



# **StreetSafe Task Force Report Draft Initial Recommendations**

**Thursday, September 16, 2010**

# Preamble

About 28,000 inmates are released each year in North Carolina. Since parole has been largely eliminated, most of them receive no post-release supervision. Studies show that 36 percent of ex-offenders in North Carolina are sent back to prison for committing new crimes within three (3) years of their release and more than half of the almost 30,000 prisoners who entered North Carolina prisons in 2008 had previous involvement with the criminal justice system. North Carolina's correction, probation, and parole system seeks to return inmates, probationers, and parolees to communities in a manner that keeps communities safe and encourages the success of the inmates, probationers, and parolees in the community. State and local agencies and community organizations seek to make North Carolina communities safer by reducing recidivism rates. However, there currently there is no formalized structure in North Carolina that enables these agencies and organizations to cooperate in finding solutions.

Despite the efforts of many dedicated people in corrections, mental health, substance abuse, and the private sector, we found that the present system is not fully efficient and not optimally organized or sufficiently funded to address growing demands of those being released from incarceration. Without more focused and effective support from the Executive and Legislative branches of our state government, this problem will likely worsen.

At the request of Attorney General Roy Cooper, on May 1, 2009, Governor Beverly Eaves Purdue signed Executive Order 12, "Governor's Streetsafe Task Force to Stop Repeat Offenders". Executive Order 12 charges the StreetSafe Task Force to:

"Create a plan that sets policy goals that will serve as a roadmap for state policy makers, agencies, and community groups to coordinate pre-release and post-release activities regarding recidivism and the reentry of ex-offenders and probationers into communities. The plan shall include efforts that emphasize job training and education, stable housing, availability of substance abuse treatment and recovery supports, and family reunification."

The StreetSafe Task Force has identified seven nonexclusive categories that would directly impact how North Carolina can work to resolve the problems identified by this Task Force. This report contains those recommendations.

## **Index of Initial Recommendations**

- Create a cohesive continuum of opportunities, from intake through at least one year after release.....4
- Increasing educational opportunities available to inmates and probationers that focus on the skills necessary to be successful in the current job market.....8
- Increasing safe, securing housing options for former offenders.....11
- Providing incentives for living within legal boundaries.....12
- Leaving prison – and staying out -- with a clean slate.....13
- Making government more efficient and coordinated.....14
- Educating the public.....16

This submission concludes the initial work of the task force that was formed by Executive Order Number 12. The Task Force believes these recommendations represent the initial steps necessary to improve public safety by giving offenders the best opportunity for a successful transition back to our communities.

These recommendations span a range of issues and obstacles. It is our hope that the State of North Carolina will embrace these recommendations and dedicate the necessary resources to improve public safety through intentional, focused commitment to reducing recidivism.



# Discussion of Recommendations

## Create a cohesive continuum of opportunities, from intake through at least one year after release.

**Background** - North Carolina is fortunate to have a number of government agencies and non-profit community organizations already providing opportunities for offenders who are working their way back into society. These groups use a variety of techniques and strategies to create better citizens and more secure communities. Despite their tremendous efforts, coverage is often inconsistent and uncoordinated. No single entity exists that has a comprehensive view of resources and needs within the community. Similarly, no single entity is actively charged with ensuring a continuum of opportunities at all points in the reentry process. Rather than address the needs of offenders through a coordinated synergistic approach, our current system of patchwork services inevitably leads to inefficiencies and unaddressed risk factors.

**Task Force Recommendation** – Create a cohesive continuum of opportunities, from intake through at least one year after release.

**Justification**– Research indicates that certain risk factors – particularly deficits in health (including mental health and substance abuse), employment, housing, transportation, education, and interpersonal skills – are highly predictive of recidivism. Mitigating those risk factors by providing services reduces the odds that an offender will commit a new crime, enhances public safety, and saves money by reducing the strain on our law enforcement, judicial, and correctional institutions.

**Suggested Actions** – The task force recommends the following actions:

1. **Expand case planning to include a periodic reassessment of inmates and base programming on needs identified through assessments.**

Inmates' unmet needs should be identified at several stages, based on what research identifies as key drivers of recidivism. The Department of Correction's (DOC) policies and training should reflect that assessment is on-going; initial intake assessments of physical and mental health, substance abuse issues, cognitive and social skills, family history, and many other risk factors should be viewed as working documents to be reviewed and updated periodically. Several rounds of needs-assessment updates should be scheduled during the re-entry cycle, from intake to mid-term, pre-release to post-release. Each review period should be an opportunity for DOC officials to not only evaluate previous interventions but also identify

ongoing needs and prepare detailed and individualized case plans incorporating services and programming from DOC, other government agencies, and community service providers. Such comprehensive and periodically-updated case plans should form the basis for determining which specific risk factors will be targeted for mitigation through programming and service provision. Returning offenders with parole or post-release supervision should have their case plan updated to reflect the terms of their release and any other judicial requirements. All offenders should have post-release case plans developed both as a personal guide for the offender to know which needs must be addressed, but also as a guide for appropriate service providers and community and family members.

Implementation plan:

- a. DOC should continue to implement a more dynamic and robust case planning process for each inmate and probationer. The case plan should be updated every 12 months or each time an inmate or probationer experiences a significant event. These case plans should serve as behavioral contracts between DOC and the inmate or probationer, such that each plan should establish priorities, create incentives for completion of programs, and address institutional misbehavior or noncompliance during community supervision. DOC should create a working group with inmates, ex-offenders, Division of Community Corrections (DCC) and institution managers to develop a meaningful set of incentives and punishments to promote behavior that will lead to successful lifestyles in the community.
- b. DOC should update its policies and procedures to provide for reassessment of inmates prior to release.
- c. DOC should update its policies and procedures to require case managers to prepare discharge summary for general inmate population approximately 30 days prior to release. Summary should be a document that is included in the transition document envelope.

**2. Strengthen and support non-profit groups focused on the reentry population**

Implementation plan:

- a. A training program should be developed for non-profit community groups that have established, or plan to establish, programs focused on current and/or former offenders. The training program should include topics such as how to establish and build a non-profit; tracking participants; fundraising; and advocacy.

- b. The training program should be coordinated by a staff member. Department of Justice has receiving funding from the Governor’s Crime Commission for this position and the position has been posted. Hereafter in this document, this position will be referred to as the “StreetSafe Coordinator.”
- c. The program should be delivered regionally in order to get participation from the higher number of organizations possible.

**3. Non-profit community groups, service providers, and local government should be organized into local reentry councils.**

In order to create a more effective bridge between prisons and the community, and to better prepare and organize communities for the return of these former offenders, local reentry councils should be established. These reentry councils should be composed of representatives from local government, law enforcement, and prison officials, as well as volunteers, community service providers, victims and ex-offenders. Reentry Councils would be well-positioned to survey and catalog local resources available to ex-offenders, as well as the particular needs of the community; develop long-term plans for filling service gaps and raising funds; ensure the delivery of wrap-around services; coordinate the flow of information among government agencies, service providers, and other interested parties to enhance efficiency; develop and share best-practices; and provide a framework for meaningful community participation in all aspects of prisoner reentry issues, particularly by fostering community reach-in and programming for current prisoners.

Implementation plan:

- a. The StreetSafe Coordinator should work with DOC to identify funding to pilot a local reentry council.
- b. The Office of Transition Services should continue its efforts to update, manage, and maintain a single Resource Directory for the state, organized by county and major resources area. The underlying information on local resources should be sourced through Reentry Councils. The Resource Directory can act as a resource for returning offenders, as well as practitioners and policy makers.

#### **4. Encourage contact between community and offenders prior to release.**

Promote contact between community service providers and non-profit organizations with inmates prior to release. For inmates with sentences that last less than a year, contact should be established as soon as possible. Because prison programming is generally only available for inmates serving longer sentences, many times inmates with shorter terms do not participate in beneficial programming. Community service partners could provide this crucial service.

##### Implementation steps:

- a. A new, full-time “Transition Services Coordinator” position should be established for all security levels.
- b. Community service providers should target in-prison services for inmates with short-term sentences.
- c. Access to prisons should be eased for those community service providers with established relationships with DOC in order to provide better transition into the community. A policy should be established to distinguish between visitors and service providers. DOC should develop a mechanism to allow service providers to be trained/screened through the Division Office and allowed access to facilities based on a regional approach.

#### **5. Increase contact between offenders and their families when individual assessments determine this that this contact would be beneficial.**

Family members can provide powerful support to offenders upon release, better ensuring successful reintegration of offenders into communities. In order to ensure the continued availability of family supports upon release, resources should be directed toward establishing, re-establishing, and strengthening relationships between offenders and their families during incarceration. It is especially important that, in circumstances where appropriate, regular contact between offenders and their children be facilitated.

##### Implementation steps:

- a. Utilizing existing resources, a community response to families who are experiencing the incarceration of a loved one should be developed. Particular attention should be paid to children who have witnessed the arrest of a parent or witnessed violence.



- b. To the extent possible, DOC should move inmates to a unit close to their families during the last year of incarceration. This period can be used to coordinate release planning, create agreements about expectations, and provide opportunities for work release and home leaves while maintaining a structured environment.
- c. For those who do not have family support, DOC case managers should strive to connect the inmate with community programs in the county of release that can help with release plans, assist with finding employment and accessing community resources.
- d. DOC should make available parenting classes and couples workshops in all institutions.

## **Increasing educational opportunities available to inmates and probationers that focus on the skills necessary to be successful in the current job market.**

**Background** – Many offenders lack the basic skills necessary to become gainfully employed after release.

**Task Force Recommendation** – Prisoners and probationers should learn about the process of completing a job application, interviewing, and how to manage their money. Classes could also include cognitive-behavioral programs. Curriculum could be created from existing programs. Classes would not be mandatory, but incentives could be provided for participation.

**Justification** – Success in the job market is critical to assisting ex-offenders efforts to avoid returning to a life of crime.

**Suggested Actions** – The task force recommends the following actions:

6. **Investigate dual assignment of inmates in both educational and work programs to increase participation.**

Implementation steps:

- a. The StreetSafe Coordinator should work with DOC to determine if legislation or additional funding would be required to accommodate offering more targeted work and educational opportunities to inmates, both from within DOC and from outside nonprofit community service providers.
- b. The StreetSafe Coordinator should work with DOC to determine the logistics of implementing a pilot program.

**7. Increase the opportunity for inmates and probationers to learn “soft skills”**

In addition to learning the technical skills required to undertake jobs, it is important that current and former inmates are given tools to learn the “soft skills” required to be successful in employment, including communication, conflict avoidance, cooperation, and socialization.

Implementation steps:

- a. DOC should increase the opportunities for inmates and probationers to receive “soft skill” training, both from within DOC and from community non-profit organizations.

**8. Ensure that training offered to inmates coincide with jobs that are in demand in the market place.**

Implementation steps:

- a. The StreetSafe Coordinator should facilitate collaboration between DOC, NC Community College System, Employment Security Commission and Workforce Development entities to determine which industries and jobs should be the focus of inmate skill development.

**9. Empower DOC to enter into Memoranda of Understanding with licensing agencies, such that there would be a presumption of fitness if an inmate completes training.**

Implementation steps:

- a. The StreetSafe Coordinator should work with DOC to determine if legislation is required.

- b. The StreetSafe Coordinator should work with DOC and other agencies to determine what administrative actions are required.

#### **10. Build networks with private employers and provide incentives for employing ex-offenders**

Currently, state agencies receive small amounts of grant funding to educate private employers about the benefits of hiring former offenders, from tax incentives to On the Job Training and Workforce Investment Act funding. Those education efforts should be expanded and made a permanent part of the system. Reentry Councils could be an invaluable link between state-developed informative materials and local employers.

##### Implementation steps:

- a. The Employment Security Commission, Workforce Development Board, NC Department of Commerce and others should partner with employment-based community service providers, including non-profit organizations, to educate employers about the benefits of employing former offenders.
- b. Fund state tax incentives for hiring of ex-offenders, similar to Federal tax incentives

#### **11. Expand entrepreneurship training**

Basic entrepreneurship skills training classes should be offered to all incarcerated offenders, but advanced entrepreneurship classes should be developed and offered in coordination with vocational training in particular areas that take advantage of local business opportunities and conditions.

##### Implementation steps:

- a. Collaboration between DOC and Community College System and other approved training providers.

#### **12. Evaluate the Work Release Program for possible enhancement and increased participation as a tool for prisoner reentry, while continuing to ensure public safety.**

Work Release opportunities allow inmates to gain important work and social skills at jobs in the community. The salary earned by inmates in the Work Release Program allows them to begin repaying restitution, child support, and court fine and fees owed.

Implementation steps:

- a. In partnership with local community organizations, identify potential employers and industries to participate in the Work Release Program.
- b. DOC should explore alternative ways to manage the Work Release Program so that more slots can be made available to inmates. Current facility staffing limits the number of available slots. If the program could be effectively managed in a different way, then maybe more slots could be added.
- c. Use local Reentry Councils to market the Work Release Program to potential employers

## Increasing safe, secure housing options for former offenders

**Background** – Safe, securing housing is important in rebuilding lives.

**Task Force Recommendation** – Increase the options for safe, secure housing for former offenders

**Suggested Actions** – The task force recommends the following actions:

### 13. Establish incentives for developing housing available for ex-offenders

Implementation steps:

- a. Work with Housing Finance Agency to create a system to incentivize development of housing available to ex-offenders

#### 14. Create model residential reentry program

No model currently exists to evaluate residential reentry programs for former offenders in North Carolina. This makes it difficult for programs interested in starting such programs, and for funders analyzing grant proposals.

##### Implementation steps:

- a. A committee should be assembled to create a model or “best practices” for residential reentry programs.

#### 15. Public housing authorities should consider removing blanket prohibitions on housing people with criminal histories

##### Implementation steps:

- a. A committee of issue experts from the Task Force should meet with representatives from local housing authorities in order to discuss a standard list of criteria to evaluate ex-offenders seeking housing within their developments. Consideration should be given to the implementation of a program to grant Certificates of Relief from Disabilities (see below)

## Providing incentives for living within legal boundaries

**Background** - Currently, a felony conviction carries a whole host of collateral legal consequences, such as legal barriers to licensure and employment in certain jobs. North Carolina has a system for requesting a pardon from the Governor or expungement of certain specified criminal violations; in practice, these legal remedies are not available to the vast majority of offenders. In order to prevent crime, several other states have implemented “Certificates of Relief from Disabilities” for qualifying ex-offenders.

**Task Force Recommendation** – Provide a system for rewarding positive behavior

**Suggested Actions** – The task force recommends the following actions:

#### 16. Create a list of all collateral legal disabilities that offenders face.

Collateral consequences—consequences of criminal convictions other than the sentence imposed—may make it more difficult for ex-offenders to find employment and housing, among other needs. Currently, no comprehensive list of these collateral consequences exists for offenders

convicted in North Carolina. A list should be created and shared with Reentry Councils and, through them, local service providers, Workforce Development Boards, Employment Security Commission, and JobLink Centers so that they can better help the ex-offender population. The list could also serve as a starting point for a possible review of all collateral consequences with an eye towards reducing recidivism and protecting the community based on research.

Implementation steps:

- a. A plan to catalogue collateral consequences is already underway. Once it is complete, it should be shared with policymakers, law enforcement, and interested community groups.

**17. Implement Certificates of Relief from Disabilities in North Carolina.**

Similar to Certificate of Relief from Disabilities (CRD) statutory authority in other states, North Carolina should create a system to grant a CRD after an offender demonstrates his or her ability to live within the law and participate as a responsible citizen in society. CRDs recognize good time on the outside by removing the collateral legal consequences of conviction without erasing the criminal record, thereby providing an opportunity for state licensure and employment in certain categories of employment that would not endanger public safety. CRDs can provide a positive goal for offenders and an incentive for rehabilitation.

Implementation steps:

- a. Model legislation should be considered and presented to the General Assembly (principles in Appendix A)
- b. A sponsor to introduce legislation should be selected.

**18. Study the options for a more coherent expungement mechanism for those that have proven their determination to stay out of prison for good.**

Implementation steps:

- a. Develop model legislation (principles in Appendix A)

## Leaving prison – and staying out -- with a clean slate

**Background** –Returning prisoners in North Carolina often face old, forgotten warrants, tickets, and open investigations – often on unresolved issues, like bench warrants for failure to appear for a traffic ticket when the inmate could not appear because s/he was physically incarcerated. Not only is re-arrest and re-prosecution costly, but it also discourages ex-offenders from starting down the path to living on the right side of the law, and continues the cycle of crime and incarceration that puts the public at risk.

**Task Force Recommendation** – Develop a system that helps resolve outstanding issues prior to release thereby allowing returning offenders to have the opportunity to start making the right choices.

**Justification**–Returning prisoners in North Carolina will continue to face old, unserved warrants, tickets, and open investigations that could be resolved while the prisoner is still in custody.

**Suggested Actions** – The task force recommends the following actions:

19. **Individuals should be able to exit prison without having outstanding legal issues and charges holding them back from seeking employment if they could have been resolved while in custody.**

Implementation steps:

- a. A committee should be formed to develop legislation on this issue

## Making government more efficient and coordinated

**Background** - Corrections and criminal justice issues do not begin with law enforcement and the courts and end in the Department of Corrections, but rather span a range of other state agencies and systems as well. Too often, however, public agencies do not coordinate their operations with

an eye towards enhancing the effectiveness of the criminal justice system as a whole. State and local agencies must continue to streamline programs and work together to make our streets safe.

**Task Force Recommendation** – Making government more efficient and coordinated.

**Justification** – More efficient and internal efforts on the part of government will produce better outcomes for the public

**Suggested Actions** – The task force recommends the following actions:

**20. The Division of Social Services should proactively go into prisons to determine eligibility for health and nutritional benefits.**

Within 60 days of release, the Division of Social Services (DSS) representatives should assist eligible inmates in completing enrollment paperwork and could also provide contact information to the inmate about the local office or the Reentry Council information center they need to go to upon release in order to obtain needed services.

Implementation steps:

- a. Administrative action by the Department of Health and Human Services/DSS and DOC, including a Memorandum of Understanding.

**21. Provide an identification document upon release.**

Basic identification is a significant need for returning offenders seeking education, opportunities, and employment. Furthermore, basic transportation in many areas of North Carolina, particularly the rural areas, requires a driver's license.

Implementation steps:

- a. As a part of StreetSafe process, the Division of Motor Vehicles (DMV) has revised their policies and procedures to address inmates (attached).
- b. DOC and DMV should continue to collaborate to discuss potential of using mobile DMV units to provide service to inmates as they are leaving prison.



**22. Mental health services received in prison should be coordinated with mental health services received in the community.**

DHHS and Local Management Entities (LME) should designate a Care Coordination employee who is specifically responsible for the coordination of mental health services for Department of Correction ex-offenders with severe and persistent mental illness released within the LME's catchment area. This process could take place within the larger Reentry Council process.

Implementation steps:

- a. Administrative action by DHHS to designate Care Coordination employee.
- b. DOC and DHHS policies and procedures should be updated to require exchange of mental health records for individuals when they are admitted to prison and when they are released.
- c. MOU should be signed between DOC and DHHS detailing the process.

**23. Expand Department of Labor (DOL) and DOC collaboration in prisoner vocational programming**

Thousands of prisoners currently receive vocational training within North Carolina's prisons and thereby gain sets of skills valuable to North Carolina industries. Many of these individuals are, however, precluded from utilizing these skills because of occupational licensing "good moral character" standards. Certifications issued directly from the DOL help remove these barriers when appropriate. Accordingly, the DOL and DOC should expand collaborative training and apprenticeship programs which provide graduates with certifications recognized by North Carolina industries.

Implementation steps:

- a. Administrative action by DOC and DOL

**24. Accountability among state agencies**

Implementation steps:

- a. Each State agency that is part of the StreetSafe Task Force should designate one person responsible for overseeing implementation of relevant recommendations contained in this report.

## Educating the public

**Background** – Ex-offenders should proactively utilize tools offered to them to make life changes. However, communities also should be prepared to accept those former offenders that are committed to changing their lives. An important step in that process is informing the community about the kinds of opportunities provided to inmates and probationers, and the work of non-profit and faith-based organizations to help this population.

**Task Force Recommendation** – Increase recognition among public that reducing recidivism is a worthwhile, meaningful strategy for crime reduction.

This is an ongoing effort.

## Task Force Membership

Attorney General Roy Cooper – Cooper is co-chair of the task force. The state's top law enforcement officer, he heads the NC Department of Justice which includes the State Bureau of Investigation. Before becoming attorney general, he practiced law and served in the legislature where he helped author the Crime Victims Bill of Rights.

Secretary Alvin Keller, Department of Correction – Secretary Keller is co-chair of the task force. He was appointed secretary in 2009. He has more than 30 years of military, judicial and government experience. He served as Assistant Attorney General in the Criminal Division of the North Carolina Department of Justice.

Secretary Linda Hayes, Department of Juvenile Justice and Delinquency Prevention – Secretary Hayes was appointed secretary in 2009. For the past 15 years, she served as chair of the Governor’s Crime Commission.

Secretary Lanier Cansler, Department of Health and Human Services – Secretary Cansler has renewed DHHS’ commitment to enhance public confidence in the agency’s ability to successfully meet the challenges and address the needs of North Carolina citizens. He also served in the N.C. House of Representatives, where he served on numerous health care committees.

Al Delia – Delia is the Governor’s policy director. Prior to his role in the Perdue administration, he served as president and CEO of North Carolina’s Eastern Region Development Commission, where he oversaw plans for business recruitment, retention, expansion and creation for a 13-county region.

John Smith – Judge Smith is director of the N.C. Administrative Office of the Courts and was named a special superior court judge in 2005. He also served as a commissioned officer in the U.S. Army.

Thomas Maher – Maher is executive director of the N.C. Office of Indigent Defense where he oversees the supervision and funding of public defenders and privately assigned counsel providing legal representation to indigent citizens in North Carolina.

Roger Shackelford – Shackelford is the executive director of Workforce Development. He supervises the Commission on Workforce Development, which is responsible for oversight, policy development and the planning of the workforce development system in North Carolina. Shackelford has more than 24 years of experience in workforce development.

Mike Robertson – Robertson is commissioner of the Division of Motor Vehicles and has served 40 years as a law enforcement officer. He also is past assistant director of the State Bureau of Investigation and the past director of the Alcohol Law Enforcement Division.

The Honorable Scott Thomas – Thomas is a district attorney and current chair of the Governor’s Crime Commission. He also has served as a state senator and was chair of the Justice and Public

Safety Appropriations Subcommittee and vice-chair of the Judiciary Committee

Erskine Bowles – Bowles has been president of the UNC system since 2005. He also served as chief of staff for Pres. Bill Clinton.

Dr. Scott Ralls – Ralls is president of the N.C. Community College System. Prior to this position, Ralls was the president of Craven Community College.

Thomas Bennett – Bennett is the executive director of the N.C. Victim Assistance Network, a nonprofit that promotes the rights and needs of crime victims. He also was executive director of the N.C. Association of County Directors of Social Services.

Leslie Winner – Winner is the executive director of the Z. Smith Reynolds Foundation. She is past vice president and general counsel to UNC. Winner also served in the N.C. Senate from 1993-98.

Larry Dail – Dail is the correctional administrator at Craven Correctional Institution, which also is a diagnostic center where new inmates are evaluated medically, physically and mentally to determine which prison is appropriate for their incarceration.

James Langston – Langston is the superintendent of the Wake Correctional Center, a minimum security prison. He is the previous assistant superintendent at Wake Correctional Center.

Tracy Royster – Royster is the judicial district manager in Cleveland and Lincoln counties. She also has served as a probation officer and chief probation/parole officer.

Donald Pinchback – Pinchback is the chief juvenile court justice counselor in Durham County from the N.C. Department of Juvenile Justice and Prevention. He also has worked in the court district for Caswell, Person and Wake counties,

Eugene Ellison – Ellison is an attorney at his law firm, the Law Office of Eugene W. Ellison, which he opened in 1984. He also is a member of the N.C. Bar Association and the N.C. Central University Law Alumni Board of Directors.

The Honorable Benjamin David – David is district attorney for the Fifth Judicial District. He also is the founding member of the Blue Ribbon Commission to End Youth Violence.

The Honorable Craig Croom – Judge Croom is a Wake County district court judge. He also volunteers with Capital Area Teen Court, and he spends time speaking with young people in

schools and churches throughout Wake County.

The Honorable Yvonne Evans – Evans has been the Mecklenburg County superior judge since 2003. Prior to 2003, she was a county district judge for 10 years.

Mayor Terry Bellamy – Bellamy has been the mayor of Asheville since 2005. She is the youngest mayor in North Carolina and the first African-American to serve as mayor in Asheville.

Delores Jennings – Jennings has worked in human services, where she has provided case management and evaluation services to clients who are dual-diagnosed, mentally ill or impaired by low socio-economic status, homelessness and/or substance abuse.

Chair Lynn Holmes - Holmes currently serves as the Chair of the North Carolina Employment Security Commission. She is the former assistant vice-president of ethics and compliance at BellSouth Corporation and was the principal in Ross Holmes Group, LLC, a consulting practice focused on ethics, compliance and governmental relations and policy.

Alan Glenn Cloninger – Cloninger is sheriff and jail administrator of Gaston County Sherriff Office, where he oversees the operations of the Gaston County jail, courthouse, jail annex, road division and administration.

Jose Lopez – Lopez is Durham’s police chief. He also served in the U.S. Air Force as a law enforcement specialist.

Nancy Murray – Murray is the board chair and executive director of Builders of Hope, an organization that rescues properties, rebuilds them and sells them at affordable prices to families and individuals who earn less than the median income.

Dr. Greg Moss Sr. – Moss has been the pastor of Saint Paul Missionary Baptist Church since 1998. He also is the president of the General Baptist State Convention of North Carolina.

Jimmie Hughes – Hughes is the vice president of human resources/safety for Barnhill Contracting Company. He has worked in human resources for 30 years.

Myra Clark – Clark is the executive director of the Center for Community Transitions, Inc., which helps offenders with employment and transitions services. She has helped lead the center for 21 years.

Joseph Martinez – Martinez is the executive director of FIRST at Blue Ridge Inc., which is an 85 bed substance abuse treatment and vocational training center for men. He also was the multi-

cultural coordinator for the Mecklenburg County Health Department, where he assisted projects such as “Fighting Back,” the department’s drug prevention and gang violent program in minority communities.

Sonya Brown – Brown is the team leader of the Justice Systems Innovations team for the Division on Mental Health, Developmental Disabilities and Substance Abuse Services, N.C. Department of Health and Human Services. She also served on the Council of State Governments Reentry Policy Council

Dr. Michael Blackwell – Blackwell is the president of the Baptist Children’s Homes of North Carolina, the largest children’s home network in the southeast. He also is a fellow of the N.C. Institute of Political Leadership and has written four books.

Linda Davis – Davis is a community activist, focusing on homelessness and prison reform. She also volunteers on a variety of local and state boards and committees, including the Methodist Home for Children and the Second Chance Alliance

## Appendix A

### **Principles for Granting Certificate of Relief from Disabilities**

Eligibility criteria:

All defendants who have no prior record of a criminal conviction, and are convicted of no more than two charges in one session of court, and have a conviction of no higher than a class G felony, will be eligible to obtain a certificate of rehabilitation.

Defendants who are sentenced to probation will be eligible after successfully completing 12 months of probation; defendants who are sentenced to an active term of incarceration will be eligible in 12 months after release from prison.

Standards for granting relief:

- They have not been engaged in any criminal activity since the time of sentencing
- They have been either gainfully employed, involved in education that will lead to employment or have made reasonable efforts to find employment
- They have complied with all requirements of their sentence, including any terms of probation, which may include substance abuse treatment, anger management, educational requirements; an applicant who has made reasonable efforts to comply with monetary conditions of their sentence will not be denied based solely upon failure fully to comply with monetary conditions.
- A defendant who obtains a certificate of rehabilitation may have that certificate revoked in the event that they are convicted of any misdemeanor or felony, or are found to have made any misrepresentation in their application for the certificate.
- When an application for a certificate is denied, the reasons for the denial shall be listed, and the applicant can reapply after 12 months from the denial if applicants can demonstrate that they have remedied the defects in their prior application.

Agency(s) with authority for granting relief:

A defendant may seek a certificate from either the court that imposed the sentence or the Parole Board when the defendant no longer resides in the county of conviction. This would vest primary authority in the court system but allow defendants who do not have ready access to the courts another alternative.

Scope of relief:

The body that issues the certificate has the authority to relieve the certificate holder of certain **state** imposed disabilities related to employment and licensing. In no case should the granting of

a CRD affect any restrictions on the person's privilege to drive that flow from the underlying conviction.

The body issuing the certificate may limit the disabilities that are lifted for good cause.

### **Principles for Granting Expungement**

#### Eligibility:

- The ability to obtain an expungement should be expanded so that a person who has obtained a certificate of rehabilitation can obtain an expungement as follows:
  - (a) A defendant with a record of a misdemeanor conviction can obtain an expungement two years after obtaining a certificate of rehabilitation, by showing continued compliance with the conditions required to obtain a certificate of rehabilitation; this would mean a total of three years from the time of sentencing.
  - (b) A defendant with a record of a felony conviction could obtain an expungement four years after obtaining a certificate of rehabilitation, meaning they would be eligible five years after sentencing or finishing an active sentence.
- The body that issues a certificate of rehabilitation by granted the authority, at the time of granting the certificate, to set forth additional reasonable requirements that the holder meet in order to receive an expungement.
- The body that issued the certificate of rehabilitation should be the same body to issue an order of expungement.



Appendix B  
Current Accomplishments

