



State of North Carolina

ROY COOPER
GOVERNOR

November 14, 2022

EXECUTIVE ORDER NO. 273

EXTENDING THE NORTH CAROLINA TASK FORCE FOR RACIAL EQUITY IN CRIMINAL JUSTICE

WHEREAS, the undersigned issued Exec. Order No. 145, 35 N.C. Reg. 23-26 (July 1, 2020) on June 9, 2020, establishing the North Carolina Task Force for Racial Equity in Criminal Justice (“Task Force”); and

WHEREAS, the undersigned directed the Task Force to “develop and help implement solutions that will eliminate disparate outcomes in the criminal justice system for communities of color”; and

WHEREAS, the Task Force made one hundred and twenty-five (125) recommendations to reimagine public safety, improve policing practices, enhance accountability, strengthen the law enforcement profession, eliminate racial disparities in the courts, and promote racial equity post-conviction; and

WHEREAS, following the release of these recommendations, the Task Force worked with policymakers and partners over the span of two (2) years on implementation; and

WHEREAS, the Task Force made valuable progress in advancing its recommendations, including by helping to secure the passage of important legislation; and

WHEREAS, for example, N.C. Sess. Law 2021-123, which was enacted on August 30, 2021, raises the age of juvenile jurisdiction from six (6) to ten (10) in most cases and gives prosecutors flexibility to charge 16- and 17-year-olds in juvenile courts instead of adult courts; and

WHEREAS, N.C. Sess. Law 2021-138, which was enacted on September 2, 2021, improves law enforcement recruitment, training, and accountability practices by establishing a duty for officers to intervene and report when they witness another officer use excessive force and requiring law enforcement agencies to have early warning systems to support the professional development and psychological needs of officers and institute behavioral interventions when needed; and

WHEREAS, N.C. Sess. Law 2021-143 (the Dignity for Women Who are Incarcerated Act), which was enacted on September 10, 2021, makes North Carolina part of the majority of states that restrict the shackling of pregnant women to protect their medical health and afford them dignity while incarcerated; and

WHEREAS, the Task Force also made valuable progress by advancing recommendations at the local level, including supporting local government and law enforcement agency initiatives; and

WHEREAS, among these initiatives are: the New Hanover County's "Port City United," a violence prevention and intervention program established in the wake of school violence; Greensboro Police Department's co-responder team to respond to mental health calls; Duke University Hospital's hospital-based violence interruption program; and Raleigh Police Department's work to train its entire department on its duty-to-intervene policy; and

WHEREAS, the Task Force made valuable progress by hosting learning sessions, sharing funding opportunities, and raising awareness of the need to advance racial equity in criminal justice; and

WHEREAS, the undersigned fulfilled recommendations of the Task Force by establishing the Juvenile Sentence Review Board, implementing updated funding priorities for the Governor's Crime Commission, and directing the North Carolina Department of Public Safety to implement certain Task Force recommendations; and

WHEREAS, the North Carolina Supreme Court fulfilled a recommendation of the Task Force by issuing an Order Adopting Rule 28 of the General Rules of Practice for Superior and District Courts that creates a procedure for defendants to file a motion for an assessment of their ability to pay legal financial obligations; and

WHEREAS, continued work is needed to fulfill the goals of Executive Order No. 145 given the long history of structural inequity in the criminal justice system; and

WHEREAS, Black Americans are disproportionately impacted by gun violence, experiencing ten (10) times the gun homicides, eighteen (18) times the gun assault injuries, and nearly three (3) times the fatal shootings by police as white Americans; and

WHEREAS, a restructured Task Force will focus on achievable and impactful improvements to the criminal justice system in North Carolina through continued implementation of Task Force recommendations; and

WHEREAS, Executive Order No. 145 expires on December 31, 2022, and the undersigned has determined the Task Force's work must be continued; and

WHEREAS, pursuant to Article III of the North Carolina Constitution and N.C. Gen. Stat. §§ 143A-4 and 143B-4, the Governor is the chief executive officer of the state and is responsible for formulating and administering the policies of the executive branch of state government; and

WHEREAS, pursuant to N.C. Gen. Stat. § 147-12, the Governor has the authority and the duty to supervise the official conduct of all executive and ministerial officers.

NOW, THEREFORE, by the authority vested in the undersigned as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED**:

Section 1. Task Force

A. Establishment and Purpose

The Task Force is hereby continued, as amended herein. The mission of the Task Force is to further implement solutions recommended in the North Carolina Task Force for Racial Equity in Criminal Justice December 2020 Report (the "December 2020 Report") that will eliminate disparate outcomes in the criminal justice system for communities of color.

B. Duties

The Task Force shall review recommendations identified in the December 2020 Report, as well as all subsequent progress reports, and identify next steps for not-yet-completed recommendations, with an emphasis on but not limited to the following focus areas:

1. Local law enforcement practices and accountability, including:
 - a. Promoting diversity in the law enforcement profession and enhancing training, recruitment, and retention of law enforcement
 - b. Improving responses to behavioral health crises, including supporting co-responder programs, diversion, and crisis intervention training
 - c. Enhancing accountability in the criminal justice system, including the use of body worn cameras
 - d. Promoting best practices, including on use of force, investigations, protests and demonstrations, and community policing
2. Violence prevention, including evidence-based community violence intervention programs, restorative justice programs, youth crime reduction efforts and School Justice Partnerships
3. Judicial system policies and practices that result in racially inequitable outcomes including but not limited to charging, sentencing, fines and fees, and collateral consequences of convictions
4. Collection, analysis and public display of criminal justice system data

The Task Force will advance recommendations by providing guidance to state agencies, working with local communities, and convening stakeholders and sharing best practices. The Task Force is expected to continue to consult with local, state, and national criminal justice and racial justice experts and people with experiences relevant to the Task Force's mission.

The Task Force should focus on implementing existing recommendations, but it may also make new recommendations as needed to respond to emerging criminal justice trends or issues.

The Task Force shall provide advice and guidance on any other matters the Governor refers to the Task Force.

C. Membership

The Task Force shall be comprised of no more than twenty-seven (27) members, including chair(s). All members shall be appointed by the Governor and shall serve at the Governor's pleasure. The Governor shall select the chair or co-chairs to lead the Task Force. The Task Force shall include representatives from the following groups:

- North Carolina Department of Justice;
- North Carolina Department of Public Safety;
- North Carolina Judicial Branch, including appellate, district and superior court judges;
- District Attorneys;
- Public Defenders;
- Organizations or individuals that represent or advocate for marginalized communities, including communities of color, Latinx, American Indian and LGBTQ populations;
- Justice-involved individuals;
- Victim advocates;
- Chiefs of Police;
- Sheriffs;
- North Carolina General Assembly;
- Local elected officials; and

- Other appropriate representatives from local and state government, academic institutions, research or advocacy groups, etc.

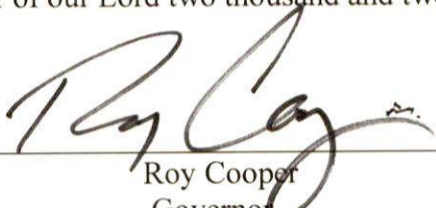
D. Meetings, Quorum, and Deliverables

1. The Task Force shall meet at least quarterly. A simple majority of the Task Force members shall constitute quorum to transact business. Meetings of the Task Force shall be conducted consistent with the state Open Meetings Laws, N.C. Gen. Stat. § 143-318.9 *et seq.*
2. The Task Force shall submit a report describing Task Force activities and recommendations to the Office of the Governor annually by December 31st of each year.
3. The Task Force shall serve without compensation but may receive per diem allowance and reimbursement for travel and subsistence expenses in accordance with state law and Office of State Budget and Management policies and regulations.

Section 2. Effective Date

This Executive Order is effective immediately and shall remain in effect until December 31, 2024, unless rescinded or superseded by another applicable Executive Order.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capital in the City of Raleigh, this 14th of November in the year of our Lord two thousand and twenty-two.



Roy Cooper
Governor

ATTEST:



Rodney S. Maddox
Chief Deputy Secretary of State

