



BUNCOMBE COUNTY
**JUSTICE RESOURCE
ADVISORY COUNCIL**
*Leveraging best practices to increase system efficiency,
promote public safety, and community wellness*

Welcome

June 2020



BUNCOMBE COUNTY

Agenda

- I. Welcome and Introductions
- II. Consent Agenda
 - a. Approval of June Agenda
 - b. Approval of February minutes
 - c. Women in Jail Research Study
- III. Old Business
 - a. JRAC Membership
 - b. COVID-19 Strategies and Sustainability
 - Pretrial Services: Electronic Monitoring Capacity
 - Strategies Beyond Stay Home Stay Safe
 - c. Safety and Justice Challenge Update
 - Community Engagement Workgroup Update:
Justice Town Hall & Court Appearance Compliance
 - Racial Equity Workgroup Update
 - Grant Renewal
- IV. Public Comment
- V. Announcements and Departmental Updates



Pretrial Services: Electronic Monitoring Capacity

Justice Resource Advisory Council Update
June 2020



BUNCOMBE COUNTY





Background

- In an effort to safely reduce the jail population during the COVID-19 pandemic, a request was received to evaluate safely expanding electronic monitoring (EM) capacity within Pretrial Services.
 - When compared with other levels of supervision, EM requires a demanding level of attention, resources and time due to the technology and continuous monitoring of equipment that may be required to ensure public safety.
- At the end of March 2020, the pretrial caseload consisted of 1,042 supervisees. Of these 1,042 supervisees:
 - 15 were on electronic monitoring
 - 13 were referred to pretrial services awaiting a device
- In an effort to understand the demand versus capacity, Pretrial Supervisor, Taylor Brickley and his team determined that there would need to be a 16-person decrease to the total caseload to safely add 1 EM case (End of March 2020).



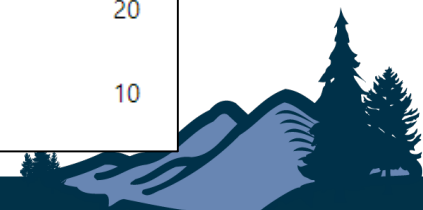
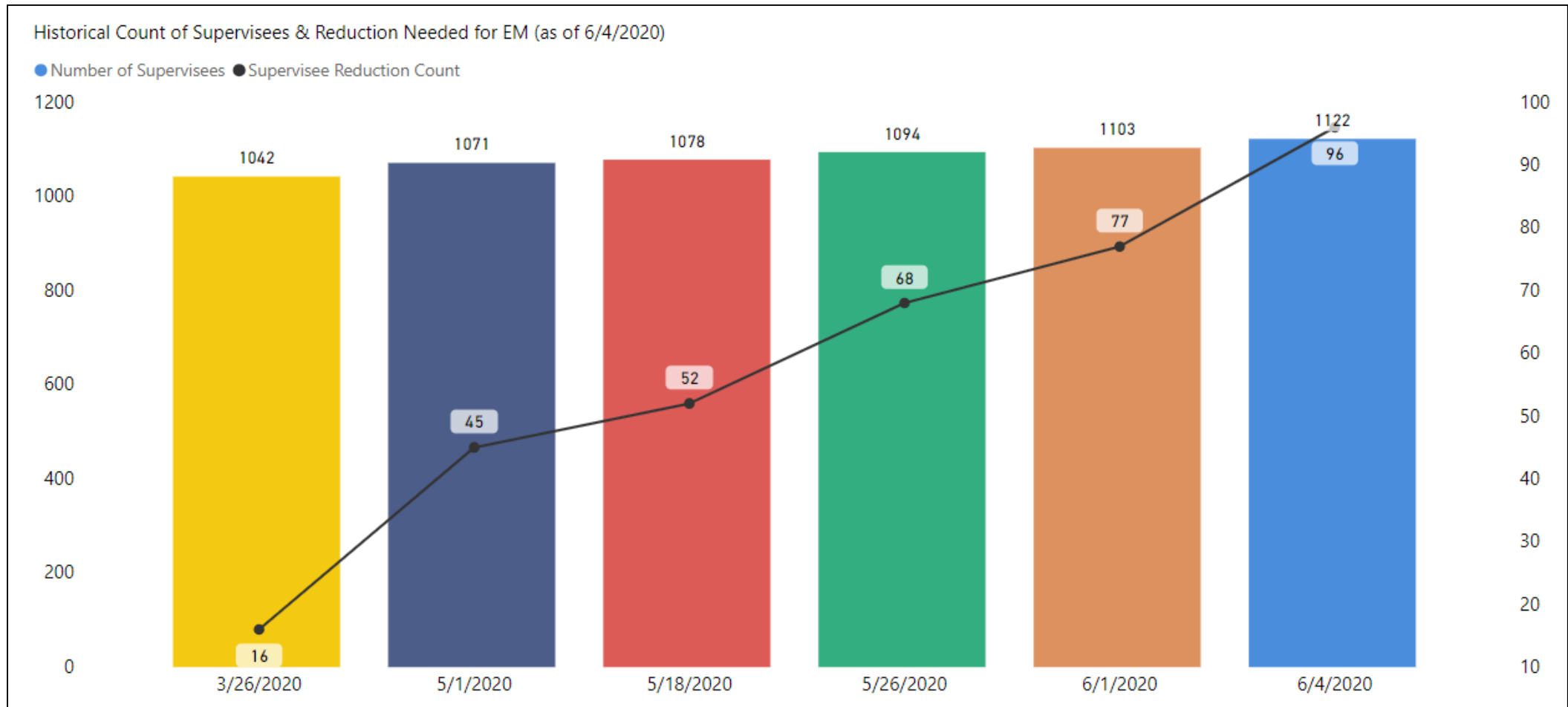


Current State

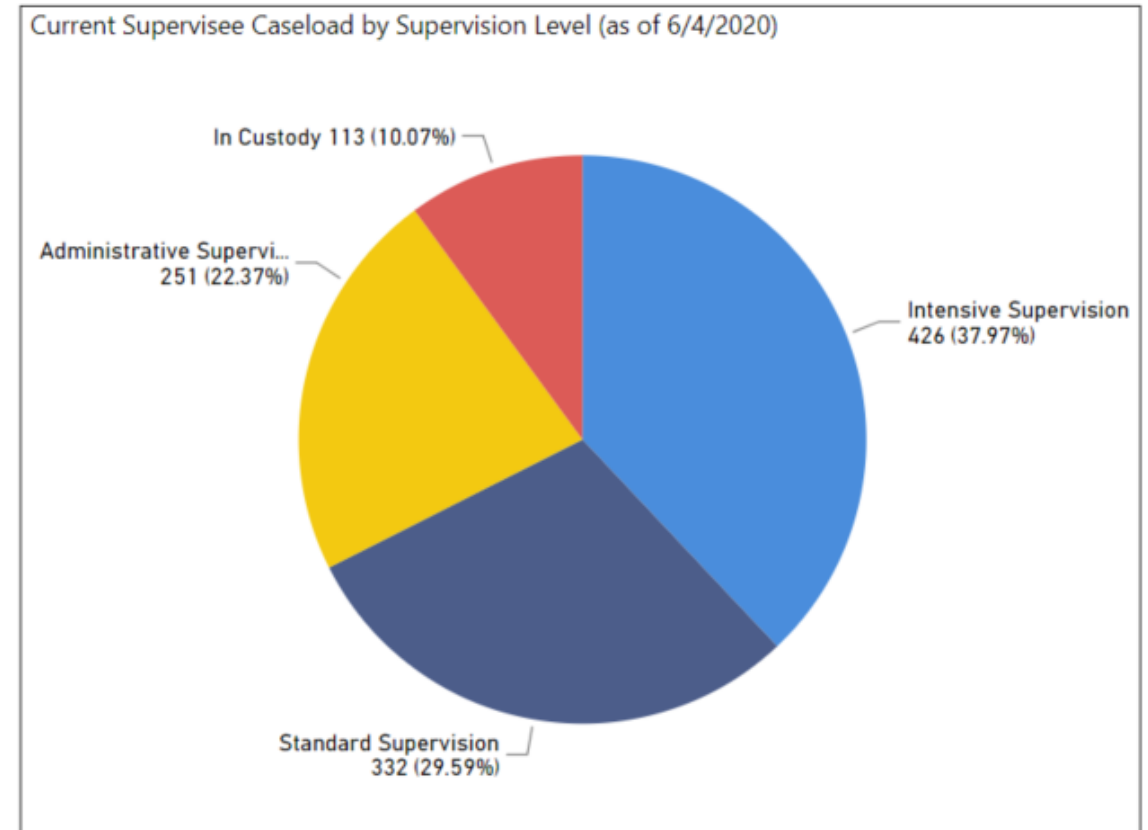
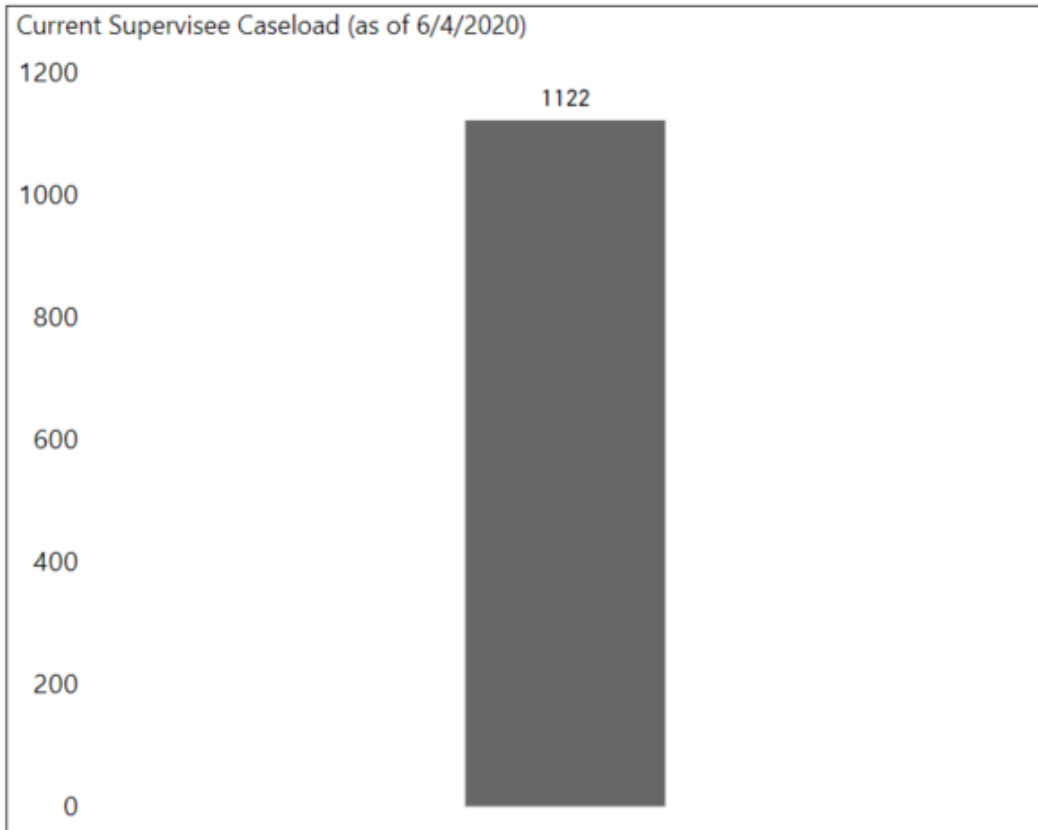
- In order to work on reducing this caseload to expand EM capacity, a collaborative approach was formed with representatives from various offices to determine if/what supervisions cases are eligible to be removed from supervision.
- As a result, several cases have been closed, however, not at a pace that has been able to keep up with the steady rate of referrals of new cases to pretrial supervision.



Historical Supervisees Count Since 3/26/2020



Current Supervisee Caseload As of 6/4/2020



Current State (continued)

- As of 6/4, the caseload has increased by 8 percent to 1122 supervisees (when compared to initial caseload total), thus expanding the number of people needed to decrease the pretrial caseload by.
- Given this increase, there would now need to be a 96-person reduction to make capacity per 1 EM case. After this 96-person reduction, there could subsequently be a 16-person reduction for any additional EM case added.





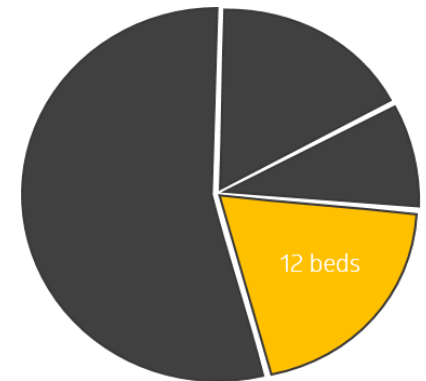
Recommendations & Next Steps

- This collaboration, and other innovative solutions are needed to safely expand capacity, as well as effectively sustain any gains being made right now.
- Within the context & timeline of The Safety + Justice Challenge, this would be an ideal time to repurpose the risk assessment workgroup to meet with scheduled frequency and direct efforts at strategy 3: “Enhancing Pretrial Services”.



Recommendations & Next Steps

- The Enhancing Pretrial Services strategy aims to:
 - Reduce the number of people entering our detention facility and the length of time people who are awaiting trial spend in the detention facility
 - Examine pretrial supervision assignment practices
 - Evaluate and improving current risk assessment and interview practices
 - Modify technical violation policy and supervision practices
 - for an estimated jail bed reduction of 12 beds per day
- Infrastructure to support this collaboration & multidisciplinary approach can now also be supported by the newly-hired Program Manager, Niconda Garcia.



Questions?



Strategies Beyond Stay Home – Stay Safe

Justice Resource Advisory Council Update
June 2020



Background

- Due to the COVID-19 pandemic, many measures were put into effect by many agencies across Buncombe County to ensure public health and safety in this community.
- Many of the efforts by put in place by these agencies went into effect on or within the week of March 16, 2020.





Initiatives Implemented by Local Criminal Justice Stakeholders

Arrest	Increase cite & release
	Suspend arrests for traffic and misdemeanor warrants
	Suspend arrests for some felonies
	Suspend arrests for certain warrants
	Resolve situations in the field to reduce arrests in general

Case Processing	Delay or stop filing on non-violent charges (low level)
	Suspend grand juries (they meet in accordance with CDC guidelines) and jury trials
	Limit or postpone certain hearings and trials
	Suspend or continue specialty courts remotely or by video
	Convert or suspend warrants
	Waive, suspend, or relax collection of fines and fees
	Public defender at first appearance

Detention	Free virtual visits
	Ensuring CDC guidelines (14-day quarantine upon booking)
	Access to personal hygiene
	Contingency plan for dorm-style cells

Pretrial Release	Release non-violent defendants on PR bonds and/or pretrial supervision
	Implement new policies to release more people at initial appearance (based on charge, risk, or medical conditions)
	Release defendants from supervision/change to virtual supervision



Initiatives Implemented by Local Criminal Justice Stakeholders

Probation & Parole	Adjust use of alternative sanctions for technical violations
	Decrease reporting requirements or change to virtual supervision
	Continue programs and treatment virtually

Release of Sentenced Population	Suspend weekend sentences
	Individualized review of cases for early release of sentenced inmates

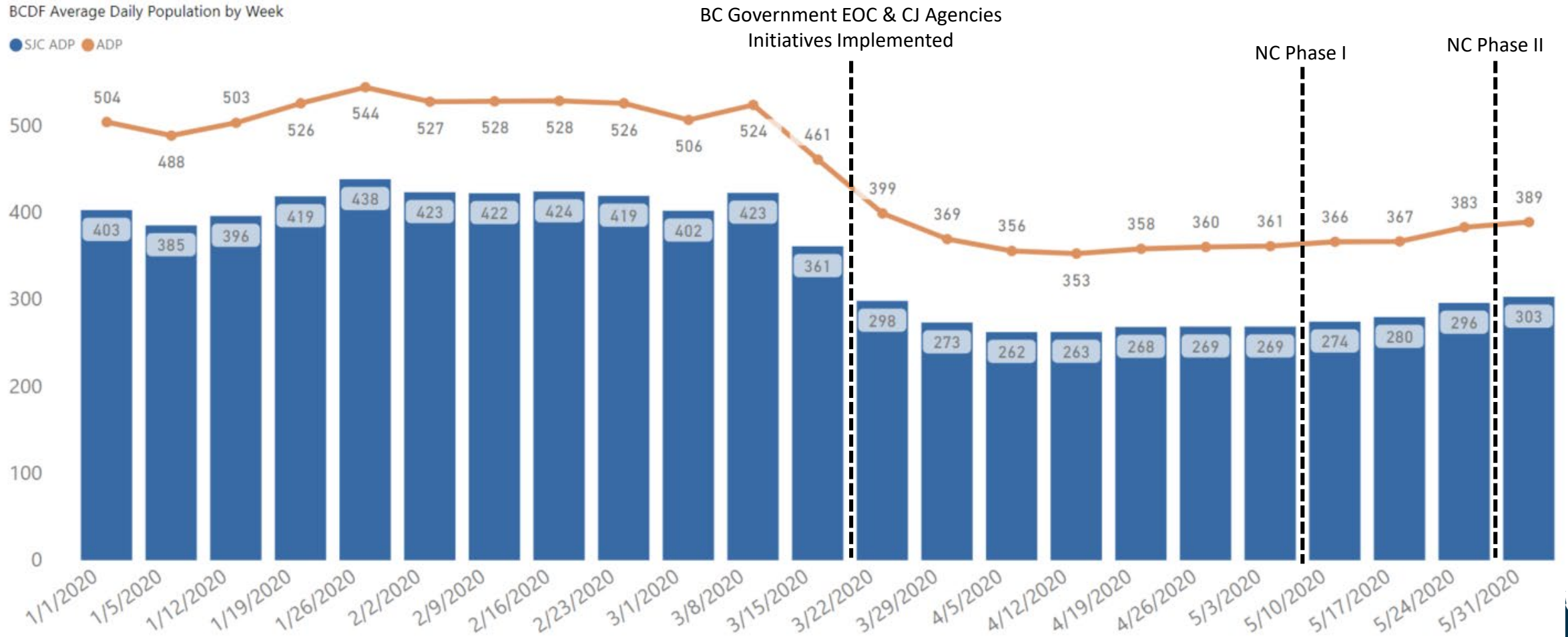
Reentry/Community	Implemented discharge protocol for PUI or people who tested positive for COVID-19
	Provide temporary self-isolation housing for PUI or those who tested positive for COVID-19
	Linkage with wraparound support services, including housing, food, medication, transportation, other service referrals



BCDF Average Daily Population

BCDF Average Daily Population by Week

● SJC ADP ● ADP



Transitory Period

- Operations across the state are beginning to expand, and the Stay Home – Stay Safe may soon be lifted.
- What is needed to sustain these efforts?
 - What, if any, barriers exist to sustaining gain made within the last couple months (personnel, procedure, policy, etc.)?



Questions?



Community Engagement Workgroup Update

Prepared for the Justice Resource Advisory Council
06.05.2020

Virtual Town Hall

“Let’s Talk Justice in the Time of COVID-19”

Participants During Event

434

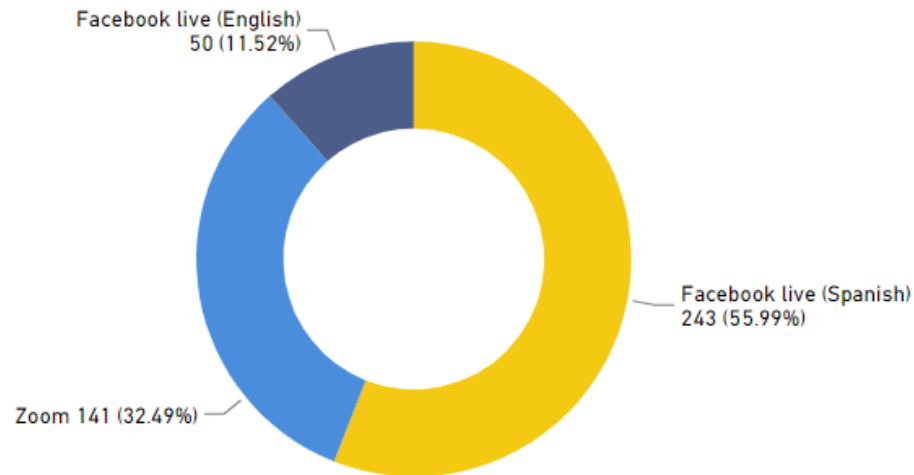
Engagement Count

Total Views After Event (includes during event views)

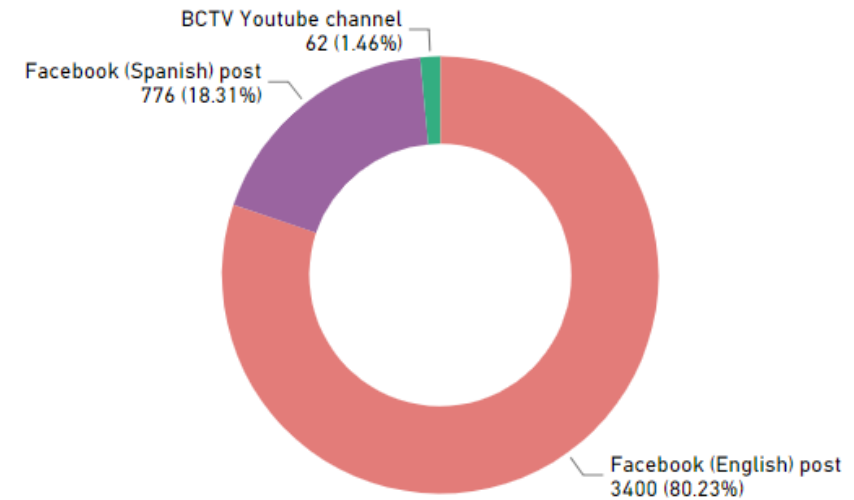
4238

Engagement Count

During Event Participation



After Event Views (updated 10:00 AM 6/5/2020)



Questions from SJC Let's Talk Justice Town Hall

- “What are the racial demographics of those who have been released and received unsecure bonds? How have the changes made over the last 3 months impacted the racial demographics of the incarcerated population?”
- “What will court be like when most court cases resume next week?”
- “Realizing that the cases that were pending are on hold and new cases have come up, as crime hasn't stopped. What's the plan on dealing with cases and how will you prioritize things?”
- “What is the plan for handling backlogged cases once the courts fully reopen?”
- “What happens with my court date? How do I know whether I will have court, or when my new court date will be?”

Buncombe County Court Appearances During COVID-19

effective 06/01/2020

Do I Need to Come to Court?



The Buncombe County courthouse begins expanding operations June 1. This information highlights who needs to come to court & what happens if you do not appear.

- If you are charged with Domestic Violence, DWIs and Class A1 Misdemeanors* you must come to court.
- If you are charged with a felony pending in Superior Court you must come to court unless your attorney instructs otherwise.
- If you're charged with any other crime, contact your lawyer for information about your court date.
- If you received a June or July administrative court date for a traffic matter or misdemeanor, your case has been rescheduled. Go to BuncombeDA.org to look up your new court date.

Failing to appear in court when required can result in an order for arrest and financial penalty.

What to Expect in the Courthouse



These measures are being taken to ensure your safety during your visit to the courthouse.

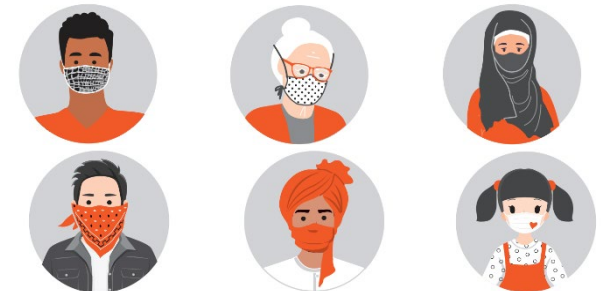
- Guidelines set by the CDC are being followed to ensure your safety in the courthouse and social distancing will be enforced.
- Upon arrival in the courthouse, your temperature will be taken.
- Per Buncombe County Ordinance, face coverings are required in public spaces. If you do not have one, one will be provided to you upon arrival.
- Plan to arrive at the Buncombe County Courthouse, 60 Court Plaza in Asheville, 30 minutes before your scheduled court session.
- **If you are experiencing symptoms, or have health-related concerns that may impact your appearance in court... [who to contact?]**

Resources & More Information

- [*For a complete list of Class A1 Misdemeanor charges, click here to be directed to nccourts.gov/class-A1-misd-list](http://nccourts.gov/class-A1-misd-list)
- [To watch Buncombe County's press release with more information about courthouse operations, click here to be directed to YouTube.com/BCTV](https://www.youtube.com/BCTV)
- [To find your court date, click here to be directed to nccourts.gov/court-dates](http://nccourts.gov/court-dates)
- [If you would like to receive reminders about your court date, click here to be directed to nccourts.gov/notifications](http://nccourts.gov/notifications)
- [For more information about face coverings/masks, click here to be directed to cdc.gov/about-face-coverings](https://www.cdc.gov/about-face-coverings)

If you miss your court date, contact your lawyer immediately. If you do not have a lawyer, contact the District Attorney's Office at (828) 259-3410

example of different face coverings



Racial Equity Workgroup Sub- Committees

- Mini-Grants
- RE Training and Education
- Racial Equity Statement
- Data Analysis

RE Workgroup

What have we learned?

- Disproportionate number of Black people enter the jail
- Disproportionality remains across at multiple decision points post-booking
 - Non-financial v financial release conditions
 - Assignment to pretrial supervision
 - Case dismissal
- When looking at the population by crime type, the greatest disproportionality is found amongst people charged with violent felonies followed by drug offenses.

Grant Renewal

- Sustaining Jail Population Reductions
 - Jurisdictions will be asked to identify the strategies they will implement—both new and ongoing to sustain the reduction of the jail population
- Progress with respect to Community Engagement and Racial Equity
 - What work has been accomplished
 - How will you build on it
 - Detail plan on how you will sustain it
- Each strategy should be accompanied by an explanation of the impacts the strategy has had on our jurisdictions jail population to date, how will we sustain the strategy (include quantitative and qualitative data)

Thank you!
Questions?