



Durham County Criminal Justice Advisory Committee

May 27, 2014

Committee Members Present: Lao Rubert, Kristen Rosselli, Dawn Baxton (sitting in for Lawrence Campbell), Adam Clayton, Ann Oshel, Jackie Brown, Brenda Howerton, Judge Marcia Morey

Committee Members Absent: Sharon Elliott-Bynum, Judge Nancy Gordon, Judge Jim Hardin, Gayle Harris, Celeste Kelly, DeWarren Langley, A. R. Marsh, Marcia Owen, Antonia Pedroza, Doug Scott, Gilda Womble, Lee Worsley

Guests: Dawn Manus, Candace Rashada, Stephanie L. Williams, Beth Caldwell, Daryl Atkinson

Staff: Celia Jefferson, Roshanna Parker, Peter Baker, Kelly Andrews, Gudrun Parmer

Welcome and Introductions

Lao Rubert, committee vice chair, open the meeting with a welcome asking everyone to introduce themselves.

Durham County Misdemeanor Diversion Program

Kelly Andrews, Program Coordinator, presented on the Durham County Misdemeanor Diversion Program. The purpose of the 90 day diversion program seeks to avoid a first arrest for many low-risk youth in Durham County, keeping youth out of the adult criminal system. The criteria for the program are first-time offenders who committed a misdemeanor offense with the exception of traffic offenses, sex offenses, and fire arms charges. What could have ended as an arrest is ending as a diversion to programs like the PROUD or Teen Court & Restitution program. She commented that all the youth, that were referred, have also been short or long term suspended. During the short term suspensions, they utilize the Rebound Alternatives for Youth Program; during the long term suspensions they utilize Lakeview. Parents are provided information about children advocacy from Legal Aide, assistance when needed, and educational information. Referrals are beginning to arrive from community-based officers. The committee has been invited to a retreat by the Police Department in August to answer questions they have. Kelly was commended for a job well done.

Report from CJAC Subcommittees

Raise the Age: It was noted that on May 21, House Bill 725 “Raise the Age” of juvenile jurisdiction passed. This was a huge victory. It was also noted that the Senate included a last minute amendment that would require 16 and 17 year olds who are gang members and charged with gang-related offenses will still be processed in the adult system. The implementation date is 2019.

Veterans Court: Judge Gordon sent her apologies for not being able to attend the meeting. The next subcommittee meeting is May 28. It was reported that the subcommittee is very active, engaged, and moving along. They attended a meeting at the Governor’s Crime Commission regarding possible funding. The first year of funding is \$75,000.

Ann Oshel reported that Alliance helped sponsor a kick off for the Silent Siren Program in Cumberland County. The foundation that sponsors this program assists veterans and their families who often utilize a 911 crisis response because of PTSD. In addition to family support programs, it creates a registry for First Responders that if there is a 911 call to that address they respond without lights and sirens which is often a trigger for combat related PTSD.

Pipeline to Employment: The subcommittee had a half day retreat in April, and a good facilitator that helped cover a lot of materials. At the last meeting the committee looked at the priorities that had been discussed at the retreat and came up with the following: develop better ways to connect to the business community; better coordination of services; changing public perception about hiring offenders; and create a description of services/expertise list. All committee members were asked to be on the list, either as an individual that brings special expertise to the committee or as an agency. (See distributed list) Gudrun suggested looking at models across the country and begin thinking ahead. The subcommittee will also identify where the gaps are, and work on finding someone from the business community to join CJAC. Lao commented that the Employment subcommittee had accomplished a lot of work and asked about the capacity at Durham Tech and Workforce Development. Candace Rashada, Durham Technical Community College, reported a capacity of about 600. DTCC provides short term training programs, the only criterion is that they have to be Durham/Orange County Residents. DTCC does not ask questions about a criminal record and will not turn anyone away because of a record, because this might inhibit them from finding employment. Judge Morey asked the following questions: “how do we take the fear out of employers who want to hire and be reassured that they are not the only one taking this risk of hiring offenders?” “How do we break that barrier, how do we bring the employers to the table and ask about their concerns?” It was suggested to find an employer who is representing the business community to join CJAC. Jackie Brown shared information from a study DERC conducted two summers ago. They found that 84% of the people responding to a questionnaire said they would hire somebody with a criminal background, but 48% stated that they would not hire a person without a driver’s license. DERC is exploring how to remove the barrier of not having a driver’s license.

Strategic Planning Discussion

Darryl Atkinson stated that during discussions at the employment subcommittee the idea was raised that the larger CJAC group would see themselves as a quasi-Reentry Council. He stated currently there are local Reentry Councils in five jurisdictions around the state that have dual purposes: one is creating a seamless continuum of care with all stakeholders who come in contact with this population, the other equally important purpose is advocacy. Daryl and Commissioner Howerton spoke with Commissioner Guice who stated he felt it was urgent to form councils statewide and indicated he would be willing to extend whatever political capital he had to get that done. Daryl stated that if and when the state is ready to expand these local Reentry Councils to other areas, he thought CJAC could serve that function since Durham is already developing a continuum of care.

Commissioner Howerton informed the committee that the Chamber of Commerce is working on a report that reviews the overall employment situation in Durham, looking at jobs and necessary skill sets our citizens will need to have for incoming companies. This report will be ready sometime during the budget process.

Judge Morey mentioned one more thing she felt that the committee needed to focus on is redefining the question “what is a criminal record”. She felt the education of employers regarding the relevance of certain charges was important. Darryl commented that employers are naturally not up to date on the latest criminology research; for example extensive studies have found that depending on the nature of offense and how old the

person was that committed the offense, that person is no more likely to commit another criminal offense than the general population. He stated we needed to educate employers about this and have to be honest that it is not only about criminal records, that race issues are coupled with this and we need to have that honest discussion to break through some of those barriers. Jackie stated that what she has observed that people that are not connected to services have challenges. It was suggested that a list could be created with individuals who have certain skills who could be connected to employers that are looking for someone with those skills. The group also discussed providing information to employers regarding possible relief from collateral consequences and that the Certificate of Release can be used as evidence of due care.

Lao stated the committee could take on the role of the Reentry Council, maybe create a subcommittee to look at the State list to see what duties and responsibilities we would have. Judge Morey stated she was excited that the Criminal Justice Advisory Committee was looking at a lot of different issues and levels.

In order to further the discussion, Darryl Atkinson suggested that CJAC look at planning a day long strategic planning session to develop an agenda for the group over the next few years. One of the major areas of concern is how the committee can better connect around substance abuse and mental health issues in the Durham community.

Committee Member Updates – Peter Baker – SA/MH/System of Care

Peter Baker introduced Dawn Manus who discussed Steps Forward Durham, a community-wide biannual strategic planning event around System of Care for Durham County that is open to the public at large and usually meets in the fall of each year. A handout of Steps Forward Durham/Criminal Justice workgroup was distributed. This workgroup is focused on the services and support of those involved in the criminal justice system. Dawn commented that they wanted to collaborate with other groups so that they could get a strong foundation, and to focus on the community. Identified challenges were in areas that would allow for a natural partnership with CJAC. Some of the challenges are 16 & 17 year olds that are being charged as adults and how that impacts our system and the community. Also the recidivism of adults and emerging adults with mental health issues and the constant cycle of being charged, going to jail, taking up time and space in the jail, and treatment. She commented that there are many good opportunities to partner with CJAC.

Ann Oshel commented that despite all the good work that has happened in the past years, the criminal justice system is still a very fragmented system. Up to this point, through collaboratives, progress has been made in pockets. Things are happening at the jail, BECOMING is impacting younger offenders, but nothing has united the parts of the system in a vigorous, sustainable, impactful way. She noted that Durham received BJA grants around this work but there hasn't been much other than an ad hoc program that could be sustained after federal funding ended. The Police Department's outreach program is the only one that kept moving along. She commented that if we could single out one variable to do something about, that would be the number of people that go in and out of the jail who have either housing instability or are homeless. There was no housing money to help somebody who needed to get on their feet once they left jail.

At closing, it was suggested that CJAC needed to come up with a purpose, how it could move forward over the next five years, and what areas it should focus on. CJAC should also look at what it can accomplish as a group. At the next meeting on July 29th, Judge Morey suggested that the committee should focus on the formation of the Reentry Council and buy-in with the substance abuse/mental health issues of System of Care. Ann distributed a copy of the BECOMING Project Report for 2012-2013. Judge Morey invited everyone to come and watch the diversion court process the first Friday of every month.

Meeting adjourned at 5:30pm.