



North Carolina

2020 Primary Election Candidate Questionnaire Board of Commissioners - Mecklenburg County

The American Civil Liberties Union (ACLU) of North Carolina, a nonpartisan organization, would like to provide voters with information about where candidates stand on important issues relating to the criminal legal system. Our goal is to educate voters about local candidates' positions on important issues.

All primary candidates for Mecklenburg County Commissioner are receiving this questionnaire. Responses will be made publicly available.

2020 Primary Election Candidate Questionnaire Board of Commissioners - Mecklenburg County

CANDIDATE NAME: Leigh Altman

In Mecklenburg County, as many as 90 percent of the people in jail are being held before their day in court and without being convicted of any crime. Some of those people will pay hard-earned money to secure their release before trial, but many who cannot afford to pay money bail could be stuck in jail for days or weeks.

Studies show that spending just three days in jail can cause a person to lose their job, home, or custody of their children. And research suggests that pretrial detention increases the likelihood that a person will be convicted and receive a longer sentence. All of these harms disproportionately affect people of color and people who are living in poverty.

There are many ways to reduce the harm caused by jailing people before trial, and Mecklenburg County court officials have taken some important steps to work toward solutions to this problem. But there is more that the County can do, and County Commissioners can play a key role by seeking opportunities to fund pretrial services programs and supporting reforms by the Sheriff's Department and the courts.

1. One way to prevent the harm of pretrial incarceration and to combat mass incarceration is to avoid booking people into the jail in the first place. Law enforcement officers have the discretion to issue a citation (a ticket with a court date) instead of arresting someone. This policy has been successfully implemented in other counties for certain lower-level charges. Issuing more citations can not only prevent harmful pretrial incarceration, but it can also reduce costly jail overcrowding and save law enforcement time and money.

As a county commissioner, would you support the Mecklenburg County Sheriff's Department's expanded use of citations instead of arrest warrants for lower-level charges?

Response (Please give a clear “yes” or “no” and any explanation):

Yes.

It is important for the public to understand that this question concerns individuals who have been charged with a crime, have not yet been tried, and may ultimately be acquitted. Many people do not have hundreds of dollars -- or whatever amount is set by the judge -- to post as bond so they can return to their lives while they await trial. Thus, economically-disadvantaged defendants are held in jail for however long it takes for their trial to occur. This pretrial incarceration can easily result in job loss, loss of one's home, and even loss of custody of one's child -- a child who may be left without a parent or guardian. This is incredibly destabilizing for an individual who is presumed innocent as a matter of law. This is something that we as a community must think carefully about.

A public servant's number one job must always be to keep the public safe. While we must recognize the potential harms of a bond, we must balance this against legitimate needs for public safety. I therefore support a bond requirement for persons who have been charged with any serious crime involving a threat to public safety such as domestic violence, child abuse, driving while intoxicated, robbery, assault, sexual offenses, kidnapping, and homicide. For people charged with non-violent offenses which do not threaten public safety, such as shoplifting, loitering, simple possession of marijuana, and the like, a citation and summons to appear in court are sufficient.

2. Pretrial services programs are a key part of successful policies to keep people out of jail before their day in court and to help people get to their court dates. These programs range from basic supports such as court date reminders, court-based child care, and transportation vouchers, to programs such as mental health and substance use treatment and no-fee electronic monitoring.

As a county commissioner, would you commit to supporting pretrial services, and seek funding to expand pretrial services in your county?

Response (Please give a clear “yes” or “no” and any explanation):

Yes.

As a lawyer of 17 years, I have seen firsthand how under-resourced our court system is, and I support these important initiatives. So many people caught up in our criminal justice system are living with mental health issues and substance use disorders. As we continue on the long road towards a more perfect union, our penal system must evolve too, not only because it is the humane thing to do, but also because it is more cost-effective to address the root causes of behaviors.

3. Pretrial services programs work hand-in-hand with court-system reforms to prevent the harms that come with requiring payment of secured money bonds in order to be released. In Mecklenburg County, judges, magistrates, and the district attorney's office have made the first of many steps needed to implement meaningful reforms to the pretrial system.

As a county commissioner, will you encourage and support the pretrial reform efforts of the court-system actors in your county, and seek funding to facilitate those reforms where relevant?

Response (Please give a clear “yes” or “no” and any explanation):

Yes.

We can agree as a community that a criminal justice system which allows a wealthy person to walk free yet keeps another person charged with the same offense behind bars is indefensible and immoral. It is a complex problem, but we must begin by admitting there is a separate and harsher justice system for people without financial resources -- the double standard of a bond being just one of many examples. I am committed to reforms which bring us closer to a criminal justice system that lives up to the promise of equal justice under the law for all people and which seeks to address the whole person so that we can be humane, equitable, and rehabilitative in our penal system.