

Bail Reform for Local North Carolina Jurisdictions—Options for Each Stage of the Pretrial Process

Jessica Smith, UNC School of Government, May 2019

ARREST	INITIAL APPEARANCE	FIRST APPEARANCE	SUBSEQUENT COURT PROCEEDINGS
Citation in lieu of arrest policies	Adhere to statutory preference for nonfinancial conditions	Adhere to statutory preference for nonfinancial conditions	Enhanced court date reminder systems
Summons in lieu of arrest policies	Implement better risk assessment tools and provide a structure for pretrial conditions decision	Implement better risk assessment tools and provide a structure for pretrial conditions decision	Offer appropriate pretrial services (e.g., mental health, transportation) and supervision (e.g., check-ins) with no up-front costs to defendants
Pre-charge diversion (e.g., mental health, substance use, youth, etc.)	Require reasons for secured bond	Require reasons for secured bond	Align procedures for OFAs after FTAs with goals (e.g., check on detention before issuing OFA; judge sets conditions in OFA to avoid mandatory bond doubling when appropriate)
Data collection & reporting	Require ability to pay determinations before financial conditions are imposed on appearance bonds	Require ability to pay determinations before financial conditions are imposed on appearance bonds	Regular review of jail rolls by jail administrator or judicial official, with court hearings scheduled as needed
	Set first court date prior to officer's next court date	Timely first appearances for all defendants, including those charged with misdemeanors	Require counsel (or waiver after opportunity to consult with counsel) for time served pleas
	Data collection & reporting	Early involvement of public defender or appointed counsel in release determination, including counsel's access to defendant in jail & to prior history record	Expedited trials for detained defendants
		Require counsel (or waiver after opportunity to consult with counsel) for time served pleas	Data collection & reporting
		Hold detention bond hearings for those detained on detention bonds	
		Data collection & reporting	
LOCAL BOND POLICY			
LOCAL CULTURE			