs and the Safe Child Program.

Commissioner Calabria asked about the use of body cameras and asked for feedback from the court perspective.

Judge Rader said he has heard many cases involving the use of dash cams but hasn't had many involving body cams. He said the administrative part of body camera use is an issue more than the cost of the cameras.

Ms. Freeman said the court system struggles with the use of body cameras. She said trying cases with body camera video are very time consuming and they slow down the process tremendously.

Commissioner Calabria shared information he has received on gun violence in Wake County. He asked for feedback on gun violence in Wake County.

Ms. Freeman said Wake County has a low gun violence rate compared to other counties. She said she would need more feedback from law enforcement before she could provide actual statistics.

Commissioner Hutchinson asked for recommendations to improve the Detention Center and the work of the Sheriff's department.

Ms. Freeman said adding a drug & alcohol program within the facility would provide a smoother transition back to society. She said increased case management services would also be helpful.

Commissioner Adamson said there's a need for childcare while defendants are in court. Judge Rader said it has been an issue for years, but there is no easy solution. He said the county used to provide space at no cost for a childcare program, but liability and staffing became an issue. He said the childcare program was very costly and the State Bar decided it was not cost efficient.

Commissioner Ford asked about the revenue portion of the criminal justice budget and asked for clarification of the revenue sources. Ms. Freeman said lab fees and facility fees are included in that budget item, but she is unsure what other revenues are in that account.

Commissioner Ford said he has reviewed the criminal justice system budget and they have a net revenue of \$2.3 billion annually. He asked for a detailed list of all direct and indirect court related programs and services. He said it would be very helpful to have a comprehensive list along with the budget information. He said revenue generated by court related programs should be reinvested in those programs.

There being no further business, Commissioner Calabria adjourned the meeting at 4:15 p.m.

Respectfully submitted,

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Michelle L. Cerett, Executive Assistant  
Wake County Board of Commissioners