

# Smart public investments can ensure access to justice and safety for all

As North Carolina seeks to secure the safety of its residents, priority must be placed on up-front investments in people's well-being coupled with smart investments in the criminal justice system and re-entry programs that provide the resources people need to succeed and avoid further involvement in the carceral system.

The Justice Reinvestment Act, prioritizing reducing corrections costs and reinvesting savings, and the Juvenile Justice Reinvestment Act (or Raise the Age), ending the automatic prosecution of some juveniles as adults, both have the ultimate goal of reducing spending on corrections.

This legislation allows for meaningful and proactive investments in rehabilitative alternatives to incarceration known to reduce recidivism and strengthen communities. Both pieces of legislation hold promise; however, successful implementation hinges on adequate funding.

The state has limited investments in justice and public safety in recent years. The amount of General Fund dollars going to the Department has declined and reliance on criminal court fines and fees — and associated coercive collection tactics such as driver's license suspensions — has increased.<sup>1</sup> However, additional funding would be more effective if used to support the programs and services that actually prevent criminalization of black and brown communities, help youth and adults avoid further interactions with the carceral system and support formerly incarcerated individuals in rebuilding their lives.

<sup>1</sup> From 1999 to present, the amount of court costs has increased 400 percent, and the number of court costs has increased from 4 fees to 40 fees.

For the past decade, North Carolina has chronically underfunded the state infrastructure, programs, and services that are critical for supporting every family and community in our state with the resources they need. **In order to rebuild a more equitable state, the NC General Assembly must prioritize people over profitable corporations** and make the public investments necessary to ensure every North Carolinian can thrive.



## BY THE NUMBERS

- According to the Department of Public Safety, more than 22,000 people are released from incarceration in state prison each year.<sup>1</sup>
- The prison population decreased 9.6 percent between the 2011 JRA enactment and July 2015. That reduction alone saved the state \$64 million dollars.
- In fiscal year 2015, the state saw an 18.6 percent decline in the probation revocation rate and a 57 percent decrease in the number of people failing supervision compared with the year prior to when JRA was enacted
- According to data received from the Administrative Office of the Court in January 2021, more than 322,000 North Carolinians have lost their driver's licenses for failure to pay court costs.
- During the first year of Raise the Age,<sup>2</sup> there has been a 32 percent decline in juvenile admissions into adult correctional facilities.<sup>3</sup>

<sup>1</sup> <https://www.ncdps.gov/our-organization/adult-correction/reentry-programs-and-services>

<sup>2</sup> North Carolina was the last state in the U.S. to end the automatic prosecution of 16- and 17-year-old juveniles as adults when the General Assembly passed the [Juvenile Justice Reinvestment Act](#) (also known as Raise the Age) in 2017. As a result, 16- and 17-year-olds charged with non-violent crimes on or after Dec. 1, 2019, will be considered to be under the jurisdiction of the juvenile justice system, pursuant only to specific exceptions.

<sup>3</sup> [According to the Department of Public Safety, approximately half of all juvenile-system-involved youth have a household member that is currently incarcerated or has a criminal record](#), making programs that help system-involved youth avoid interaction with the adult system even more critical.

For more information about this and other budget topics, visit [NCJustice.org/statebudget](https://NCJustice.org/statebudget)

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## Telling the story of impact

**In North Carolina, fines and fees are increasingly used to finance the justice system and replace funds lost to cuts in the state income, estate, and corporate tax rates. This financial scheme creates disincentives to state investments in long-term solutions that prevent contact with the system and makes it nearly impossible for people living in poverty to free themselves of the system once in it.**

Tax changes ushered into effect over the past eight years have included decreases in the personal income tax and corporate tax rate, elimination of the Earned Income Tax Credit, enactment of an income tax cap, and expansions of the regressive sales tax. Meanwhile, over the past two decades, fines and fees required of criminal defendants and persons convicted of a crime have expanded and increased at an alarming rate, in some cases leading to confinement for lack of payment.

Most worrisome is the reality that a significant portion of the fines and fees collected are funneled to the North Carolina General Fund, replacing dollars lost to tax cuts — an especially extreme form of regressive taxation. These fines and fees are disproportionately leveled against Black and brown North Carolinians, and function as an almost impossible barrier to exiting the system for North Carolinians living in poverty.

**Re-entry programs remain underfunded, diminishing their power to support community safety and well-being goals despite the availability of dollars through reinvestment.** North Carolina passed the Justice Reinvestment Act in 2011 (HB 642) but invested most of the resulting \$543,798,472 in savings into expanding post-release and probation supervision.<sup>1</sup> The missed opportunity in reinvesting savings from the move away from mass incarceration has meant too many re-entry programs remain underfunded and unable to fully support the successful re-entry of people leaving prison in the state.

Check out these articles for more details:

- [How North Carolina budget proposals undercut “Raise the Age” reforms](#)
- [Jails Are the Safety Net for Medical Crises but Some NC Counties Can’t Keep Up](#)
- [New report: Court fines and fees are criminalizing poverty in North Carolina](#)
- [As Court Fees Rise, The Poor Are Paying The Price](#)

<sup>1</sup> “Justice Reinvestment Initiative (JRI): North Carolina” (Urban Institute, March 6, 2020), [https://www.urban.org/sites/default/files/2020/03/06/justice\\_reinvestment\\_initiative\\_jri\\_north\\_carolina.pdf](https://www.urban.org/sites/default/files/2020/03/06/justice_reinvestment_initiative_jri_north_carolina.pdf).

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## MORE RESOURCES

- [State Reentry Council Collaborative Draft Workgroup Recommendations](#)
- [The Explosion of Unpaid Criminal Fines and Fees in North Carolina](#)
- [At All Costs: The Consequences of Rising Court Fines and Fees in North Carolina](#)
- [Raise the Age Implementation - One Year Later](#)