

2019 North Carolina Conditions of Release Report

Jessica Smith, W.R. Kenan Jr. Distinguished Professor, UNC School of Government &
Director, Criminal Justice Innovation Lab
Ross Hatton, UNC MPA Graduate Research Assistant
February 2020

We previously produced information about the prevalence of secured bonds at the state and county level. In this report we update that work with 2019 data and look at changes in the imposition of financial and non-financial conditions in North Carolina. A few key takeaways from our research:

- Notwithstanding North Carolina's statutory preference for imposition of nonfinancial conditions except when specified circumstances are present, G.S. 15A-534(b), in 2019 secured bonds continued to be the most commonly imposed condition of pretrial release.
- At the state level in 2019 for cases in which conditions were set, secured bonds were imposed in 66.2% of misdemeanor cases and in 79% of felony cases.
- There is considerable variability regarding the use of secured bonds at the county-level. In misdemeanor cases, for example, the county at the lowest end imposed secured bonds in 36.1% of cases; the county at the highest end imposed secured bonds in 86.8% of misdemeanor cases.
- The two counties with the greatest decrease in use of secured bonds in misdemeanor cases were Haywood and Jackson Counties. Those counties adopted consensus bail reforms in 2018 that took effect January 1, 2019. A report on that project is [here](#).

Before we get to county level information, we offer a few notes about the data and the purpose of this report. First, our information comes from NC AOC data runs showing the *last condition* imposed in 2018 and 2019 cases. There is no way to extract from the existing case management system a history of conditions imposed in individual cases; the only way to get that information is to pull case files. Thus, the last condition in our spreadsheets may include the initial condition set by a magistrate; the condition set by a judge at the first appearance; or the condition set at a subsequent court proceeding. Second, apparently there is no field to code release to a pretrial services program. Thus, for counties that provide for that form of release, local practices will dictate how cases are reported in the data run. For example if they are coded as custody releases, they would show up in that number. We do not know for sure, but suspect that in some counties release to a pretrial services program is coded as a secured bond, possibly inflating secured bond numbers in counties that have such programs. Third, the report only shows cases for which conditions were imposed. If charges were initiated by citation or summons and the defendant was not later arrested in connection with those charges, the case is not included in this report. Finally, *we are not making any judgment about the data; stakeholders have asked for information about how their pretrial systems are functioning and this report provides one lens to look at those systems*. We understand, for example, that counties with relatively high violent crime rates might see higher rates of imposition of secured bonds in felony cases. In a forthcoming analysis, we hope to provide more information about the types of charges at the county level, giving more context to these data.

And now the 2019 county-level data. Table 1 below shows the ten North Carolina counties with the highest percentage of secured bonds imposed in highest charge misdemeanor cases. Table 2 shows the ten counties with the lowest percentage of secured bonds in those cases. Table 3 shows the ten counties with the greatest decrease, from 2018-2019, in the percentage of misdemeanor cases that received a secured bond.

Want to know where your county stands? A spreadsheet with all of our 2018 and 2019 data is [here](#).

Table 1: 10 Counties with Highest Percentage of Secured Bonds in Misdemeanor Cases, 2019

County	Percentage of Misdemeanor Cases with Secured Bond
DARE	86.8%
FRANKLIN	85.8%
PITT	85.7%
WAKE	82.5%
HENDERSON	81.8%
BRUNSWICK	81.3%
IREDELL	81.3%
ALAMANCE	80.8%
MCDOWELL	79.7%
WATAUGA	79.1%

Table 2: 10 Counties with Lowest Percentage of Secured Bonds in Misdemeanor Cases, 2019

County	Percentage of Misdemeanor Cases with Secured Bond
JACKSON	36.1%
HAYWOOD	39.1%
GATES	40.2%
TYRRELL	41.3%
CLAY	45.9%
MECKLENBURG	46.2%
BUNCOMBE	48.8%
HYDE	49.1%
CHEROKEE	49.5%
DURHAM	53.7%

Table 3: 10 Counties with Greatest Decrease in Imposition of Secured Bonds—Misdemeanor Cases, 2018-2019

County	2018-2019 Percentage Change, Misdemeanor Cases with Secured Bond
JACKSON	-18.0%
HAYWOOD	-14.8%
GRAHAM	-13.7%
CLAY	-11.8%
DURHAM	-7.9%
ASHE	-7.9%
CARTERET	-7.7%
HARNETT	-6.8%
BUNCOMBE	-6.4%
WASHINGTON	-6.3%

For more information about North Carolina’s bail system, visit the Criminal Justice Innovation Lab website: <http://cijil.sog.unc.edu/>.

© 2020. School of Government. The University of North Carolina at Chapel Hill.

Use of this publication for commercial purposes or without acknowledgment of its source is prohibited. Reproducing, distributing, or otherwise making available to a non-purchaser the entire publication, or a substantial portion of it, without express permission, is prohibited. For permissions questions or requests, email the School of Government at copyright_permissions@sog.unc.edu.