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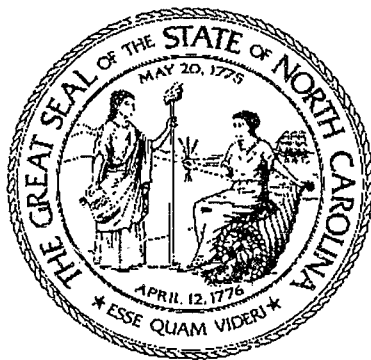
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NCJRS

AUG 9 1995

ACQUISITIONS

AN AGGRESSIVE ATTACK ON CRIME: MIKE EASLEY'S 1995 INITIATIVES

JANUARY 1995

Protecting our communities from crime requires a bold plan of attack. I understand the impact crime has on our families, friends, neighbors and society. Citizens are expressing their fears and frustrations. They want to know what they can do and what government can do to fight back against crime. They are ready to take bold action.

People tell me about living behind locked doors. They tell me how they are afraid to walk along their own streets at night. We cannot allow this to continue. When even one community suffers, we all suffer. The education of our children suffers as students and teachers face the threat of weapons and assaults in classrooms. The State's economic growth is jeopardized as businesses are reluctant to locate in high-crime areas.

In 1983, North Carolina ranked 41st in the nation in crime. Last year we were 16th. This year we are 14th. Clearly, we must change. Our attitudes about fighting crime must change. Our criminal justice system must change. As our citizens know, it has not. Citizens are frustrated that criminals are released from prison without serving their required sentence. They are concerned that crime victims are shown little dignity and respect. They are angered when partisan political bickering blocks the adoption of workable strategies to help fight crime.

North Carolinians must fight back aggressively. The Legislature restored truth in sentencing. We are building new prisons. My office obtained a modification of a federal court order to save over 1,000 prison beds. These are important first steps, but they alone will not solve the crime problem.

We cannot be effective with a piecemeal approach or by simply spending more on the current system. We must be willing to change and implement a comprehensive, bold and effective plan. We must take the offensive. Crime is a problem that is not going to get better unless we take action and begin to fight back.

Last year, I published a set of initiatives designed to improve our prospects of reducing crime. Many of these ideas were proposed but not passed by the General Assembly. Over the past year, our crime problem has not improved. The need to take bold action is even more urgent today. I propose that we do three things. **First, ensure meaningful punishment. Second, enhance tools for attacking crime. Third, empower citizens to make their neighborhoods safer.**

Citizens know that we must do much more than build prisons to solve the crime problem. They know that regaining control of our prisons is only one part of the process. We have to be just as aggressive in taking back our towns, schools

and neighborhoods from crime. With a comprehensive strategy, we can make North Carolina a safer place to live and work. I hope you will encourage state and local leaders to take bold action to attack crime aggressively.

Ensure Meaningful Punishment

The first obligation of government is to keep its citizens safe. To meet that obligation, we must deter crime through meaningful punishment. Currently, our criminal justice system is not meeting this task. Under federal court orders requiring a specific amount of

space per inmate and by operation of the prison "cap," the Department of Correction has been forced to parole thousands of offenders long before they have served their sentences. Although the General Assembly has enacted truth in sentencing, which requires offenders to serve all of their sentence, many of the sentences are too lenient.

We must take immediate action to ensure that our criminal justice system imposes meaningful punishment on criminals. To do this we must:

- * Repeal the prison cap, give the Department of Correction more flexibility and provide adequate prison space.
- * Authorize prison time for all violent offenders.
- * Give judges authority to provide new, meaningful punishment outside of prison.
- * Streamline death penalty appeals.

The first obligation of government is to keep its citizens safe. To meet that obligation, we must deter crime through meaningful punishment.

Without dramatic changes to our system, citizen safety remains at risk.

Prisons

Soon after taking office, I filed motions in federal court challenging the federal court prison space requirements that had been agreed to by the prior administration. We won modification, allowing North Carolina to keep in prison more than 1,000 inmates that would have otherwise been released. In November, I moved to end federal court supervision of North Carolina prisons altogether. We should return the operation of our prisons to our Department of Correction and end federal control.

I also urged the General Assembly to end the system of trickery and deception and restore truth in sentencing to the criminal justice system. The General Assembly responded and adopted a system that is truthful -- it abolishes parole and requires offenders to serve all of their sentence. For many violent crimes, the sentences are longer, but for many offenses the punishment is too little. To fix the system three steps must be taken: 1) abolish the prison cap; 2) give the Department of Correction broad authority to prevent release of criminals; and 3) build more of the right kind of prisons.

Abolish the Prison Cap. In the 1980s, the General Assembly enacted the prison "cap" as a means of controlling prison population to comply with space requirements contained in federal court orders. The current statute requires the Secretary of Correction to direct the Parole Commission to release inmates if the prison population exceeds 24,500. North Carolina now operates safe and secure prisons, and I have asked the federal court to dismiss these cases promptly. Since taking office, getting these cases dismissed has been my top priority.

In November, I also called for repeal of the prison cap statute by the General Assembly. We have been working toward this since taking office in 1993. No prison has a constitutionally required capacity so long as conditions in the prison are safe and secure. The number of prisoners in a facility is only one factor among

With the restoration of truth in sentencing in North Carolina, the anticipated end of federal court supervision, and greater authority given to the Department of Correction to manage prison population, there is no need for a prison "cap" statute.

many that the Department of Correction must consider in operating a facility within constitutional limits. The United States Congress recently affirmed my position in the prisons provision of the 1994 Crime Bill.

With the restoration of truth in sentencing in North Carolina, the anticipated end of federal court supervision, and greater authority given to the Department of

Correction to manage prison population, there is no need for a prison "cap" statute. I urge the General Assembly to repeal it during the 1995 legislative session and give more flexibility to the Secretary of Correction to deal adequately with an increasing prison population.

Broad Authority for the Department of Correction. In the past two years, Secretary of Correction Franklin Freeman has taken responsible actions to re-establish credibility to the Department of Correction. Abolishing the prison cap will allow an increase in the number of inmates in the prison system. To handle these additional inmates, the Department needs more flexibility to continue to operate a constitutional system. I propose that the 1995 General Assembly give the Department of Correction authority to take the following steps.

- * Convert state-owned property to prison facilities.
- * Contract with private industry or other governmental entities to house inmates either within or out of state.
- * House inmates in temporary or

prefabricated facilities without time consuming bidding requirements.

- * Enter into short- or long-term leases for facilities either within or out-of-state.
- * Accelerate prison construction projects by streamlining the bidding process.

This additional authority is necessary for the General Assembly to repeal the prison cap in a responsible manner.

More Prison Capacity. In the past ten years, North Carolina has fallen far behind other southern states and the nation in prison space. Here are the most recent figures available per 100,000 population:

INMATES PER 100,000 POPULATION

	<u>State</u>	<u>County</u>	
	<u>Prisons</u>	<u>Jails</u>	<u>Total</u>
N.C.	290	84	374
South	353	171	524
National	305	144	449

Sources: Sourcebook of Criminal Justice Statistics; Census of Local Jails.

Even with the additional 5000 prison beds that are scheduled to be completed in North Carolina in the next several years, we will still lag behind. To remedy this, we must build more of the right kind of prisons in North Carolina, and we should make sure we get our fair share of federal prison funds under the 1994 federal Crime Bill.

The current prison construction program scheduled to be completed in 1997 is insufficient to provide for adequate sentences for all violent offenders. The State needs more prisons, but we also need the right balance between long-term and short-term custody facilities. Long-term facilities are more expensive to construct and operate than short-term facilities. For example, it costs the State an average of \$58 a day to house each prisoner. The average cost for short term post

conviction incarceration in our county jails is approximately half that. Because so many of our State's prison admissions are probation revocations requiring short-term stays, we are using our expensive, long-term facilities for short-term incarceration. In adding prison capacity, the General Assembly must make adequate provision for less expensive, short-term facilities, so that our existing long-term facilities can be better used for incarcerating violent offenders longer.

The 1994 federal crime bill authorized \$7.9 billion for construction of state or regional prisons for use by qualifying states. These facilities are designed to house violent offenders from states with adequate "truth in sentencing" programs. My office has worked diligently to insure that North Carolina will qualify for these funds, and I urge the General Assembly to continue to insure that we maximize the amount of prison space with these new grants. Yet prison space alone will not solve the crime problem.

More Effective Sentences

Many of the sentences for certain violent crimes, particularly violence within the family, are inadequate. When someone resorts to violence, that person must know that the punishment will be swift and tough. We should 1) amend the state constitution to grant new punishments for nonviolent offenders; 2) authorize prison time for first-time violent offenses; and 3) impose mandatory sentences for use of a firearm in the commission of a crime.

New Punishments--Constitutional Amendment. Our state constitution allows only three forms of punishment -- death, imprisonment and fines. A judge cannot impose alternative punishments without the defendant's consent. This is wrong. Those who have committed a crime should not be able to choose their punishment. We must be

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more aggressive in finding appropriate punishment, and judges should be encouraged to be more innovative.

Last year, I proposed and the General Assembly enacted an aggressive change in the law. It permits a judge to revoke nonviolent offenders' licenses and privileges, including drivers licenses, if they chose prison over probation. This is an important first step toward preventing nonviolent offenders from manipulating the system for their own advantage. Yet it is not enough.

I propose a constitutional amendment to empower judges to sentence nonviolent offenders to other forms of punishment, including work programs, house arrest, restitution and revocation of licenses and privileges. This will enable judges to require appropriate punishment and will help preserve prison space for violent offenders. North Carolina has not been innovative in this area because the Constitution limits judges' authority to do so. We must make sure judges can punish criminals in ways other than expensive prison incarceration.

Prison Time for More Violent Offenders. Under current law a person with no criminal record who assaults a female cannot be sentenced to prison. Unless there is meaningful punishment for acts of violence, particularly violence in the family, it is likely to be repeated. Children

raised in violent or abusive families are more likely to resort to violence against others. I strongly urge the General Assembly to amend current law to insure that anyone who commits assaultive or other violent crimes can be sentenced to active time even on the first offense.

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Mandatory Sentences for Misuse of a Firearm. All of us have the right to own firearms and the right to use them recreationally or to defend

ourselves and our families. But with that right is an accompanying responsibility.

I propose mandatory sentences for those who use a firearm in the commission of a crime and even stiffer mandatory sentences for those who discharge a firearm in the commission of a crime. Current research shows that this is the best deterrent against illegal use of handguns. I urge the 1995 General Assembly to enact tough mandatory sentences for those who use a firearm as part of criminal activity and prohibit anyone convicted of a felony from ever owning a handgun.

Death Penalty

Right now there are 110 murderers on death row in North Carolina. Since 1977, when the death penalty was reinstated, only five have been executed. Unless imposed in a timely manner, it cannot deter the most violent criminal conduct.

I strongly favor the death penalty. I believe it is a necessary form of punishment under our law. Right now there are 110 murderers on death row in North Carolina. Since 1977, when the death penalty was reinstated, only five have been executed. Unless imposed in a timely manner, it cannot deter the most violent criminal conduct.

Although some improvements have been made, timely punishment still does not exist and scarce resources are wasted on lengthy proceedings often lasting more than ten years. We must streamline the post-conviction appeals process. One way to do this is preemptory calendaring of motions for appropriate relief. The time for preparation and delivery of the trial transcript can be shortened to within 45 days of sentencing. This will speed up the time for direct appeal. Execution dates can also be set between 21 and 28 days of an appellate decision rather than 60 to 90 days. Currently, any rescheduling of the execution date, which happens numerous times in each case, causes a two- to three- month delay.

Finally, many defendants in capital cases

enjoy representation and assistance from appointment of a private lawyer to handle their appeal as well as representation by lawyers at the Death Penalty Resource Center. The appointment list of attorneys for capital cases is composed of competent attorneys. The addition of more lawyers from the resource center clogs the system and makes it difficult for the state to determine the lead counsel for the defendant. I propose that the Court take the responsibility for appointment of defense counsel without involvement of the Death Penalty Resource Center. The local judges are in the best position to list the attorneys competent to handle these cases.

Enhance Tools for Attacking Crime

North Carolina citizens know we cannot use the same old methods to attack the crime problem without getting the same old results. We need new tools -- ones that attack the changing nature of crime. We need a comprehensive drug strategy to find and attack the traffickers, deter and treat the users, and rehabilitate the addicts. We need new strategies to fight the ever-increasing number of violent juvenile criminals.

We will not solve the crime problem unless we first address drugs in a meaningful and responsible manner. Unless we change our attack, small time users will continue to grow into violent offenders.

Comprehensive Drug Strategy

Drug possession cases have increased 100% since 1988. Drug cases now comprise 31% of our Superior Court caseload. In our war on drugs, we are arresting drug offenders in record numbers, prosecuting them as felons in our court system and then sending them to prison. But because prison space is so scarce, those convicted of drug possession serve little time. Then they are back on the street where they typically live a life of crime to support their addiction. Our war on

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drugs has become a revolving door of arrest, conviction and quick release. Spending more money on the current system will only make the door revolve more slowly. It will not solve the problem.

It is time to attack this problem directly. To do this, I propose we initiate drug treatment courts,

expand the use of investigative grand juries and expand a program of "reverse drug buys." We will not solve the crime problem unless we first address drugs in a meaningful and responsible manner. Unless we change our attack, small time users will continue to grow into violent offenders.

Drug treatment courts can be a key strategy to

refocus our resources on violent crime. Successful drug treatment courts attack the demand for drugs by 1) reducing the number of addicts run through our current revolving door system, 2) reducing the large number of property crimes addicts commit, and 3) preserving scarce

Only 3% of the 4,500 users who have successfully completed the drug treatment court program have been arrested on repeat felonies.

prison beds so that we can jail violent felons longer. We must aggressively attack drug addictions.

The cost of drug addiction to society is enormous. Surveys show a drug addict will commit between 25 and 600 crimes each year. The revolving door of conviction, imprisonment and quick parole for these addicts makes valuable prison cells unavailable for violent offenders and does not cut the demand for drugs. Putting these addicts in jail and then releasing them as addicts

gives them no incentive to kick their addiction or change their conduct. If they remain addicts, they remain criminals, and we remain victims.

Last year, I proposed a two-fold approach to deal with nonviolent drug addicts with the prosecutor's consent. First, I proposed we pull them out of the revolving door of prosecution, conviction, parole and rearrest. Then, we should focus directly on reducing demand by requiring drug treatment and giving addicts strong incentives and tools to beat their addiction.

Dade County, Florida has taken the lead with this idea. Their drug treatment court handles virtually all felony drug possession cases for defendants who have no prior violent felony record. Only 3% of the 4,500 users who have completed successfully the drug treatment court program have been arrested on repeat felonies. Before the program began in 1989, Dade County authorities rearrested approximately 33% of convicted drug users on felony charges within one year of their release.

The cost of the drug treatment court is about \$1,000 per defendant exclusive of jail costs. Participants in the program will be required to pay for the program to the extent possible. Although drug treatment courts will cost money, this cost will be offset to a large extent by an immediate savings in removing these cases from regular Superior Court. Successful drug treatment courts will also reduce the number of prisoners. The key is that drug courts directly attack the demand for drugs by reducing the number of addicts who become prisoners. Drug treatment courts are a wise, strategic use of our resources that over time will reduce substantially the need for repeatedly prosecuting addicts in our current revolving-door system. Former addicts become taxpayers instead of tax recipients. This year, I urge the General Assembly to help us get this program implemented in North Carolina.

Reverse Drug Buys -- Automobile Civil Forfeiture Penalty. To date, law enforcement officers have attacked "open air" drug markets by making undercover drug buys and prosecuting drug pushers in our criminal court system. This "buy and bust" strategy attacks only one portion of the "supply side" of the drug trade in our

communities. In the fight to rid our communities of the crime and violence associated with the drug trade, law enforcement needs additional tools.

Recently, the Prosecutor's office in Michigan has had success using civil remedies to shut down open air drug markets. In its program, police officers use traffic stops, reverse buy operations (where they actually sell to drug users and then stop them) and other drug enforcement techniques to determine probable cause that a drug buy involving an automobile has been made. Upon determining probable cause, rather than make an arrest, the officer serves a notice of seizure and the officer forfeit the vehicle involved. The vehicle is towed to an impoundment lot and the driver is told to contact the prosecutor's office. The drugs are reclaimed.

The prosecutor gives the driver three options to get the car back: 1) pay a \$900 redemption fee; 2) pay a bond and contest the seizure in civil court; or 3) allow the car to be forfeited. A legitimate lienholder is protected. If the driver is not the registered owner of the vehicle, the owner must sign a warning letter and pay towing and storage fees to reclaim the car.

North Carolina should try this model of using vehicle forfeiture to shut down drug markets in our communities. It gives law enforcement another tool to attack drugs in our neighborhoods. It shows those involved in the drug trade that we can be as innovative at reclaiming our neighborhoods as they can be at breaking the law. It is cost-effective and does not overload our criminal court docket. Most important, it gives the community another way to fight back.

From my experience prosecuting drug traffickers and using the grand jury, I know we can more aggressively prosecute drug conspiracies and put entire cartels out of business. The grand jury allows prosecutors to go up the chain of command to the drug kingpin.

Drug Trafficking Grand Juries. This is the most aggressive way to attack drug supply. I was

the first prosecutor in North Carolina to use the investigative grand jury. Drug traffickers control drug supply. Their involvement in drugs is strictly business, and violence is a tool of the trade. These people must be caught, convicted and imprisoned. Doing everything necessary to prosecute and jail traffickers is the most effective and direct way to interrupt drug supply and to reduce drug gang violence. From my experience prosecuting drug traffickers and using the grand jury, I know we can more aggressively prosecute drug conspiracies and put entire cartels out of business. The grand jury allows prosecutors to go up the chain of command to the drug kingpin. It is only fair to prosecute financiers and kingpins as aggressively as we do the street dealer. I urge the General Assembly to give our Special Prosecutions Unit authority to help District Attorneys fight back by using the Grand Jury when they request our assistance.

Focus Courts on Violent Crime

Victims of rape, assault and armed robbery -- not the citizen who was speeding 45 in a 35 mph zone -- need the prosecutor's attention. We need to refocus our courts so that judges and prosecutors can focus on violent crime.

Our Superior Courts are swamped. Prosecutors are forced to dispose of more cases than they can reasonably handle. Too much prosecutor and court time is spent taking guilty pleas in the less serious cases and handling infractions which carry no criminal penalty. We must radically restructure our criminal court system.

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I have proposed that we reorganize responsibilities among our Superior, District and

Magistrate Courts. I continue to believe that, in counties where the Superior Court is overloaded, we can shift some case responsibilities to District Court and to Magistrates. The Superior Court Division is the most costly judicial component in our system and it should be reserved for the most grave matters. Additional Superior Court judgeships could be created to handle the overload of cases, but the expense is substantial and the counties do not have the courtrooms. Fewer court resources and tax dollars would be required if more responsibility were shifted to District and Magistrate's Courts. Additional personnel on those levels require less tax money and would increase the overall efficiency of the entire system. A District Court judge costs \$23,000 less than a Superior Court judge. We can create four magistrate positions for the cost of one Superior Court judgeship.

Almost half of the criminal cases filed in Superior Court are H and I Class felonies. District Court judges should be permitted to take guilty pleas for these lesser felonies such as embezzlement or forgery. These cases already go through the District Court system to Superior Court. This change would immediately make more time available in Superior Court for trying violent offenders. We can also remove infractions from District Court and have Magistrates handle them. Infractions involve only minor traffic offenses such as seat belt violations and do not carry a potential jail sentence. Currently, infractions occupy 39% of the District Court criminal docket.

These proposals are being studied by the Courts Commission. I am urging that the Commission recommend to the General Assembly, at a minimum, to permit judicial districts who so desire to institute a pilot program to try these ideas. If they work well, the General Assembly can consider enacting them statewide. Implementation of these proposals will make our criminal justice system more efficient, more effective and more focused on violent crime.

New Juvenile Procedures

The current Juvenile Code was written in the mid 1970s when juveniles committed property

crimes and were seldom violent. The nature of juvenile crime has changed dramatically. Today, a crime committed by a teenage offender is more likely to be violent than a crime committed by an adult offender. Weapons arrests for juveniles 15 years and younger is up 213% since 1989. The murder arrests increased by 550% in that group since 1984. These numbers demonstrate the dramatic change in the nature of juvenile crime.

The nature of juvenile crime has changed dramatically. Today, a crime committed by a teenage offender is more likely to be violent than a crime committed by an adult offender.

These facts require us to reject the basic assumptions that form the basis for the current Juvenile Code. It is a myth that juveniles are less violent than adults. We must recognize that some 15 year olds are committing violent crimes everyday. We must develop new standards based on today's facts, not yesterday's assumptions.

As the Code is being re-examined, we must also take immediate steps to address the rise in violent crime among juveniles:

1. Fingerprint and photograph violent juvenile offenders. This is necessary for full investigation and to solve other crimes they may have committed.
2. Share information about violent juvenile offenders. North Carolina keeps this information confidential. We must share this information with other states to receive the same in return.
3. Provide real supervision for juvenile offenders, not just an overworked probation officer.
4. Provide drug treatment courts for juvenile drugs addicts.

5. Provide mandatory active time for the illegal sale of handguns to minors.
6. Require face-to-face mediation between the offender and victim with the victim's consent. Face-to-face mediation with the victim will require the juvenile to see a victim as a real person and take responsibility for criminal actions.
7. Provide boot camps or detention centers for juveniles, with drug treatment, shock incarceration and basic training about personal responsibility. Offenders would be required to work and earn their way out of camp by learning a job skill, getting their GED, completing drug treatment or meeting other goals.

We face a continuing crisis with juvenile crime -- one that is growing and will only become worse when today's young criminals become adults. Unless we aggressively attack the increase in violent juvenile offenses, we can only expect increases in violent adult crime.

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Empower Citizens

Instead of just reacting to crime, it is time we begin to seek it out and attack it. We cannot fight crime by waiting for it to be committed. We must fight back before we are victimized. To do this, we need active citizen involvement.

Safe Neighborhoods Program

Last year, I established a Safe Neighborhood Task Force through our Citizens Rights Division and the SBI.

During the year, in eight communities

through the State, the Task Force began implementing innovative policing techniques. We have assisted local police departments in designing programs that will benefit their local area. A Safe Neighborhoods Program helps local police to do sweeps in high-crime areas. The task force offers legal advice and SBI support.

We cannot tolerate high crime enclaves -- it is unfair to law-abiding citizens who live there, and, ultimately, it puts all communities at risk. I strongly support increasing the number of police officers and providing community policing in high crime areas. Our Safe Neighborhoods Program empowers citizens in high crime areas. This program helps give them control of their own lives so they can accept personal responsibility for their own conduct and that of their children. These eight communities are reclaiming their neighborhoods, their safety and their self respect. Government is facilitating this effort, but it is the residents who are fighting back and taking control again.

I also intend to make proposals to the General Assembly to ensure that local police, public officials and other local agencies have the authority they need to rid high crime areas of illegal activities.

Crack House Demolition

On any given day in big cities, drug addicts are huddling in abandoned houses, smoking crack or using other drugs. These "crack houses" are breeding places for other crimes, such as prostitution, larceny, assault and murder.

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Eliminating these houses will help eliminate crime and save neighborhoods. I propose amending the laws to make seizure and demolition of these houses easier and quicker.

Today, cities and counties use a variety of avenues to acquire, condemn and demolish abandoned property. Abandoned houses can be seized under federal RICO statutes if illegal activities, such as sale of crack cocaine, occurs there. That property can then be transferred to a municipality. The city or town can then use the property or demolish it and use the land for other activities. Such programs are already underway in some areas of the State. This aggressive strategy has proven effective.

Other cities have used "Abatement of Nuisance" statutes to rid neighborhoods of illegal drug activity. Current law restricts how nuisance law can be used in this area. We must give police departments and housing agencies greater authority to attack illegal drug use in our neighborhoods.

The longer it takes to break down the walls of drug houses, the more secure the foothold crime gains in our communities. I plan to draft legislation to help law enforcement agencies seize property more quickly, and to allow public housing agencies to maintain drug free residences.

The Department of Justice will also give technical assistance to help municipalities trying to rid their communities of crime and drugs. We will assist city attorneys and private attorneys devising ways to legally demolish buildings being used for illegal activities. We will also recruit and coordinate a volunteer network of attorneys across the state who are willing to assist in helping to seize the buildings.

Treat Victims With Dignity

For every violent crime committed, an innocent victim and family suffers. Our criminal justice system not only must put violent offenders

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behind bars, it must provide victims with the dignity and respect they deserve. I believe we can help do this by providing adequate funding for victims' assistance programs, and proposing to the voters a victims' rights constitutional amendment.

Victims' Assistance.

As a prosecutor in Bladen, Brunswick, and Columbus Counties, I set up the first Rape and Child Abuse Victims' Assistance program in a District Attorney's Office. This is the appropriate place for them to be placed so that there is confidentiality with the prosecutor and victim assistant. The victim assistant in my office provided crisis intervention and counseling prior to arrest, if any, and long after conclusion of the legal proceedings. I know that given a sufficient number of victim assistants, we can recruit and train an army of volunteers. They are all caring people who want to help fight back. These successful programs rely largely on volunteers to assist victims with court appearances, counseling and obtaining other services. They have been expanded in many areas across the state, and I am proud to have our Citizens' Rights Division in the Attorney General's Office provide support for victim assistance programs throughout North Carolina. Our Child Victims' Assistance Program (CVAP) is already serving five districts across the State.

Most of these programs are woefully underfunded. They rely on grants and local fundraising for financial support. Victims of crime deserve a stable funding source for these assistance efforts. We must make offenders pay. I propose that the General Assembly require a \$20 assessment as court costs for criminal convictions to provide financial support for victims' assistance programs in North Carolina. This will place the

For every violent crime committed, an innocent victim and family suffers. Our criminal justice system not only must put violent offenders behind bars, it must provide victims with the dignity and respect they deserve.

funding obligation for victims' assistance where it belongs -- on the criminal and not with the victim. More than 300,000 defendants received probation instead of prison last year. At \$20 each, that would raise more than \$6,000,000 annually.

Victims' Rights Amendment. Both our state and federal constitutions provide important basic rights to those charged with a criminal offense. Properly applied, these rights protect all citizens from government abuse.

However, our federal and state constitutions contain no rights for the victims of crime. It is time we recognize the rights of victims. The North Carolina Constitution should guarantee that victims are treated with dignity and respect in our criminal justice system. I will join with law enforcement, prosecutors and victims groups in pushing the 1995 General Assembly to amend the state constitution to afford victims of crime a basic right to fair treatment.

Conclusion

The nature of crime has changed and the criminal justice system must change. The proposals included in this summary are ideas of how we can immediately attack violent crime. I do not believe that just expending more resources on the current system will have a real impact on the problem. These proposals build upon the initial steps already taken and the proposals made last year. Many are strategies that focus on attacking violent crime. They require substantial change in the criminal justice system. But most importantly, we must change our attitudes about crime. We must be more aggressive and take the offensive. I urge you to consider them carefully and join with me in the fight to make North Carolina safer. Fighting crime is my job, but it is everyone's responsibility. Let me hear your ideas.

The North Carolina Constitution should guarantee that victims are treated with dignity and respect in our criminal justice system.

AN AGGRESSIVE ATTACK ON CRIME

Mike Easley's 1995 Initiatives

ENSURE MEANINGFUL PUNISHMENT

- * REPEAL PRISON CAP NOW
 - * BROADEN AUTHORITY FOR THE DEPARTMENT OF CORRECTION
 - * PROVIDE JUDGES MORE PUNISHMENT OPTIONS
 - * STRENGTHEN SENTENCES FOR VIOLENT OFFENDERS
 - * STREAMLINE DEATH PENALTY APPEALS
-

ENHANCE CRIME FIGHTING TOOLS

- * DRUG TREATMENT COURTS
 - * REVERSE DRUG BUYS
 - * DRUG TRAFFICKING GRAND JURIES
 - * FOCUSED COURT SYSTEM
 - * NEW JUVENILE PROCEDURES
-

EMPOWER CITIZENS

- * SAFE NEIGHBORHOODS INITIATIVE
- * SEIZE CRACK HOUSES
- * MAKE CRIMINALS PAY VICTIMS
- * DEFEND VICTIMS RIGHTS

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