



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.

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CANDIDATE NAME: Tigress Sydney Acute McDaniel

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):

I will take opportunity to foremost advise your leadership and members that if you have to explain a matter to any prospective candidate andragogically prior to the question, as opposed to straightly asking the question, there is a great likelihood that such candidate cannot serve you well.

I, on the other hand, can. I have spoken about the debtor's prison ad infinitum at every opportunity. I have reminded Charlotteans and local PACs that statutory law is a model code, and further that common law does indeed exist and viably so in North Carolina. I have further explained that municipalities and counties can adopt their ordinances, where such does not violate statutory law. Even more so, jurisdictional gatekeepers, like senior or chief judges can adopt standards for their respective jurisdictions - for instance, the matter regarding electronic devices in the courtroom. In Mecklenburg, one can bring it into the courthouse and use it generally; and furthermore, bring it even into the courtroom as long as it is powered off. A person can freely leave the courtroom, power up their phone, and use it, then return generally at their leisure. Only a short 30 minute drive away, in Cabarrus county, electronic devices are not permitted in the courtroom, unless previously approved via petition to the court. The point here is you need to elect individuals who are committed to the academic rigor inherent to even the scope of duties and application as a Commissioner. I argue that you need to apply the same scrutiny to every elected seat - even the Soil and Water Conservation District Supervisor and even community members (citizens) who would serve on various boards empowered by the City Council or Board of Commissioners.

After all, the way you have andragogically explained the indisputably negative externalities of the debtors' prison model, what candidate in their right mind would you expect to say no. Sometimes it's best that a candidate show her/himself approved as opposed to you begging for their support.

i am confident I have shown myself approved over and over again, election after election. You, now, must determine your worth; do you deserve to have officials who will engage the necessary work without your coaxing and constant supervision or do you deserve the positive alternative?

Because I am certain that you are still possibly unclear about my disposition ... where the piercing irony here is that I am the only candidate for

Commissioner At Large (and likely the only candidate period in this election and those in the past) who has been in the circumstances you explain (and wrongfully and unlawfully so) and who could lend great insight into other solutions beyond the mere use of citations to ensure that our everyday citizens do not fall prey to a debtors' prison in what should be a great economically viable metropolis for all Charlotteans.

My answer is "yes, I would" because I already do, advocating tirelessly for victims of the debtors' prison model and have for many years well before even running office.

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. I reiterate the above stated. A debtors' prison is catalyst to a vicious cycle that serves absolutely no one well in the hierarchy of socioeconomic status. Hopeless victims too often become even more hopeless perpetrators of crime. Perpetrators convicted of petty crimes are prejudiced by employers and landlords, and thus too often become recidivists. Recidivists too often become hardened perpetrators of crime - and those costs we all bare. Destruction of otherwise stable neighborhoods plagued with drug abuse to cope, drug sell to make income to "survive," and gun violence to kill before getting killed. Landlords bare the costs to restore unfit premises. Employers/business establishments bare the costs in loss prevention and embezzlement and larceny and robbery. Hospitals bare the costs of providing care for persons who can't and generally know they can't afford the services for which they visit. Those costs don't disappear and are sorely absorbed through federal subsidies. They just get recycled, which causes strain upon every sector of our society and economy. It effectually becomes a debtors' prison to an entire ecosystem for which the debt cannot be succinctly quantified, but qualitatively we see its impact via crime rates, graduation rates, pregnancy/abortion rates, homeless rates et cetera. Pretrial services programs and partnering with the many diversified and apt non-profit and for-profit agencies completely devoted to social relief, would have a powerfully positive impact or turning that otherwise grim reality around.

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):

I will not only encourage, I will employ the same academic and community oneness rigor I have in law school and community outreach projects, to study and identify legislation that's antiquated or alternatively affords implementation of these "meaningful reforms" employing my expertise in strategic implementation and conflict resolution to strategize bi- or non-partisan solutions (some may call "compromise" or I like to call it - "greater good") to get as close as we can to an "everybody wins" outcome.

But ... again I redirect to my statements above ... do you even feel like you deserve to have an official who's willing to put in the work rather than put on a show?!