



**State Report Prepared for the**  
*National Consortium on Racial and Ethnic Fairness in the Courts*  
**Conference June 25-27th, 2014**

NC-CRED is an independent, stand-alone 501(c) 3 organization that studies racial bias in North Carolina's criminal justice system in order to document its existence by publishing reports and alleviate its effects by producing creative and effective reforms. We are uniquely positioned to be able to design and execute robust and probing studies because we are not formally associated with the government. Our membership, however, is drawn from across the criminal justice system, including many individuals working for government agencies. The Commission's active participants include Court of Appeals and Superior Court Judges, Police Chiefs, defense attorneys, professors, District Attorneys, Public Defenders, and community advocates. This professional diversity allows us to develop policy recommendations and reforms that are responsive to both the reports we publish and the needs of actors across the entire criminal justice system.

#### REPORTS ISSUED TO DATE

We, in conjunction with our predecessor organization, have issued two reports. The first was completed by the Dr. Frank Baumgartner of UNC-Chapel Hill. North Carolina was the first state to mandate data collection on traffic stops as part of an effort to document and curb racial profiling. However, no one had, up until Dr. Baumgartner's study, analyzed the wealth of data created by the collection mandate. His report found that while African Americans make up only 22% of the overall population, 38% of the people pulled over for "vehicle regulatory" issues, 37% of people pulled over for "vehicle equipment" issues, and 33% of the people pulled over for "other vehicle" issues were African American. The data also show that African Americans and Latinos are almost twice as likely to be searched and twice as likely to be arrested than white drivers after having been stopped by officers.

The traffic stop data analysis produced some startling numbers about potential racial bias in regards to who gets stopped and who is subsequently searched. Unfortunately, the statute that required the data collection failed to require location data of the stops any more specific than the county in which the stop occurred. The Commission has developed policy recommendations to present to the Attorney General, and potentially the legislature, that would alter the statute to require that very specific location information (i.e., GIS coordinates) be required. This additional information going forward will allow the Commission to come to a collective decision about the import and implications of the initial traffic stop statistics.

Our second report is titled, “The School-to-Prison Pipeline: Implications for North Carolina Schools and Students,” and was completed by Dr. Susan McCarter at UNC-Charlotte with support from our Governor’s Crime Commission. This report defines pertinent North Carolinian processes and policies, such as how a student is referred to the courts from school, the types and number of yearlong mandatory suspensions, and how the state age of majority (16) affects statistics on school disciplinary procedures.

#### CURRENT PROJECTS: REFORMS

Given that Dr. McCarter's report indicates that African-American students are three times as likely to be suspended as compared to white students, and that 97 percent of these decisions are not mandated, but rather at the discretion of school personnel, the Subcommittee plans to introduce risk referral matrices into several pilot sites in North Carolina schools. This tool will help interrupt one of the very first stages of the phenomenon often referred to as the “school-to-prison pipeline” by giving teachers guidance as to whether to suspend students or opt for an alternative. NC-CRED is partnering with the National Council on Crime and Delinquency and the Haywood Burns Institute on this project, for which we are currently seeking funding.

The Commission, with support from the American Bar Association's Racial Justice Improvement Project, has undertaken a new study on pretrial release in two North Carolina jurisdictions. Currently at the end of the first year of this project, we are completing our initial report—a look at the pretrial release conditions of one hundred cases from each of our two pilot jurisdictions. A cross-agency group of professionals in each jurisdiction will collaborate to develop a location-specific response to any racial disparities uncovered by our research.

Finally, the Commission supports and wants to eventually expand a study being conducted in Judicial District in north-central North Carolina on jury pool formation.

The Commission also strives to offer implicit bias training to criminal justice professionals as a complement to its research and policy work. We hosted our first public training in October of 2013, and will include an implicit bias section in our pretrial training, scheduled for August, that is a part of our larger pretrial release study.

Our main focus in our inaugural year is to develop a strong long-term strategy, secure additional funding, and increase our Commission membership.

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