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CRIMINAL JUSTICE SYSTEM - IMPROVEMENTS IN THE
JUVENILE AREA, LAW ENFORCEMENT AND CORRECTIONS

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The Criminal Justice System - Improvements in the Juvenile
Area, Law Enforcement and Corrections

In dealing with the criminal justice system and crime prevention in North Carolina, there is one basic premise that appears evident on all fronts. This premise is simply that no one in North Carolina is satisfied with our present system of criminal justice or our efforts in crime prevention.

Judges, solicitors, attorneys, law enforcement officers, witnesses, court officials, the general public, and even the defendants themselves have expressed their feelings of displeasure with the present system. Some have chosen to criticize the system without offering alternative solutions. Others have given their ideas on the improvement techniques for the system, and still others have actively engaged themselves in preparing and enacting legislation to improve the system.

North Carolina has always been blessed with progressive movement in the area of criminal law. As one of the original thirteen colonies, we inherited a good deal of the basis for our law through the English system.

With this primary system to start with, our legislature and courts have proceeded to build a system of criminal justice that our citizens can be justly proud of. Although the system now seems old, outdated, and in some areas, generally hard to work with, its foundation is still better than any other in the world today. For this reason alone, our system of criminal justice deserves to be salvaged and improved, and this must be accomplished as soon as reasonably possible.

Three of the areas in North Carolina which I believe need immediate attention are juvenile delinquency, law enforcement, and corrections.

Juvenile Delinquency

In talking honestly and frankly about our system in North Carolina, the best place to start is at the beginning - with the juvenile.

Once one leaves the period of being a juvenile, society gets one of two things:

- (1) Either the responsible adult who proves a credit to society,
- (2) Or the youthful offender who goes on to plague the criminal justice system.

For many years North Carolina has traditionally placed the care and training of juvenile in three places:

- (1) the home
- (2) the church
- (3) the school

If any one of these fails, the burden then shifts to the truant officer, the local policeman, or the District court.

Law enforcement officers and the general public alike understand that a juvenile is someone under the age of 16, and that when such a person is encountered in the area of a criminal violation, certain special handling is required. This is about as far as the local officer can carry the problem. The officer is at a disadvantage due to a lack of knowledge in the handling of youthful offenders and the juvenile will suffer from this lack of knowledge. The exception to this is found in those limited areas of the State where Juvenile Officers are present and able to assist the law enforcement officer.

There is no statewide organization to assist in the juvenile problem. Some of the larger cities and counties of the State have the money for Juvenile Bureaus or Juvenile Services which hire full-time Juvenile Officers. In these areas, the enforcement officer's problem on how to deal with the juvenile has been drastically reduced, and a decline in juvenile activities and repeating offenders has been noted.

North Carolina must realize that the juvenile delinquent of today is likely to be the adult offender of tomorrow. This area is critical, and if left unattended will contribute more to the rising crime rate in North Carolina than any other single factor.

The problem faces us squarely - what can North Carolina do in the area of juvenile delinquency and crime prevention? Some suggestions which might be worthy of consideration are:

(1) Formulate a concise meaning of the juvenile offender in North Carolina, with definitions and examples that will assist law enforcement in dealing with this problem. Create awareness of the juvenile offender within the operation of each officer in this State, so that he may act toward the juvenile in a confident and correct manner.

(2) Provide juvenile service officers to all municipalities and counties and provide for the training of these officers at State facilities.

(3) Assist the local governments financially if possible, either by State funds or in acquiring federal funds, to establish a Juvenile Bureau.

(4) Emphasize to the District court officials the importance of dealing with juveniles in a different manner than adults. Encourage them, through the Administrative Office of the Courts, to seek professional advice from juvenile workers and officials in the handling of these young offenders.

Many times I have seen the frequent juvenile offender go untouched and undisciplined, and end up facing serious charges as an adult. North Carolina needs her young people, and owes them the establishment of a strong juvenile system which in time may save young lives from the ultimate ruin of a criminal career.

Law Enforcement

It would be impossible to examine the criminal justice system in our State without taking a close look at the law enforcement officer. He is usually taken for granted, and the general public rarely gives it a thought that these men are the only force that stands between a state of law and order, and one of criminal chaos.

Not many of the judges, solicitors, lawyers or other administrative officers of the court have the opportunity of laying down their lives for the system. Police officers, who are just as much a part of that same system, do it every day. They are brothers in the administration of criminal justice in North Carolina, but are rarely treated with that type of respect.

Law enforcement officers should be provided with training opportunities, better salaries, better benefits and better working hours - the minimum standards for new officers should be raised when the profession becomes inviting enough to attract persons with higher educational qualifications.

Better equipment should be provided where needed, and every officer should know how to use it effectively.

In my opinion, nothing would go further in the prevention of crime in North Carolina than professional, trained and competent law enforcement officers.

Corrections

Another very important part of the criminal justice system is corrections. It has even been said that corrections is the stepchild of the criminal justice system.

Fragmented internally and isolated, both physically and administratively, from the rest of the system, corrections tends to be forgotten by government and public alike. Yet, prisons, jails, detention facilities, probation and parole agencies and the other components of corrections are an integral part of the criminal justice system. Their isolation contributes to a particularly vicious spiral of crime, incarcerations, worse crime and thus, North Carolina's rising crime rate.

The cycle of crime is one reason jails have been termed "factories of crime," and prisons, "colleges for advance criminal education". To break the cycle will require a major reordering of priorities to support a new emphasis on rehabilitation rather than custody, to upgrade personnel and institutions, and consolidate and streamline administration.

The statistics show that just about everybody now in prison will get out - but most of them will return, approximately 70% in North Carolina. Therefore, one of the most critical factors in this process is the personnel involved in rehabilitation. North Carolina must improve recruitment, compensation, training and promotion practices in order to attract sufficient numbers of high quality personnel to corrections.

In addition we must work together to provide adequate adult and juvenile detention services and facilities to end the mixing of juveniles and adults, and untried persons with convicted offenders, and to expedite the trial of untried detainees.

If the corrections system is to train a person to live in society, it must provide him with a means of earning a living in the community and help him adjust to community life. Academic and vocational training is not adequate in our prisons. Studies generally include a high relationship between employment success and post-release success. North Carolina must strive to refocus corrections on rehabilitation by strengthening community-based treatment, expanding education and vocational training, and increasing programs and facilities for work release.

Overall, in order to lower crime rates, we are going to have to raise the priority of corrections significantly. This means greater public attention, more funds and a shift of policy focus to bring about fundamental reforms in our system.

CONCLUSION

I have not been able to discuss all facets of criminal justice. These areas represent what I believe to be some of the more critical problems.

In conclusion, one final thought crosses my mind, and that is the people of North Carolina. They share as much of the responsibility for a good system and a reduced crime rate as we do - and perhaps a good place for them to start would be joining with us and believing that we live in a system that must be governed by laws and not by men.