

**CAITLYN'S COURAGE
DOMESTIC VIOLENCE
PREVENTION PILOT PROGRAM**



Caitlyn's Courage

**REPORT TO THE
NORTH CAROLINA GENERAL ASSEMBLY**

April 2021

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LETTER FROM CAITLYN’S COURAGE

April 1, 2021

Representative James Boles, Jr., Co-Chair, JLOCJPS
Representative Ted Davis, Jr., Co-Chair, JLOCJPS
Representative Donny Lambeth, Co-Chair, JLCHHS
Senator Warren Daniel, Co-Chair, JLOCJPS
Senator Joyce Krawiec, Co-Chair, JLCHHS
Members of the Joint Legislative Oversight Committee on Justice and Public Safety (JLOCJPS)
Members of the Joint Legislative Oversight Committee on Health and Human Services (JLCHHS)
Fiscal Research Division, Justice and Public Safety Team
Fiscal Research Division, Health and Human Services Team

North Carolina General Assembly
Raleigh, North Carolina 27601-1096

Re: Caitlyn’s Courage Activity Report

Dear Legislators:

On behalf of Caitlyn’s Courage Board of Directors, please accept our deep and profound appreciation for the confidence in Caitlyn’s Courage to implement a pilot program to utilize GPS monitoring technology in domestic violence cases. As a father who lost his daughter to a domestic violence murder, I know firsthand of the devastation, heartbreak, and pain that a family endures due to domestic violence.

With Gods strength and grace, Caitlyn’s Courage was formed in memory of my daughter, Caitlyn Whitehurst. Caitlyn’s Courage, a 501(c)(3), is devoted to fostering and delivering proven vital services to curtail domestic violence in North Carolina. An article published last year in the [News & Observer](#) with a headline: [“When domestic violence protective orders don’t protect. Is North Carolina doing enough?”](#) really hit home. The article illustrated the need for new innovative ways in protecting victims of domestic violence. Looking for such an innovation to alert a victim of a defendant’s proximity we became aware GPS monitoring. Imagine our disappointment to learn even though such technology existed and was in use in other states, despite being proposed, but was not yet enacted into law in North Carolina. Furthermore, we were shocked to learn the concept was not a priority among any of the domestic violence advocacy coalitions in the State as it was never promoted or mentioned in any of their published legislative priorities.

Looking to the future and striving to create change, we started brainstorming with countless stakeholders throughout the State, including but not limited to: law enforcement officers, district court judges, superior court judges, prosecutors, public defenders, attorneys, clerks of court, NC court staff, legislators, health experts, and other domestic violence victim advocacy groups.



Keeping to our pledge to honor Caitlyn, we continued to work day-and-night to identify, effectuate, and deliver solutions to enhance victim safety, the need for a real tangible solution became evident after talking with the stakeholders. Furthermore, according to a study for the United States Department of Justice found that “GPS is effective in preventing defendants from (physically) contacting victims, suggesting that GPS ‘puts teeth’ into restraining orders.” Likewise, implementing and requiring GPS monitoring drives the message home to the defendant that there is to be no-contact. They now know that the no-contact order is going to be supervised and that there are repercussions if any contact occurs.

Accomplishing the goals of increasing victim safety and holding defendants accountable, the Caitlyn’s Courage GPS monitoring pilot program has been remarkably successful, as noted in the wonderful testimonials (included in the report) from victims and top judiciary officials from 10 of the States 41 judicial districts. In addition, we have exceeded the expectation for the pilot program to be enacted in nine (9) judicial districts. From the Coast to the Mountains, we have the pilot program offered in 15 judicial districts, and presently working with a few more to establish their imposition procedures.

In other words, the pilot program is making a domestic violence no-contact order more than just a piece of paper. We provide meaningful lifesaving resources to victims of domestic violence. The affliction that we have experienced in losing our beloved, Caitlyn, to domestic violence is something that no father, family member, or friend should ever have to go through.

Again, please accept our sincere appreciation for all the work that each of you and your colleagues do on behalf of the citizens of North Carolina. Please do not hesitate to contact us if there are any questions or if we can be of any assistance.

Respectfully,



Judson T. Whitehurst, Chairman
Caitlyn’s Courage Board of Directors



BACKGROUND / INTRODUCTION

Even in a good year, life is challenging for victims of domestic violence, but due to the recent COVID-19 pandemic, it is even worse. Domestic violence has been on the rise and is at an all-time high. Therefore, the need to facilitate and enhance victim's security during their daily routine is now needed more than ever before. The U.S. Department of Health and Human Services Centers for Disease Control and Prevention (CDC) considers intimate partner violence to be a public health problem, and domestic violence is more likely to occur when a potential defendant is experiencing isolation from other people, unemployed, participating in heavy alcohol use or is depressed - all of which have increased during the past year.

Pursuant to Session Law 2020-78, Section 4.2C.(a-g), the North Carolina General Assembly found: "the COVID-19 pandemic has exacerbated isolation, uncertainty, and economic instability, which has led to an increase in domestic violence, and due to the stay-at-home orders in effect, victims are more at-risk and vulnerable than ever before." It further determined: "in order to combat the rising rate of domestic violence due to the COVID-19 pandemic, victims need access to technology that provides instantaneous notification if the offender is within close proximity." Accordingly, the Session Law allocated \$3,500,000.00 in federal Coronavirus Aid, Relief, and Economic Security (CARES) Act, P.L. 116-136 funds, to Caitlyn's Courage to develop and implement an active Global Positioning System (GPS) monitoring pilot program aimed at reducing interaction between domestic violence victims and the defendant. Caitlyn's Courage was founded in memory of Caitlyn Whitehurst who was a victim of a domestic violence murder-suicide. Caitlyn was a loving daughter, sister, granddaughter, aunt, and friend to many. The Whitehurst family founded the non-profit organization with the mission of fostering and delivering proven vital services to curtail domestic violence in the State of North Carolina.

The Caitlyn's Courage domestic violence GPS monitoring pilot program alerts both parties (victim and defendant) when they are in close proximity, either by mistake or intention. Recognizing best practices to improve victim safety and defendant accountability, Caitlyn's Courage is providing active and "real-time" monitoring 24 hours a day, seven days a week, as a resource to respond to alerts and assist not only defendants, but most importantly, victims. In contrast, with passive monitoring, the defendant wears a device, but the monitoring agent might only receive information once a day or week when it is uploaded. The Caitlyn's Courage pilot program includes a two-piece system. The defendant wears an ankle bracelet, and the victim carries a portable GPS device which is paired to the defendant's device. If the two devices enter within a set distance, a notification alert is sent via SMS text messaging to the victim - providing the victim ample time to activate a safety plan. In addition, the victim receives a call from the live call center if the defendant is three hundred feet in a "fixed" zone from the victim. If the defendant violates a "fixed" zone and depending on the procedures in the participating judicial district, notification is sent to law enforcement.



North Carolina's definition of domestic violence occurs when one person in an intimate relationship uses a pattern of coercion and control against the other person during the relationship and/or after the relationship has terminated. Domestic violence is a serious and pervasive crime affecting people of all races, ages, income levels and sexual orientation. The crime of domestic violence violates an individual's privacy, dignity, humanity, and security, due to the systemic use of physical, emotional sexual, psychological, and economic control or abuse. In North Carolina, 25% of women report experiencing physical violence, rape, and/or stalking since turning 18.¹ This violence can and does end in homicide with approximately two intimate partner-related homicides committed every week in North Carolina.² Exposure to domestic violence puts young women and men in danger of long-term physical, psychological, and emotional harm.

Providing structure and predictability, Courts may issue a Domestic Violence Protective Order, often called a "DVPO" or a "50B order," that requires a perpetrator of domestic violence to stay away from the victim. Law enforcement can arrest the defendant on the spot for violating the order. In North Carolina, a "permanent" DVPO can last for up to one year, but can be renewed for up to two years at a time. In order to receive a DVPO, the victim needs show that the defendant committed an act of domestic violence as defined by North Carolina law. The law provides for a Judge to give a DVPO if the defendant intentionally committed one of the following acts against the victim or a child in the victim's custody:

- 1) Causing or attempting to cause physical injury.
- 2) Placing in fear of "imminent serious bodily injury" (for instance, by pointing a gun).
- 3) Continued harassment, by committing at least two wrongful acts against the plaintiff with no legitimate purpose, and which causes "substantial emotional distress" (for instance, by calling 50 times per day, causing the victim significant fear and anxiety).
- 4) Sexual assault.

For victims of sexual assault or stalking who do not have a relationship qualifying for a DVPO, may file for a "no-contact" order, often called a "50C order," against the defendant. The process for getting a 50C order is similar to the process for getting a DVPO. A Judge, either pretrial or at sentencing, may order as a condition of release that the defendant have "no-contact" with the victim.

Under the authority afforded to the Court, a Judge may order the electronic monitoring of a defendant to ensure compliance with the "no-contact" conditions, just as a Judge may order electronic monitoring to oversee compliance with probation conditions on other offenses.³

¹ Martin, R. Physical and sexual violence among North Carolina women: associations with physical health, mental health, and functional impairment. *Women's Health Issues*. 2008.

² Namkoong, H. By the Numbers in North Carolina: Domestic Violence. *North Carolina Health News*. 2014.

³ N.C.G.S. 15A-534 (a)(5).



In domestic violence cases, Courts are expected to closely monitor due to the high rates of recidivism and the substantial risks to the victim. The possibility of intimidation, disruption or violence dramatically increases for victims during the pretrial period after their abuser has been charged with the crime and has been released pending trial. A “NCSC [National Center for State Courts] study confirms that abused women are especially vulnerable to physical violence after they initiate court proceedings...”⁴

The use of GPS monitoring technology in enforcing Court mandated “no-contact” orders in domestic violence cases is effective in improving victim safety and holding defendants accountable. To that point, studies and reports estimate that as many as two thirds of protective orders are violated in the United States.⁵ Since the early 2000s, several states have statutorily authorized the use of GPS electronic monitoring devices to enforce protection orders, including North Carolina. Not only useful in enforcing orders, but it is also effective in helping victims get their lives back. In domestic violence cases, “no-contact” orders can be difficult to enforce, given the intimate relationship between both parties. The defendant is familiar with the victim’s daily routine and social habits and knows her friends and family. This knowledge provides the defendant with several opportunities to harass and/or abuse the victim and thereby violate the “no-contact” order.

Courts imposing the use of GPS monitoring sends the message to defendants, victims and the community that the Court takes these cases seriously and does not tolerate domestic violence. Further, this stance helps support law enforcement, advocacy, and accountability efforts - all while victims have a greater sense of comfort and security. Although GPS monitoring nationwide is most commonly used within the criminal justice system for tracking convicted defendants, it is also used for pretrial monitoring of defendants. As already noted, GPS monitoring is seen as a tool to help keep domestic violence victims safe, particularly when victims have access to a separate GPS device that alerts them if the defendant physically comes too close, and thus, provides the victim time to activate their safety plan. The North Carolina Department of Public Safety (DPS) operates an electronic monitoring program using GPS technology to monitor and track certain high-risk convicted offenders. Thus far, that program has mostly been limited to passive monitoring of the offender’s location. With that said, the pilot program implemented by Caitlyn’s Courage adds additional components to an electronic monitoring program, namely providing active monitoring of both the defendant and victim - and notifying the victim and law enforcement (depending on participating judicial district), when the defendant comes within a certain distance of the victim.

Pursuant to Session Law 2006-247, requires DPS to establish a sex offender monitoring program using GPS technology to monitor sex offenders in the community.⁶ Offenders subject to monitoring include those under probation, parole, or post-release supervision and certain offenders who have completed their periods of supervision or incarceration. Over the past year, DPS has

⁴ National Center for State Courts, http://www.ncsconline.org/WC/Publications/CS_AmeDisActImpNJPub.pdf

⁵ Dahlstedt, J. Notification and Risk Management for Victims of Domestic Violence. 2013.

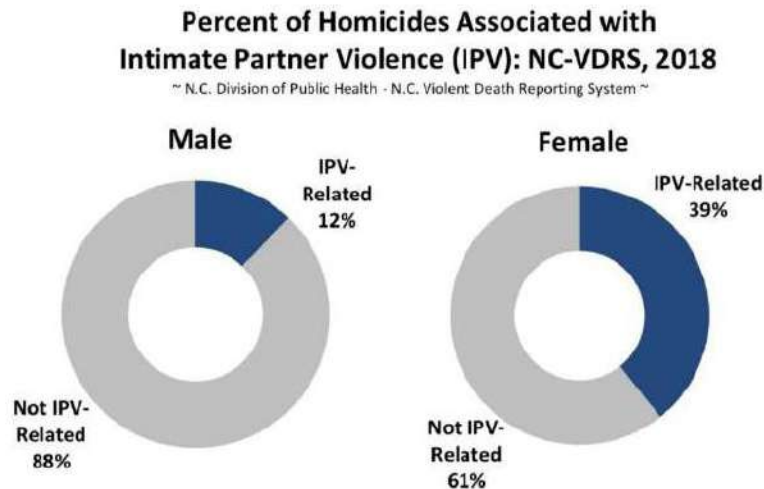
⁶ N.C. Session Law 2006-247. Protect Children/Sex Offender Law Changes. House Bill 1896.



decreased their overall number of sex offenders assigned to GPS monitoring. In fiscal year 2017-2018, DPS had 135 sex offenders enrolled in electronic monitoring program.⁷ That figure dropped to 11 sex offenders enrolled in the electronic monitoring program during fiscal year 2019-2020.⁸ DPS attributes the decrease in the overall number of sex offenders assigned to GPS monitoring due to the impact of COVID-19 on court operations as well as the ruling in *State v. Grady*, 372 N.C. 509, 831 S.E.2d 542 (2019).

A National Institute of Justice study confirmed that defendants/offenders assigned to GPS-monitoring are 95 percent less likely to commit a new crime.⁹ In addition, GPS monitoring as a condition of release can also help ensure that a defendant will appear in Court and not violate other Court orders. As previously noted, the time following a victim's decision to separate from her/his abuser is often an extremely dangerous period for the victim because the abuser may seek to reassert his/her dominance and deter the victim from seeking help.

In 2018, The Washington Post found that nearly half of the women murdered in the last decade were killed by a current or former intimate partner.¹⁰ In the same year, according to the North Carolina Division of Public Health, roughly 40 percent of the women who were killed in the State died at the hands of a partner.¹¹



⁷ NC DPS Report on Electronic Monitoring/Global Positioning Systems for Sex Offenders. FY 2017-18.

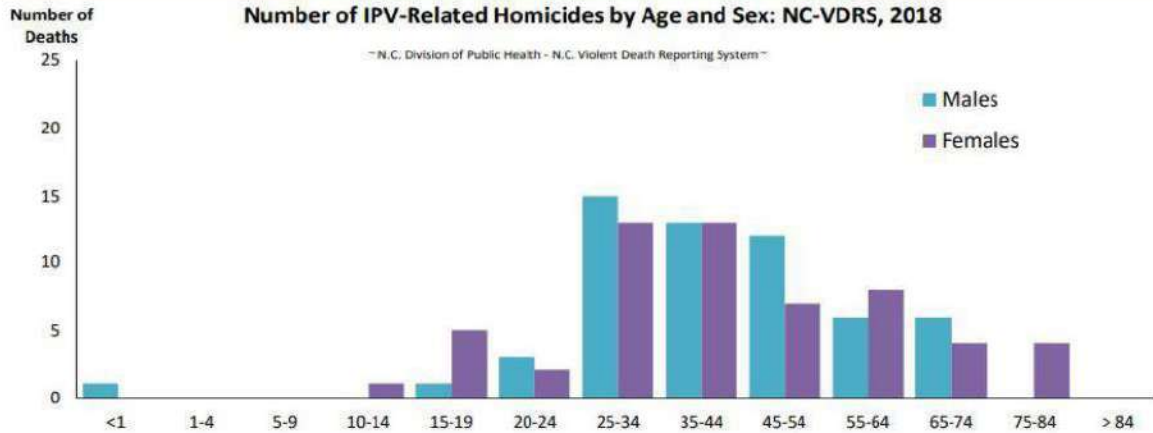
⁸ NC DPS Report on Electronic Monitoring/Global Positioning Systems for Sex Offenders. FY 2019-20.

⁹ Padgett, K., Bales, W., Blomberg, B. *Under Surveillance: An Empirical Test of the Effectiveness and Consequences of Electronic Monitoring*. 2006.

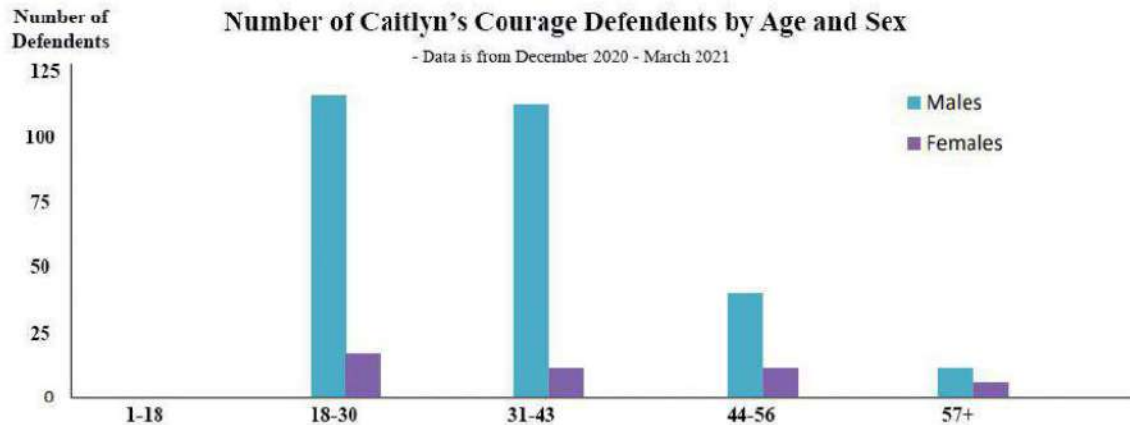
¹⁰ Zezima, K., Paul, D., Rich, S., Tate, J., Jenkins, J. *Domestic slayings: Brutal and foreseeable*. The Washington Post. 2018.

¹¹ North Carolina Violent Death Reporting System. N.C. Dept. Health & Human Services.





The highest number of IPV-related homicides in 2018 were in the 25-34 age group followed by the 35-44 age group for both males and females. Identically, the highest age group among the defendants enrolled in the Caitlyn's Courage GPS monitoring pilot program is the 18-30 age group (40%) and the second highest is the 31-43 age group (39%).



SHOCKING DOMESTIC VIOLENCE STATISTICS

Since 2008, the State of North Carolina has reported an average of more than **110 domestic violence-related homicides annually.**

1 in 4 women will report violence at the hands of an intimate partner during her lifetime.

It is estimated nationally that intimate partner violence costs **employers over \$5 billion annually.**

Approximately **one-fifth of patients** treated in hospital emergency rooms are treated for injuries inflicted by an intimate partner.

One study found 54% of employees living with domestic violence missed at least 3 full days of work per month.

Domestic violence is the **#1 reason** women and children become homeless in the U.S.

In homes where domestic violence occurs, the rate of child abuse is **15 times higher** than the average home.

Children exposed to domestic violence are at an increased risk for **behavioral and psychological problems, alcohol and substance use.**

Information was compiled from a variety of sources, including the N.C. Department of Justice, the N.C. State Bureau of Investigation, the Centers for Disease Control and Prevention, the U.S. Department of Justice, and the American Psychological Association, among others.

CAITLYN'S COURAGE



ENABLING LEGISLATION

"DOMESTIC VIOLENCE PREVENTION PILOT PROGRAM"

"SECTION 4.2C.(a) The General Assembly finds that the COVID-19 pandemic has exacerbated isolation, uncertainty, and economic instability, which has led to an increase in domestic violence, and due to the stay-at-home orders in effect, victims are more at-risk and vulnerable than ever before. It further finds that in order to combat the rising rate of domestic violence due to the COVID-19 pandemic, victims need access to technology that provides instantaneous notification if the offender is within close proximity.

"SECTION 4.2C.(b) The funds allocated in subdivision (54) of Section 3.3 of this act to the Department of Public Safety, Division of Administration, shall be used to provide a grant to Caitlyn's Courage, Inc., to conduct domestic violence prevention pilot programs (pilot programs) in at least nine judicial districts, three of which shall have small district court caseloads, three of which shall have medium district court caseloads, and three of which shall have large district court caseloads. Caitlyn's Courage, Inc., shall consult and collaborate with the Administrative Office of the Courts and with the Chief District Court Judges of each of the selected judicial districts when developing pilot program implementation plans for each judicial district.

"SECTION 4.2C.(c) The pilot programs created by this section shall do each of the following: Court Judges of each of the selected judicial districts when developing pilot program implementation plans for each judicial district.

- (1) Provide judges in the participating judicial districts the option to use global positioning system (GPS) electronic monitoring devices as a condition of pretrial release for defendants of crimes related to stalking, sexual assault, domestic abuse, and violations of a domestic violence protective order.
- (2) Establish local implementation teams that shall, at a minimum, consider for inclusion (i) district court judges, (ii) superior court judges, (iii) assistant and elected district attorneys, (iv) assistant and appointed public defenders, (v) deputy, assistant, and elected clerks of superior court, (vi) law enforcement officers, (vii) domestic violence victims advocates, (viii) court support staff, and (ix) representatives of the Department of Adult Correction and Juvenile Justice.
- (3) Operate a 24-hour monitoring center that contacts victims if an offender violates a relevant condition of pretrial release or a domestic violence protective order.
- (4) Train all pilot program participants, including, but not limited to, victims and offenders, regarding the GPS tracking devices utilized by the pilot programs.

"SECTION 4.2C.(d) The electronic monitoring devices used by the pilot programs shall have each of the following specifications:

- (1) The ability to automatically switch cellular networks, ensuring that the device is not dependent upon one particular cellular network provider.



- (2) The ability to detect, record, and report the deliberate shielding from receipt of GPS signals.
- (3) A disposable strap.
- (4) A minimum single charge, 48-hour battery life via an inaccessible battery with the option of a fixed charger, mobile charger, or both.
- (5) The ability to detect and store the time and date of any physical impact to the device at a level high enough to cause malfunction.
- (6) The ability to record the offender's immediate location at all times.
- (7) The ability to automatically notify the victim if an offender is within a restricted proximity to the victim pursuant to a court order.

"SECTION 4.2C.(f) In consultation with participating judicial districts and the East Carolina University Department of Criminal Justice, Caitlyn's Courage, Inc., shall report on the effectiveness of the pilot programs created by this section to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly by April 1, 2021.

"SECTION 4.2C.(g) The report required by this section shall include, at a minimum, each of the following:

- (1) Any recommendations regarding the continuation, expansion, or elimination of the pilot programs.
- (2) Current and future estimated costs associated with implementing the pilot programs.
- (3) Any recommended legislation related to the pilot programs.



SUBJECT AREAS PURSUANT TO THE SESSION LAW

Pursuant to the Session Law 2020-78, Caitlyn's Courage shall provide judges in participating judicial districts the option to use global positioning system (GPS) electronic monitoring devices as a condition of pretrial release for defendants of crimes related to:

§ 14-277.3A. Stalking. Stalking involves severe intrusions on the victim's personal privacy and autonomy. It is a crime that causes a long-lasting impact on the victim's quality of life and creates risks to the security and safety of the victim and others, even in the absence of express threats of physical harm. Stalking conduct often becomes increasingly violent over time.

§ 14-27.20 through §14-27.33A. Sexual Assault. Includes all offenses under Article 7B of the North Carolina General Statutes.

§ 50B-1. Domestic Violence. Domestic violence means the commission of acts upon an aggrieved party or upon a minor child residing with or in the custody of the aggrieved party by a person with whom the aggrieved party has or has had a personal relationship.

§ 50B-4.1. Violation of Valid Domestic Violence Protective Order. A person who knowingly violates a valid protective order or who knowingly violates a valid protective order entered by the Courts of another state or Courts of an Indian tribe.



PARTICIPATING JUDICIAL DISTRICTS / PROCEDURES FOR IMPOSITION

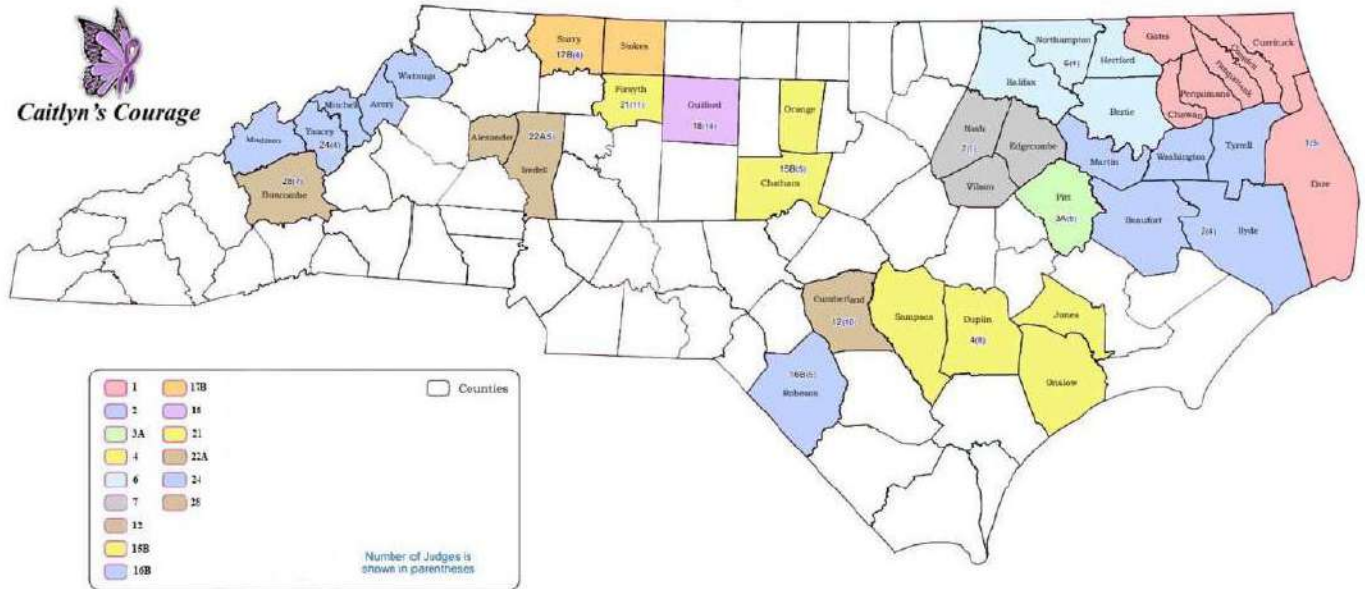
Procedures in place that prioritizes victim safety and defendant accountability, not only enhances safety and deters violence, but it also makes the court system more accessible to the injured and fearful. Providing a degree of structure and conformance to persons who have experienced trauma is an effective stabilizer and increases the likelihood that they will use the court system for protection and relief. Accordingly, Caitlyn's Courage has partnered with 15 judicial districts across the State to address domestic violence head-on with technology as a pilot program. The Session Law required the program to be scaled up in at least nine judicial districts, three of each shall have small, medium, and large District Court caseloads. In consultation with the N.C. Administrative Office of the Courts (AOC), Caitlyn's Courage proceeded to advance the pilot program and connect with Chief District Court Judges throughout the State. After positive feedback and praise for the pilot program from stakeholders, several judicial districts inquired about having the program in their respective districts. Caitlyn's Courage has pledged not to turndown any area, and thus, accommodated the additional districts.

Presently, the pilot program covers five small, five medium, five large districts, 40 counties, and a population of 3.4 million - which is larger than the population of 20 States in the United States. As the result of the additional judicial districts, the coverage area has increased by 70%. In addition, three other judicial districts are currently working with Caitlyn's Courage to bring the service to their respective areas. Recognizing the geography difference and that each judicial district has its own protocols and procedures in place for administrating justice, Caitlyn's Courage has worked diligently with each judicial district to tailor the imposition procedures to represent the culture and policies of the respective judicial district. Moreover, in some judicial districts, the policy is continuing to be modified to best represent the desire of the stakeholders. For example, whether to authorize Magistrates the ability to order the use of Caitlyn's Courage, is a decision for the participating judicial districts. Depending on the diversity in size, this policy varies, judicial districts with multiple counties and courthouses, the Chief District Court Judges in those areas have authorized some or all of their Magistrates the ability to order Caitlyn's Courage after the "48 Hour" hold of the defendant.

Effective enforcement of domestic violence protective orders and victim safety depend on precise and comprehensive terms within the order. In the participating judicial districts, Judges are actively involved in each case on the domestic violence criminal calendar to ensure that the defendants are following all Court orders. Depending on the district procedures, Judges and/or other designated personnel have access to the information generated via VeriTracks®, a secure, web-based monitoring application, to assist them in the assessment of the defendant's compliance. Local implementation teams have been established in each district, which are led by the Chief District Court Judges, and include but not limited to: Prosecutors,



Public Defenders, Court Clerks, Law Enforcement, Victim Advocates, and Court support staff. For example, in the 18th Judicial District, the stakeholders in that judicial district have tasked Guilford County Court Services to screen the cases and indicate to the Court if a defendant is eligible for Caitlyn's Courage monitoring. Additionally, the local Guilford County Family Justice Center may also recommend participants for the program as well.



Small Judicial Districts	Medium Judicial Districts	Large Judicial Districts
1ST JUDICIAL DISTRICT (Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans) Number of District Court Judges: 5 Number of Superior Court Judges: 2 District Population: 154,302	3-A JUDICIAL DISTRICT (Pitt) Number of District Court Judges: 5 Number of Superior Court Judges: 2 District Population: 180,742	4TH JUDICIAL DISTRICT (Duplin, Jones, Onslow, Sampson) <i>(Only available in Sampson County)</i> Number of District Court Judges: 8 Number of Superior Court Judges: 2 District Population: 330,057
2ND JUDICIAL DISTRICT (Beaufort, Hyde, Martin, Tyrrell, Washington) Number of District Court Judges: 4 Number of Superior Court Judges: 1 District Population: 90,885	7TH JUDICIAL DISTRICT (Edgecombe, Halifax, Nash) Number of District Court Judges: 7 Number of Superior Court Judges: 3 District Population: 196,313	12TH JUDICIAL DISTRICT (Cumberland) Number of District Court Judges: 10 Number of Superior Court Judges: 4 District Population: 335,509
6TH JUDICIAL DISTRICT (Bertie, Halifax, Hertford, Northampton) Number of District Court Judges: 4 Number of Superior Court Judges: 2 District Population: 112,099	22-A JUDICIAL DISTRICT (Alexander, Iredell) Number of District Court Judges: 5 Number of Superior Court Judges: 2 District Population: 219,303	18TH JUDICIAL DISTRICT (Guilford) Number of District Court Judges: 14 Number of Superior Court Judges: 5 District Population: 537,174
17-B JUDICIAL DISTRICT (Stokes, Surry) Number of District Court Judges: 4 Number of Superior Court Judges: 1 District Population: 117,415	15-B JUDICIAL DISTRICT (Chatham, Orange) Number of District Court Judges: 5 Number of Superior Court Judges: 2 District Population: 222,946	21ST JUDICIAL DISTRICT (Forsyth) Number of District Court Judges: 11 Number of Superior Court Judges: 4 District Population: 382,295
24TH JUDICIAL DISTRICT (Avery, Madison, Mitchell, Watauga, Yancey) Number of District Court Judges: 4 Number of Superior Court Judges: 2 District Population: 128,168	16-B JUDICIAL DISTRICT (Robeson) Number of District Court Judges: 5 Number of Superior Court Judges: 2 District Population: 130,625	28TH JUDICIAL DISTRICT (Buncombe) Number of District Court Judges: 7 Number of Superior Court Judges: 2 District Population: 261,191

PROCEDURES FOR IMPOSITION

The primary usage of the Caitlyn's Courage pilot program is in First Appearance, but a few have been used in some Superior Court matters. Caitlyn's Courage allows the Court to establish the restricted zones (i.e. locations/addresses that the defendant cannot visit). Both the defendant and the victim are notified if the defendant violates a restricted zone. The conditions of release vary from district to district but may include (1) a secured bond as currently used, (2) Caitlyn's Courage or (3) Caitlyn's Courage and a secured bond. For example, below are the guidelines in Forsyth County (21st Judicial District).

PROCEDURES FOR IMPOSITION OF CAITLYN'S COURAGE (FORSYTH COUNTY)

1. Court sets conditions of release which includes Caitlyn's Courage.
2. District Attorney's office provides victim contact information to clerk – **NOT** placed in the Court file.
3. Clerk enters restricted zone information into NC AWARE.
4. If defendant is present in the courtroom at the time Caitlyn's Courage is ordered, they will sign the form then. If not – see #6 below.
5. Clerk sends the following documents to Tarheel Monitoring via email:
 - a. Warrant.
 - b. Pre-Trial Release Conditions form (CR-630) signed by the Court (not yet signed by defendant).
 - c. Victim's contact information in the body of the email.
6. Original CR-630 (release order) sent to jail along with other first appearance paperwork.
7. Defendant signs CR-630 through Pre-Trial Services at jail and the original is then returned to the clerk's office upon the defendant's release.
8. Tarheel Monitoring comes to detention center to place monitor on defendant. Tarheel Monitoring will contact the Records Sergeant at:
() _____.
9. Once case concludes, clerk sends disposition order via email to Tarheel Monitoring.



EQUIPMENT OVERVIEW / MONITORING CENTER

In an electronic monitoring and victim notification program, the victim's security is at the mercy of the technology. Accordingly, when lives are at stake, the technology and infrastructure must be foolproof, and recognizing the gravity and need for a reliable and dependable vendor, the Board of Directors of Caitlyn's Courage (Board) issued a "Request for Proposal" (RFP) on July 15, 2020. In search for the best vendor, the Board extended the RFP question and submission deadlines, despite not being required to, and the Board placed additional classified ads in statewide and national publications. The RFP was published on Caitlyn's Courage website and classified ads were submitted in the following, but not limited to: Greenville Daily Reflector, Raleigh News & Observer, Charlotte Observer, Wilmington Star News, the RFP Database, and Philanthropy News Digest.

During and immediately following the legislative process there were several articles published discussing Caitlyn's Courage and the program. On July 3, 2020, the frontpage headline for an article in the Greenville Daily Reflector read: "Nonprofit gets \$3.5 million to combat domestic violence." The deadline for submitting proposals was August 5, 2020. This provided prospect vendors three weeks to submit proposals. Cognizant of the CARES Act guidance issued by the United States Department of Treasury, which required the program to be operational and accounted for by the end of the year, the Board was determined to establish the program within the required timeline. On Friday, Aug. 14, 2020, the Board held a meeting and reviewed the proposals submitted and voted to award the pilot program to Tarheel Monitoring, LLC. Recognizing all the intricacies of the CARES Act, the Board wanted to be in-concert and have concurrence with DPS. As a result, the Board did not sign a contract with Tarheel Monitoring until October 2020.

The Caitlyn's Courage GPS monitoring pilot program uses Securus Technologies equipment. The firm is the largest single-source provider of electronic monitoring solutions in the United States with over 700 customers in 43 states and the District of Columbia. As Securus Technologies premier vendor in North Carolina, Tarheel Monitoring brings over 75 combined years of experience in the electronic monitoring industry and has a reliable network of North Carolina providers covering all 100 counties. Tarheel Monitoring also manages electronic monitoring programs throughout the United States and in the country of Jamaica. Throughout this pilot program, Tarheel Monitoring providers are routinely working with court officials and program participants to make sure there is a complete understanding of equipment capabilities as well as the program rules and regulations. Tarheel Monitoring also provides the following services, but not limited to: contacts the victim to ensure they are aware of the defendant's placement on GPS, instruct victims as to what is required of them, train the victim on how they will receive notifications from the monitoring system, ensure that each victim has a cell phone, conduct testing on victims' cellular devices to ensure that



the device is able to receive notification from the monitoring system, enters in the victims information in the necessary software programs, live victim notification via a live call if the defendant enters a critical / fixed zone, live call monitoring center 24 hours a day / 365 days a year, local providers in the participating judicial districts, installation and deinstallation of the defendant GPS monitoring unit, defendant monitoring, provide victims and defendants with the necessary equipment to charge / operate the devices, and train all participants including victims, defendants, judicial officials, law enforcement officers, and any other stakeholders.

The device for defendants is Securus Technologies BLUtag® one-piece GPS ankle bracelet which includes a simultaneous dual cellular carrier option. This provides the capability to switch cellular networks. Thus, the device contains two cellular network sim cards and will automatically and seamlessly switch between carriers without impacting its reporting. This allows the device to operate in urban and rural environments – and decreases any potential coverage gaps. The ankle bracelet is tamper-resistant, waterproof, and made of rubber with fiber optic sensors running through it. Every second it pulses with a light to ensure there is no delay in recording. If the defendant cuts or stretches the strap, the fiber optic's circuit breaks and BLUtag® immediately generates and reports a strap tamper violation to VeriTracks®, a secure, web-based monitoring application. The unit has a lithium-ion battery, which will maintain a minimum charge for 50+ hours in between charges. This is one of the longest battery-lives for a GPS monitoring device receiving one GPS location point per minute. Other devices on the market advertise an extended battery life by reducing the rate of the GPS acquisition, often to 5+ minutes. The one point per minute GPS acquisition is crucial when used in domestic violence cases.

For victims, the device is Securus Technologies “Stalker Alert®” also known as the “Victim Notification Unit.” Caitlyn’s Courage renamed the device after receiving feedback from a separate Domestic Violence advocacy group that suggested the name Stalker Alert®” could intimidate victims from using and/or participating in the program. The device uses GPS technology, mobile exclusion zones, and nationwide cellular services to notify victims if the defendant is in close proximity. This device provides victim with multiple layers of protective exclusion zones, traveling with them at all times. Tarheel Monitoring providers create the exclusion zones around the victim, the size of which is determined by the distance specified in the Court order. The Victim Notification Unit is paired with the defendant’s device, and if the two devices came within a set distance, a notification alert is sent. In addition to the “mobile” exclusion zones, there are also “restricted / fixed” exclusion zones that are manually entered in for each case (i.e., the victim’s place of residence, victim’s place of employment, new significant other place of residence, etc.) There are also “confidential zones” entered in for each case which are locations not disclosed to the defendant. For example, a “DV safehouse” would be a confidential location. These layers of protection are in addition to the “mobile” exclusion zones provided to victims via the Victim GPS Notification Unit.



If a defendant violates the “mobile” exclusion zone (or any “exclusion” zones), the Victim Notification Unit immediately reports the event to VeriTracks and sends a text message notification to the victim’s cellular phone. The defendant is also notified that they are approaching a restricted zone. If the defendant continues to violate the zone, the victim receives additional notifications. If the defendant enters a “restricted / fixed” zone (300 feet to the victim), an immediate phone call is placed to the victim. Prior to the victim receiving that phone call, the victim should have received at least four text messages alerting them that the defendant was getting closer.

To keep victims safe, monitoring needs to be active or “real-time,” meaning it is done 24 hours a day, seven days a week, with staff available to respond to alerts and assist victims, as opposed to responding the next day. In prioritizing victim safety and defendant accountability, Caitlyn’s Courage is providing a live call and monitoring service for victims, defendants, and other key stakeholders via Securus Technologies and Tarheel Monitoring “Solutions Center” which is available 24 hours a day, 365 days a year. The Solutions Center provides around-the-clock monitoring center services and technical support services, has redundant inbound and outbound phone service. Further, an established and well-known third-party for Securus and Tarheel monitors the health of the toll-free phone number service and immediately notifies them of any service interruptions. Until phone service is restored, they can reroute calls to any location and continue providing uninterrupted monitoring and technical support services as usual.

BLUtag Defendant Device



BLUtag® is the most reliable one-piece GPS solution with exclusive features including **DualCarrier™** Technology and new **DuraStrap™**

Victim Notification Unit



LETHALITY ASSESMENT / BENCH CARD

Several evidence-based tools have been developed to identify potential lethal situations, the risk of re-assault, and severity of the assault. To consider GPS electronic monitoring as pretrial release for defendants of crimes related to stalking, sexual assault, domestic abuse, and violations of a domestic violence protective order, the Judge and/or Magistrate should review the facts of the arrest and pertinent information of the defendant such as, but not limited to: criminal history, past or present protective orders, violations of Court orders or conditions, probation history, information from the defendant, and/or information from the victim. The screening and lethality assessment varies among the participating judicial districts. The lethality assessment shown below is the recommended assessment to help determine which defendants are most appropriate for GPS electronic monitoring.

Domestic Violence Lethality Screen For The Courts (Caitlyn's Courage)

Officer / Judicial Official:

Date:

Case:

Victim:

Offender:

☐ Check here if the victim did not answer any of the questions.

A "Yes" responses to any of Questions #1-3 automatically triggers referral.

- | | | | |
|---|------------------------------|-----------------------------|-----------------------------------|
| 1. Has he/she ever used a weapon against you or threatened you with a weapon? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 2. Has he/she threatened to kill you or your children? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 3. Do you think he/she might try to kill you? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |

Negative responses to Questions #1-3, but positive responses to at least four of Questions #4-11, triggers referral.

- | | | | |
|--|------------------------------|-----------------------------|-----------------------------------|
| 4. Does he/she have a gun or can he/she get one easily? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 5. Has he/she ever tried to choke you? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 6. Is he/she violently or constantly jealous or does he/she control most of your daily activities? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 7. Have you left him/her or separated after living together or being married? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 8. Is he/she unemployed? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 9. Has he/she ever threatened or tried to kill himself/herself? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 10. Do you have a child that he/she knows is not his/hers? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 11. Does he/she follow or spy on you or leave threatening messages? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 12. Does he/she have a history of physical abuse, communicating threats, or abuse to an animal? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |

An officer / judicial official may trigger referral, if not already triggered above, as a result of the victim's response to the below question, or whenever the officer / judicial official believes the victim is in a potentially lethal situation.

Is there anything else that worries you about your safety? (If "yes") what worries you?

CHECK ONE:

- ☐ Victim screened in according to the protocol ☐ Victim screened in based on the belief of officer ☐ Victim did not screen in

If the victim is screened in: After advising her/him of a high danger assessment, did the victim speak with a counselor? ☐ Yes ☐ No

Note: The questions above and the criteria for determining the level of risk a person faces is based on the best available research on factors associated with lethal violence by a current or former intimate partner. However, each situation may present unique factors that influence for lethal violence that are not captured by this screen. Although most victims who screen "positive" or "high danger" would not be expected to be killed, these victims face much higher risk than that of other victims of intimate partner violence.



BENCH CARD

Bench Card for Judges who are hearing matters in domestic violence cases.

JUDICIAL STRATEGIES FOR DOMESTIC VIOLENCE COURTS

BENCHCARD

BASED ON THE N.C. DOMESTIC VIOLENCE BEST PRACTICES GUIDE FOR DISTRICT COURT JUDGES

LETHALITY RISK
FACTORS

- Strangulation
- Forced Sex
- Stalking
- Extreme Jealousy & Possessiveness
- Threats / Fantasies of Homicide
- Weapons / Access to Firearms
- Separation

FIREARMS

- The court **must inquire** about defendant's access to firearms during protective order hearings under G.S. 50B-3.1
- Defendants convicted of a DV misdemeanor offense **must be notified** that federal law may prohibit possession of firearms; provide defendants with a copy of AOC-CR-617

DVPO RENEWAL

- Do not need new act
- Standard: **Good Cause**
- In effect up to **2 years**
- G.S. 50B-3(b)

CONSENT ORDERS

Without findings of fact are **void ab initio** (Kenton v. Kenton, No. COA11-531, Feb. 7 2012)

ENHANCED SAFETY

- Separate parties in courtroom
- Staggered departures—T leaves first
- Strategic placement of court officers
- Use standard courtroom announcements to set tone and rules
- Enforce use of metal detectors in courthouse

EFFECTIVE SCHEDULING

WORK WITH LOCAL LEADERSHIP TO:

- Designate a criminal DV docket—define DV by **relationship between parties** (not by crime) when assigning to DV docket
- Set same time of day for bond hearings
- Designate a civil DV docket

COMPLIANCE HEARINGS

- Consider ordering compliance hearings when entering a DVPO; hold hearings and **monitor** defendant **early and often**
- Reward compliant probationers with fewer court dates; sanction non-compliant probationers with more frequent court dates

VICTIM SAFETY & OFFENDER ACCOUNTABILITY

- Must consider Δ's criminal history when setting DV conditions of release G.S. 15A-534.1
- Use AOC-CR-630 & AOC-CR-200 (pretrial release form) to set conditions of release
- Inform parties that law enforcement may arrest Δ, **without a warrant**, for violation of **any** conditions of release G.S. 15A-401(b)
- Court should consider coordinating with the clerk to enter conditions and modifications in **ACIS/NCWARE** (so law enforcement can view conditions and enforce G.S. 15A-401(b))
- **Modification** of release conditions should be issued on **new AOC-CR-200 and 630**
- Pretrial release conditions should be clear (e.g., "no contact with victim" instead of "NCWV")
- **Must order** defendant to attend and complete **abuser treatment program (ATP)** if judge finds that a defendant is responsible for acts of domestic violence—**unless** judge makes findings that ATP is not in the Δ's best interest
- Mark criminal judgment as DV & request clerk to flag DV conviction in **ACIS**

PERTINENT INFORMATION

- **Record** all ex parte hearings and hold hearings in the courtroom
- Identify and address all conflicts in court orders
- Identify all criminal charges and address any conflicts in orders
- Explore **lethality risk factors**

CONTINUANCE POLICY

- Limit continuances
- Civil— always use **AOC-CV-316** to extend the ex parte order if granting continuance
- Criminal—ensure victim and witnesses are subpoenaed before they leave court

COMPREHENSIVE ORDERS

- Orders should be specific and comprehensive
- Avoid all abbreviations
- Instruct both parties about the specific prohibited behaviors & that T can not give permission to Δ to violate the order
- Instruct parties that a **violation** of the DVPO is a **criminal offense**



NORTH CAROLINA
ADMINISTRATIVE OFFICE
of the COURTS

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June 2012



BENCH CARD

Page 2

N.C. DV STRATEGIES BENCHCARD

**CHAPTER 50B
TEMPORARY
CUSTODY/VISITATION**

EX PARTE ORDER: *child is exposed to a substantial risk of physical or emotional injury or sexual abuse* G.S. 50B-2

PERMANENT ORDER: *best interest of the minor child with particular consideration given to the safety of the minor child* G.S. 50B-3

VISITATION: *best interest of the minor child* G.S. 50B-3

FACTORS: *shall consider for determining custody* G.S. 50B-3(a1)

- Expose child to risk of injury or sexual abuse
- Child present during DV
- Use of weapon
- Cause or attempts to cause serious bodily injury
- Reasonable fear of imminent serious bodily injury
- Pattern of abuse
- Use of visitation to abuse or harass party
- Concealing child
- Endanger or abuse child during visits
- Act in manner not in best interests of child

COURT RESOURCES**NCAOC Intranet**

<https://cis1.nccourts.org/intranet/aoc/courtprograms/domviolence.jsp>

NCAOC Internet

<http://www.nccourts.org/Citizens/CPrograms/Victims/Default.asp>

CHILD SAFETY & CUSTODY

- The court is **required** to consider temporary custody upon request of either party
- Educate parties as to how to file a Ch. 50 custody action and where to access legal representation
- If custody is not ordered and parties will live separately, orders should **address specific forms of communication allowed** regarding the children
- Use Custody Addendum **AOC-CV-306A**
- Any **subsequent custody** order entered under Ch. 50 **supersedes** a temporary order issued pursuant to Ch. 50B

- Avoid language in the DVPO that might conflict with a future Ch. 50 custody order
- Use language such as **No contact except for the purposes of engaging in custody mediation if required** or **No contact except as otherwise provided in any future order entered pursuant to Ch. 50**
- All adults are required to report suspected child maltreatment to DSS G.S. 7B-301
- Comply with State DSS policy on DV, which lists situations when CPS reports should be made (Family Services Manual, Vol. I, Ch. VIII, Sec. 1409)

**SELF-REPRESENTED
LITIGANTS/PRO SE**

- Connect parties to legal representation and coordinate with local DV agencies
- Consider allowing the [T] to amend the complaint to provide additional details, when necessary
- Explain ground rules for presentation of evidence (no interruptions, time limits, parties can ask questions but not argue)
- Give general explanation of the rules of evidence

**ENCOURAGE PARTIES TO
ACCESS COURTS**

- Make inquiry into [T]'s motivation for request of dismissal/set aside
- Document reason for dismissal/set aside
- Ask plaintiffs requesting dismissal/set aside to meet with a DV advocate to assist with safety planning & other resources before ruling on the request
- After setting aside a protective order pursuant to Rule 60(b), consider entering a new order prohibiting abuse—allowing contact

FEDERAL LAW

- **Full Faith & Credit** to DVPOs issued in another state—18 U.S.C. §2265
- Be aware of cases where the facts appear to qualify for federal prosecution
- Interstate Stalking—18 U.S.C. §2261A(1)
- Cyber Stalking—18 U.S.C. §2261A(2)

- Interstate Travel to Violate Order of Protection—18 U.S.C. §2262
- Possession of Firearm or Ammunition while Subject to Order of Protection—18 U.S.C. §922(g)(8)
- Possession of Firearm or Ammunition after Conviction of Misdemeanor Crime of DV—18 U.S.C. §922(g)(9)

COURT LEADERSHIP AND MANAGEMENT

- Develop **LOCAL RULES** and forms with community partners; meet often to revise rules and forms
- Regularly convene local DV advisory committee to review court processes and learn about **COMMUNITY RESOURCES**
- **ASSIGN SPECIALIZED JUDGES**, with training and interest, to hear DV cases
- Assign same judge to compliance hearings so s/he knows the history of the case
- DV judges should meet together regularly



NORTH CAROLINA
ADMINISTRATIVE OFFICE
of the COURTS

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SAMPLE COURT ORDER (RELEASE CONDITIONS)

Effective enforcement of “no-contact” orders depend on precise and comprehensive terms within the order. Problems arise when the order is unclear as to the exact behavior and areas that are prohibited. Shown below is a sample conditions of release for domestic violence offenses enrolled in the Caitlyn’s Courage GPS monitoring pilot program.

STATE OF NORTH CAROLINA		File No. _____ In The General Court Of Justice <input type="checkbox"/> District <input type="checkbox"/> Superior Court Division
_____ County		
STATE VERSUS Name Of Defendant _____	CONDITIONS OF RELEASE FOR PERSON CHARGED WITH A CRIME OF DOMESTIC VIOLENCE # _____ G.S. 15A-534.1	
NOTE: Use this form in conjunction with form AOC-CR-200, Conditions Of Release And Release Order.		
FINDINGS		
The undersigned judicial official finds that the defendant named above is charged with assault on, stalking, communicating a threat to, or committing a felony provided in former Article 7A or Articles 7B, 8, 10, or 15 of Chapter 14 of the General Statutes upon a spouse or former spouse, a person with whom the defendant lives or has lived as if married, or (for offenses committed on or after December 1, 2015, only) a person with whom the defendant is or has been in a dating relationship as defined in G.S. 50B-1(b)(6), with domestic criminal trespass, or with violation of an order entered pursuant to Chapter 50B, Domestic Violence, of the General Statutes.		
The undersigned judicial official <input type="checkbox"/> has considered the defendant's criminal history as shown on a criminal history report provided by a law enforcement officer or a district attorney. <input type="checkbox"/> has not considered the defendant's criminal history as shown on a criminal history report because no report could be obtained within a reasonable time.		
ORDER		
Based upon the foregoing findings, the undersigned judicial official ORDERS the following conditions of release IN ADDITION TO the conditions of release set out on the attached form AOC-CR-200 and a bond of:		
<input type="checkbox"/> 1. The defendant shall stay away from the home, school, business or place of employment of the alleged victim.		
<input type="checkbox"/> 2. The defendant shall refrain from assaulting, beating, molesting, or wounding the alleged victim.		
<input type="checkbox"/> 3. The defendant shall refrain from removing, damaging or injuring the property listed below: This order will be enforced anywhere in North Carolina. Only the Court can change this order. The plaintiff cannot give you permission to violate this order. This includes, but not limited to: contact by telephone, visiting the home or workplace, or other means, or interfere with the plaintiff. The defendant shall not assault, threaten, abuse, follow, harass or be located within _____ distance of the victim as set forth by this order. These areas are GPS monitoring exclusion zones. The defendant is prohibited from entering or coming within into these GPS monitoring exclusion zones as designated by this court order. A law enforcement officer shall arrest the defendant if the officer has probable cause to believe the defendant has violated this provision.		
<input type="checkbox"/> 4. The defendant may visit his or her child or children at times and places provided by the terms of any existing order entered by a judge.		
<input type="checkbox"/> 5. The defendant shall not possess or consume any alcohol or other impairing substances unless prescribed by a physician.		
<input type="checkbox"/> 6. Other restrictions:		
<input type="checkbox"/> a. The defendant shall have no contact with the alleged victim.		
<input type="checkbox"/> b. The defendant shall comply with any valid domestic violence protective order in effect.		
<input type="checkbox"/> c. The defendant shall not possess any firearms.		
<input type="checkbox"/> d. Other: The defendant shall participate in and comply with all terms, conditions, and rules set by the Court. The defendant must first be approved, processed for participation by Tarheel Monitoring staff on behalf of Caitlyn's Courage. The defendant shall remain in the Sheriff's custody at the Detention Center until he/she is processed into the program. Tarheel Monitoring is granted the authority to impose restrictions on the defendant's movement outside the defendant's place of residence. If any law enforcement officer establishes probable cause to believe that a defendant has violated any provision of the Caitlyn's Courage Electronic Monitoring Program, including violation of the restricted zones, or removal, destroying, or circumventing the device, such as intentional/repeated dead battery notifications, any law enforcement officer may arrest and immediately return the defendant to the Detention Center and the defendant shall appear before a magistrate and if probable cause is found, the Court recommends a new bond of \$ _____ secured.		
Date _____	Signature Of Judicial Official _____	<input type="checkbox"/> Magistrate <input type="checkbox"/> District Court Judge <input type="checkbox"/> Superior Court Judge

NOTE TO JUDICIAL OFFICIAL: The law enforcement officer or district attorney who provided the defendant's criminal history report shall dispose of the report in accordance with DCJ regulations. The report shall **NOT** be placed in the case file.

AOC-CR-630, Rev. 12/15

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NC AWARE

Recognizing that Magistrates and Law Enforcement Officers may need to obtain a copy of the certified pre-trial release order, the best practice is for the Magistrates and Law Enforcement Officers to use NC AWARE to confirm that there is an order. Thus, the orders are entered in NC AWARE by the Clerk or Court's office immediately after the conditions are set by the Judge. The information in NC AWARE contains the information of the electronic monitoring program and other bond conditions, as well as updated conditions if they are modified. This practice has worked well in the participating judicial districts. Shown below is the recommended checklist for Magistrates.

MAGISTRATE'S CHECKLIST CRIMES OF DOMESTIC VIOLENCE

NAME OF DEFENDANT: _____

RELATIONSHIP WITH VICTIM: Married: _____ Divorced: _____ Separated: _____
Not married but living together, or have lived together: _____ Dating relationship: _____

NATURE OF OFFENSE: _____

ALLEGATIONS: _____

NATURE OF INJURIES:

Verbal threats: _____

Bodily injury: _____

Serious bodily injury: _____

PRIOR ACTS OF DOMESTIC VIOLENCE: Yes: _____ No: _____

CRIMINAL HISTORY: Probation: _____ Parole: _____

EVIDENCE OF IMPAIRMENT: None: _____ Slight: _____ Under influence: _____
Grossly impaired: _____

ATTITUDE: Good: _____ Combative: _____ Indifferent: _____
Other: _____

Are the parties the parents of minor children? Yes: _____ No: _____ N/A: _____

The Child/Children are presently in the physical custody of: _____

ADDITIONAL INFORMATION: _____

RECOMMENDATIONS FOR PRE-TRIAL RELEASE: _____

VICTIM INFORMATION: _____



CONFIDENTIAL

VIOLATIONS

From the limited data that has been collected, thus far (December 2020 – March 2021), of the 308 monitored defendants that have been enrolled in the Caitlyn's Courage GPS monitoring pilot program, 37 (12%) were re-arrested for exclusion zone violations, tampering with the device, and/or battery violations. In terms of the program reducing the likelihood of a lethal situation, an incident in Cumberland County particularly stands out. During the latter part of March 2021, a victim received a video from the defendant threatening to kill her, the victim's child, and would take the firearm of Law Enforcement to kill them so he could be with her. Shortly after that, the defendant started advancing to the victim's residence, placing the victim and her child in imminent danger. The victim, once receiving the alerts, immediately called 911 and activated her safety plan. The defendant was re-arrested for violating the Courts release conditions and "no-contact" order as he was recorded afoot in the vicinity of the victim's place of residence. The program protected the victim and her child and prevented the incident from escalating into a deadly situation. In other words, the GPS monitoring program saved the life of the victim and her child.

An important part of monitoring domestic violence cases and increasing safety precautions for victims is providing Court supervision of the defendant. It is important for both parties, the defendant and victim, if present, to understand the terms of the pretrial release conditions, and know that the defendant will be arrested for any violations of the Court order. In the few months of the pilot program, there have been situations in which the victim purposely and knowingly entered in the presence of the defendant, and the GPS monitoring technology has been able to detect these types of incidences. Thus, exonerate the defendant from the accusation / charge of violating the Courts release conditions and "no-contact" order. Considering that statistics show that up to nearly 66% of protective orders in domestic violence cases are violated, and that so far in the Caitlyn's Courage GPS monitoring pilot program only 12% of the protective orders have been violated clearly demonstrates those who are required to wear a GPS device are less likely to violate the Courts order or try to harm the victim.

Likewise, data collected by the Charlotte-Mecklenburg Police Department's (CMPD) electronic monitoring unit shows a similar conclusion. The unit focuses on high-risk offenders and a variety of crimes, including pretrial release in certain domestic violence related cases. In 2018, 85% of the 2,200 defendants of all crimes that were monitored by CMPD using GPS complied with all conditions of their bail. In spite of CMPD monitoring certain domestic violence-related offenses, CMPD decided against providing victims with tracking devices, such as the units provided by Caitlyn's Courage to victims, due to cost, liability, and potential communication failures. CMPD also found that the use of electronic monitoring on domestic violence defendants requires a higher level of monitoring than other defendants.



A three-year (2010-2013) pilot project in three Connecticut judicial districts looked at the effectiveness of GPS monitoring of high-risk domestic violence defendants, and by 2013 none of the 168 defendants had re-injured or killed any of the victims. The program was limited to defendants of protective order violations and an assessment, like a lethality screening, determined which cases were high-risk and which defendants to monitor. According to the program manager, “the key to the program’s success is a combination of aggressive enforcement and tight collaboration between the judicial system, local police, and domestic violence workers.”

To provide an example of a participating judicial district procedures for an intrusion into a “restricted” exclusion zone, mobile zone or any other egregious violations determined to be an intentional violation of the Court order, the following are the procedures in Forsyth County (21st Judicial District).

PROCEDURES FOR VIOLATIONS OF CAITLYN’S COURAGE (FORSYTH COUNTY)

1. Tarheel Monitoring contacts law enforcement agency based upon defendant’s location upon determination that a tamper event has occurred or a violation of one of the restricted zones.
2. LEO responds and investigates to determine if probable cause exists to believe a violation has occurred. Violations can include the restricted zones, tampering with the device (i.e. cut straps), and circumventing the device (i.e. repeated low/dead battery notifications).
 - a. If defendant is no longer on scene when LEO arrives, Tarheel Monitoring will send a copy of the GPS report to the LEO.
3. If LEO determines probable cause a warrantless arrest is made, and defendant is taken to the magistrate’s office.
4. LEO provides probable cause to magistrate. Magistrate reviews NC AWARE condition and determines probable cause exists. Magistrate then sets new bond by entering Superseding Conditions of Release. Recommended bond from the Court should be on the CR-630 form.
5. Records Sergeant at Detention Center informs Tarheel Monitoring that a defendant has entered so they can report to Detention Center and remove electronic monitoring device.
6. Defendant brought into First Appearance at next session.



ALCOHOL USE IN DOMESTIC VIOLENCE

Alcohol plays a significant role in domestic violence. The connection between alcohol and domestic violence has been recognized at least as far back as Prohibition in the 1920s – which was partially an attempt to curb domestic violence because of the link between alcohol abuse and battered women.¹² According to a study of more than 400 women in North Carolina, defendant's intoxication with alcohol was the most reliable predictor for calling the police. Nearly two-thirds of defendants were found drinking at the scene of the incident and more than half of the abusers were described as binge drinkers by their victims.¹³ In the Caitlyn's Courage GPS monitoring program, 30% of the defendants, thus far, enrolled had a criminal record of alcohol-related offenses. This does not take in account those that may have been intoxicated during the intimate partner violence, it solely looks at prior criminal records. According to the U.S. Department of Health & Human Services (DHHS), approximately 75% of all spousal domestic violence victims – and 66 % of those involved in non-marital relationships – reported that an defendants behavior involved alcohol abuse.

As the COVID-19 pandemic continues, alcohol sales have surged across North Carolina. According to a study from RTI International - parents, women, unemployed people, and adults with mental health concerns have increased their alcohol consumption. Last year, alcohol sales across the country climbed 26% compared to the prior year. Likewise, liquor sales in North Carolina also surged with several months reaching nearly 20% increases. These record-setting statistics do not bode well for victims of intimate partner violence as domestic violence cases have soared to unprecedented levels too.

But due to the physical nature of domestic violence not considered a mental illness or a condition that can be “clinically” treated, such as alcoholism or drug addiction, presents a challenge for the courts that is different from other types of offenses. The following research supports the need for courts to be consistent in monitoring compliance in domestic violence cases:

1. Re-abuse rates are estimated to be more than 50 percent.¹⁴
2. A multistate study found that nearly half of defendants who reoffended did so within three months of batterer program intake; two thirds within six months.¹⁵
3. Doing nothing about noncompliance increases abuse.
4. Early noncompliance is a warning sign.

¹² Masson, E. *The Women's Christian Temperance Union 1874-1898: Combating Domestic Violence*. 1997.

¹³ Hutchison, I. *Influence of Alcohol and Drugs on Women's Utilization of the Police for Domestic Violence*. 2000.

¹⁴ Klein, A. *Practical Implications of Current Domestic Violence Research: For Law Enforcement, Prosecutors and Judges*. 2009.

¹⁵ Klein, A. *Practical Implications of Current Domestic Violence Research: For Law Enforcement, Prosecutors and Judges*. 2009.



TESTIMONIALS

"As the current District Attorney and former Public Defender of the First Judicial District, I have witnessed first hand the challenges of protecting victims of domestic violence during the pretrial stage. While serving on the N.C. Domestic Violence Commission and as chair of its legislative committee, I advocated for additional victim centered proactive solutions. I applaud and commend the Whitehurst family for finding strength through their profound loss to develop a creative alternative for victims of domestic violence. The Caitlyn's Courage GPS monitoring system will notify victims if the defendant is near or at a prohibited location. I would like to thank the General Assembly for funding this important program that prioritizes the safety and protection of victims."



*The Honorable R. Andrew Womble
District Attorney
1st Judicial District*



"We in Guilford County are very delighted to be participating in the Caitlyn's Courage domestic violence prevention pilot program. The courts of the 18th Judicial District are fortunate to have the support of several stakeholders for this program, such as the Guilford County Family Justice Center, the district attorney, the public defender, law enforcement and court services. In Guilford County, the Family Justice Center has been an asset to our community and has undoubtedly improved outcomes for victims of domestic violence, but the services offered in this pilot program provide a needed layer of protection, sense of security and freedom for individuals who are often held captive from fear of predators and perpetrators."



*The Honorable Teresa H. Vincent
Chief District Court Judge
18th Judicial District*



CAITLYN'S COURAGE



TESTIMONIALS

“The Caitlyn’s Courage program provides victims the ability to take control of their lives and transition from being a ‘victim’ to a ‘survivor’ of domestic violence. Providing these types of vital services to victims of domestic violence is of paramount importance - and from a small rural district perspective, we express a heartfelt appreciation to the State Legislature and Caitlyn's Courage for having the foresight to combat domestic violence head-on with GPS technology - and providing access to the technology in the rural parts of the State.”



The Honorable William F. Southern, III
Chief District Court Judge
17-B Judicial District



“People who are subject to 24/7 fear of physical and emotional threats understandably have constant anxiety about their safety and the safety of their children. The Caitlyn's Courage program can provide relief from the mental torture as well as an improved chance to move to a safe space when danger is near.”



The Honorable Joseph M. Buckner, Ret.
Chief District Court Judge
15-B Judicial District



CAITLYN'S COURAGE



TESTIMONIALS

“The Caitlyn's Courage pilot program provides our judges with peace of mind when we release defendants back into the community. This peace of mind is because we know when our orders are followed or being disregarded. Victims of domestic violence are safe and defendants can maintain employment until their hearing date. It is certainly inspiring to see this program grow and expand across the State. With that said, I applaud and praise Caitlyn's Courage and the Whitehurst family for delivering meaningful and effective services to victims of domestic violence. It is with great appreciation and credit to the General Assembly for supporting this program, and hopefully, looking to the future, the Legislature will fund a permanent program for the Courts.”



The Honorable J. Calvin Hill
Chief District Court Judge
28th Judicial District



“Since the onset of the COVID-19 virus, local domestic violence advocacy groups have seen an unprecedented rise in domestic violence. With that said, providing greater protections for victims of domestic violence is needed now more than ever. Thankfully, the 21st judicial district in Forsyth County was selected to participate in the Caitlyn's Courage pilot program. This program has provided the Courts a proven and effective tool that increases the level of safety for victims of domestic violence during the pretrial period. Additionally, the program has allowed for an alternative to pretrial incarceration while keeping the safety of victims and the community a top priority.”

The Honorable Lisa V. Menefee
Chief District Court Judge
21st Judicial District



The Honorable Carrie F. Vickery
District Court Judge
21st Judicial District



CAITLYN'S COURAGE



TESTIMONIALS

“Courts in both Iredell and Alexander counties are participating in the domestic violence pilot program offered by Caitlyn’s Courage and it has integrated very well into our local court procedures. The use of GPS monitoring drives the message home that a no contact order means what it says - ‘no contact’ with the victim. It is my hope that the Legislature recognizes the value of this type of program and will consider a permanent funded program for the Courts throughout the State.”



*The Honorable L. Dale Graham
Chief District Court Judge
22-A Judicial District*



“I express my strongest support for the domestic violence monitoring program established through the Caitlyn’s Courage legislation. The pilot implementation of this program in Pitt County has provided options for establishing bail in domestic violence charges which both protects victims and allows defendants to remain free pending adjudication of their charges. As Chief District Court Judge of District 3-A Pitt County, myself and the five other District Court Judges have utilized this program to address and alleviate the risk of a pretrial release tragedy. Again, I want to pledge my utmost support for Caitlyn’s Courage as administered in Pitt County through Tarheel Monitoring. In my twenty-one years of service on the District Court bench it is one of the most innovative and beneficial tools that has been provided to our Court system.”

A letter from Judge Braddy is also enclosed in this report.



*The Honorable G. Galen Braddy
Chief District Court Judge
3-A Judicial District*



CAITLYN’S COURAGE



TESTIMONIALS

“Caitlyn's Courage domestic violence monitoring program has extended some real tangible benefits to our jurisdiction. This program allows us to put safety measures in place that not only protect the alleged victim from further threats or harm, but it also protects the defendant from false accusations regarding their whereabouts and actions. The loss of freedom based on allegations while awaiting trial can result in the loss of assets, income, and family for accused.

Depending on the facts and circumstances presented, a judge can order the release of an accused and employ the use of Caitlyn's Courage to accomplish all factors that might otherwise result in a secure bond. The alert mechanisms with the Caitlyn's Courage program have allowed the prosecuting witness to express relief and comfort to law enforcement regarding renewed sense of security. I extend my sincere appreciation to the Legislature for allowing Cumberland to participate as a pilot program. I believe it allows us a unique position to serve our citizens with more efficiency.”

A letter from Judge King is also enclosed in this report.



*The Honorable Toni S. King
Chief District Court Judge
12th Judicial District*



“I am very pleased that my district was chosen for this pilot program. The main difference in this program and past monitoring programs is the ability for the victim to be notified when the offender gets close to him or her. It provides the victim an opportunity to reach safety and avoid any contact with or possible harm from the offender. Caitlyn's Courage is another tool that we can use to ensure the safety of victims.”



*The Honorable Sarah M. Kirkman
District Attorney
32nd Prosecutorial District*



CAITLYN'S COURAGE



VICTIM TESTIMONIALS

“Hello, I was a victim of Domestic Violence and was issued the protection device. I am honored to say that I felt secure, having the device alerted me several times of the area in which the person was in. The device also allowed me to be more aware of my surroundings. I am pleased with the system and how it works. I was amazed that a nice lady Ms. Tamara from Investigative Solutions informed me of the release of the person. Ms. Tamara was very knowledgeable from start to finish on the product and how it works. She explained everything to the point. I was very comfortable having the device and her knowledge and positivity. After the court hearing I knew that I had to return the device in, that was a big upset. I am praying in the future that after hearings in court that the device should be allowed to stay with the victim another 90 to 120 days so they can get themselves back into life and return to normal. I really appreciate everyone that was involved, especially Mr. Cisco from Tarheel Monitoring for making sure I was doing okay and if I had any questions. It was not just a phone call or a job to Ms. Tamara and Mr. Cisco, it was professionalism and putting themselves in my shoes. They are very genuine human beings with genuine feelings that really care for people and love what they do. Thank you all for everything and may God bless your families and more to come.”

- *Timora A.*

“I appreciate the Caitlyn's Courage program for giving me peace. The device is simple to manage and the staff is knowledgeable and compassionate. It makes me feel like I'm never alone and always protected”

- *Joleah M.*

CAITLYN'S COURAGE



VICTIM TESTIMONIALS

“I'm sending this email to sum up what this program has done for me, as a participant. Before I became a part of this program, I was on high alert every single day. I slept in a chair in my living room because my bed is next to the window – and the stalker used to stand outside of it. I had to keep towels up, covering my windows, so that he couldn't see in. This deprived me of two of my favorite things: sunlight and fresh air. I don't have a car, so every day I would bike as fast as I could to work, terrified that he might be waiting around a corner. Since being a participant in this program, I've been able to sleep soundly, and in my bed again. I've been able to walk to work, listening to music and enjoying the fresh air. I have been able to keep my blinds open during the day, and sip my morning coffee in the sun. It may sound simple. But simple things like enjoying the sun coming in the windows, and not having to black them out, means everything. Simple things like walking to work without anxiety tightening in your throat. Simple things like listening to music, walking outside, without feeling like a target is on your back. This program means everything to me, and I will always be grateful for it, and for the peace I have been able to find while being a part of it.

Thank you.”

- *Victoria I.*





DISTRICT COURT JUDGES
G. GALEN BRADY, CHIEF
W. BRIAN DESOTO
DANIEL H. ENTZMINGER
WENDY S. HAZELTON+
MARIO E. PEREZ
LEE F. TEAGUE

JUDICIAL DISTRICT 3A
PITT COUNTY

PO BOX 8147, GREENVILLE, NC, 27835-8147
O 252-695-7270 F 252-695-7278

April 1, 2021

Re: Caitlyn's Courage

To Whom It May Concern:

I wanted to express my strongest support for the Domestic Violence Monitoring Program established through Caitlyn's Courage legislation. The pilot implementation of this program in Pitt County has provided options for establishing bail in domestic violence charges which both protects victims and allows Defendants to remain free pending adjudication of their charges. There is no screening process. Every Defendant referred is accepted into the program.

I have been a longtime friend of the Whitehurst family and have intimate knowledge of the circumstances leading to the family's pursuit of this legislation. The incident precipitating this legislation occurred in Pitt County and like other domestic tragedies around the state shows that we must do better in the future to prevent these events.

Tarheel Monitoring assures that there is no cost for the Defendant to have a monitor issued to them. In addition, a bracelet is provided to the alleged victim so that that person may be notified of a breach by the Defendant of the program's rules and regulations so that the alleged victim can seek immediate cover and protection. Finally, this tool can be used to require a party to return to a zone outside the County or State of North Carolina and remain there until their court date.

As Chief District Court Judge of District 3A Pitt County myself and the five other District Court Judges have utilized this program to address and alleviate the risk of a Pretrial release tragedy. Tarheel Monitoring not only has the confidence of our District Attorney's office and Law Enforcement but also has support of the Criminal Defense Bar as it allows Defendants to be released so that they can return to work and families pending the outcome of their case. Defendants may also use their pretrial performance under Tarheel Monitoring to request more favorable sentencing terms for their compliance in the event they are found or plead guilty.

Again, I want to pledge my utmost support for Caitlyn's Courage as administrated in Pitt County through Tarheel Monitoring. In my twenty-one years of service on the District





Court bench it is one of the most innovative and beneficial tools that has been provided to our Court system. Thank you for your consideration of this worthwhile innovation.

Very truly yours,

G. Galen Braddy
Chief District Court Judge





EDWARD A. PONE
CHIEF DISTRICT COURT JUDGE
JUDICIAL DISTRICT 12
CUMBERLAND COUNTY COURTHOUSE
P.O. BOX 363
FAYETTEVILLE, NC 28302
O 910-475-3012
F 910-475-3013

DISTRICT COURT JUDGES
DAVID H. HASTY
TONI S. KING
LUIS J. OLIVERA
CHERI SILVER-MACK
STEPHEN C. STOKES
APRIL M. SMITH
TIFFANY M. WHITFIELD
CAITLYN YOUNG EVANS

March 31, 2021

Re: Caitlyn's Courage Domestic Violence Monitoring Program

To Whom It May Concern:

Greetings. Caitlyn's Courage Domestic Violence Monitoring Program has extended some real tangible benefits to our jurisdiction. Under our laws, a person is innocent until proven guilty but at the pretrial stages, it is often found that the facts and circumstances are not entirely present leaving the fact finder with a difficult decision especially when determining whether to release or incarcerate an individual. This program allows us to put safety measures in place that not only protect the alleged victim from further threats or harm, but it also protects the defendant from false accusations regarding their whereabouts and actions.

This program has also allowed us to foster fair and just bond policies by providing an alternative solution to incarceration, while a person is awaiting trial. The loss of freedom based on allegations while awaiting trial can result in the loss of assets, income and family for an accused. Depending on the facts and circumstances presented, a judge can order the release of an accused and employ the use of Caitlyn's Courage to accomplish all factors that might otherwise result in a secure bond.

This added measure of protection does provide additional comfort to the fact finder in cases that have a high probability to result in further harm and/or death to prosecuting witnesses. The alert mechanisms with the Caitlyn's Courage program has allowed the prosecuting witnesses to express relief and comfort to law enforcement regarding a renewed sense of security.

I extend my sincere appreciation to the legislature for allowing Cumberland to participate as a pilot program. I believe it allows us a unique position to serve our citizens with more efficiency.

Best Regards,

Toni S. King



RECOMMENDATIONS

North Carolina's topography is as demographically diverse as the multiplicity of its citizens. The Caitlyn's Courage GPS electronic monitoring pilot program has worked collaboratively with some of the most rural to some of the most urban judicial districts in the State to improve the criminal justice system's response to victims of domestic violence. The appropriation to Caitlyn's Courage has been able to cover one-third of the population and judicial districts in the State. Caitlyn's Courage anticipates the pilot program will be able to serve out the year in providing Judges in the participating judicial districts with defendant bracelets, victim notification units, and monitoring days (both defendant and victim). Unlike programs in other States that require the defendant and victim to pay for part of the cost, Caitlyn's Courage absorbed and paid for the entire costs of the pilot program. Thus, provided the technology, services, and training at no expense to the victim or defendant.

The Caitlyn's Courage GPS electronic monitoring program has been able to provide alternatives to pre-trial detention – while also increasing protections for victims. In North Carolina, pre-trial detainees in 2015 accounted for 82% of the total jail population, and approximately were 75% determined to be indigent.¹⁶ According to North Carolina Department of Public Safety (DPS), the daily cost to house an inmate in minimum custody is \$90.45.¹⁷ Alternatively, the cost for DPS passive, no active alerts or device for the victim, GPS monitoring program is \$9.40, per day.¹⁸ Considering the number of defendants that have been ordered Caitlyn's Courage and connecting to the percentage above that are determined to be indigent, approximately 231 defendants would still be in detention if it were not for the Caitlyn's Courage pilot program. That is a savings for the detention facilities of roughly \$20,893.95, per day.

According to the North Carolina Administrative Office of the Courts, during 2019-2020 fiscal year, 32,547 domestic violence “no-contact” protective “50B” orders were requested.¹⁹ In addition to “50B” orders, Caitlyn's Courage is available to Judges in cases of stalking, sexual assault, and violations of protective “no-contact” orders. It is not uncommon for victims to make repeated attempts from the Court to end an abusive relationship. It is important to note that there are many factors that a victim must weigh when determining her/his safest course of action at any particular point in time. To this point, it is of paramount importance for any pre-trial monitoring program to be under the auspices of the Courts. Caitlyn's Courage has worked with participating judicial districts to establish consistent and

¹⁶ Hunt, H. *Court Fines and Fees: Criminalizing Poverty in North Carolina*. 2017.

¹⁷ Cost of Corrections. N.C. Dept. of Public Safety. 2021.

¹⁸ Cost of GPS Monitoring. N.C. Dept. of Public Safety. 2021.

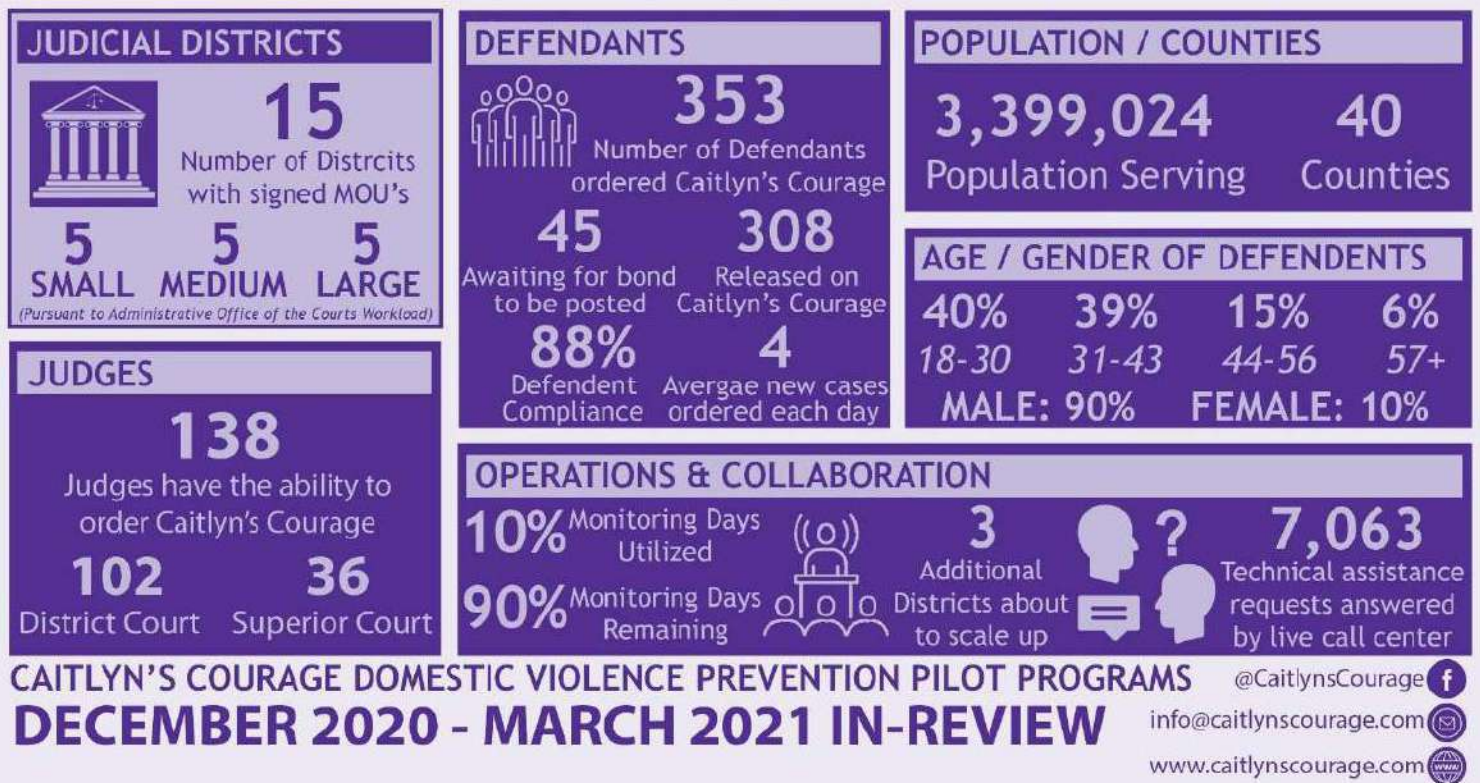
¹⁹ Civil Overall Caseload. N.C. Judicial Branch. 2020.



user-friendly Court procedures for victims, and as a result, there has been a notable increase from victim's accessing the Courts.

Pushing to new heights to increase victim safety and defendant accountability, the following recommendations are made to the North Carolina General Assembly, but not limited to:

- 1) That an active electronic monitoring statewide pre-trial GPS program be instituted for the remaining 60 counties in the State of North Carolina.
- 2) That the previously statutory requirements of a dual cellular network system, an external monitoring system continue to be part of the program.
- 3) That the program be located in the Judicial Branch for statewide implementation yet supervised by local Judges for customization to local needs.
- 4) That the local advisory boards consider having a member of the local domestic violence advocacy group and a representative of the local law enforcement operating in the district to be appointed by the Chief District Court Judge.
- 5) Recognizing that the Caitlyn's Courage GPS monitoring pilot program is still in use, provide a non-recurring appropriation to the East Carolina University Department of Criminal Justice to analyze the data collected by Caitlyn's Courage to determine any trends with, but not limited to, the Courts order of GPS monitoring, defendant, and victim



**Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
1st Judicial District**

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge and Senior Resident Superior Court Judge of the 1st Judicial District and Tarheel Monitoring, LLC, (hereafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

I. The Domestic Violence GPS Monitoring System.

- A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant/accused in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The petitioner/victim will receive an electronic device or a cellular phone application that will warn the petitioner/victim of a violation on the court order by the defendant/accused. The warning is based upon proximity of the defendant/accused to the petitioner/victim and the no-contact provisions of the court order. This is also reinforced and supported by 24 hour 7 days a week domestic third-party monitoring agent. This agent will also call the petitioner/victim and notify them of the violation and warn them to get to a secure location.
- B. Process: "The System" is a collaborative pilot program conceived by Caitlyn's Courage, funded by the North Carolina General Assembly, provided by Tarheel implemented and directed by the Honorable Edgar L. Barnes, Chief District Court Judge, and the Honorable Jerry R. Tillett, Senior Resident Superior Court Judge. The is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.
- C. Stakeholders:
 - 1) Superior and District Court Judges. The Superior and Chief District Judges are the key stakeholder in this pilot program. The Courts will ensure the due process rights of the defendant/accused in the case and



the prosecuting witness. Criminal domestic violence cases need to be closely monitored by the Court because of the high rates of recidivism and the substantial risks to the prosecuting witness. Judges will be actively involved in each case on the domestic violence criminal calendar to ensure that the defendant/accused are following all Court orders. Upon request, the Judge will have access to the information generated by Tarheel to assist them in the assessment of the defendant/accused's compliance. Magistrates, Clerks, and the District Attorney's Office should identify domestic violence cases at the time the warrant is issued and schedule them together on the domestic violence docket when possible.

- 2) Caitlyn's Courage. The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) Tarheel Monitoring. With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the Court, it is Tarheel's objective to maintain the relationship with Caitlyn's Courage, the Court, the petitioner/victim, the defendant/accused for "The System", and to maintain and support "The System" as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the petitioner/victim and provide the monitoring service to the Court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the system in the 1st Judicial District. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to Court personnel for purposes of this project. An important part of monitoring domestic violence offenders and increasing safety for



victims is providing information to the Court via the dashboard as to the supervision of the defendant during the period of probation or during the period of a protective order.

- 4) East Carolina University. Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) Other community partners. The parties to this MOU recognize and agree that there are other important partners to “The System” process, who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an “as needed” basis for the future growth and development of “The System”.

II. Purpose of this MOU is to:

- A. Memorialize the understanding and commitment by and between the Caitlyn’s Courage, Tarheel and the identified stakeholders of the 1st Judicial District to work together as a collaborative team to implement “The System” in the Superior and District Courts of the 1st Judicial District.
- B. Solidify the intent to operate “The System” in each civil domestic violence case to improve the safety and wellbeing of both victims and alleged perpetrators.
- C. Establish commonality as to the understanding that “The System” will not only improve the enforcement and effectiveness of the orders of the Court in the 1st Judicial District, but will also increase the safety for victims of domestic violence, and the courthouse community.
- D. Allow partners to work together to identify trends which impact Court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using the observations and input from the Court, data gathered from the pilot program and the analysis of this data by East Carolina University.
- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of “The System”.



III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

- A. Attend, or send an appropriate designee to, formal or informal technical assistance and training opportunities provided by the Caitlyn's Courage, the court community, including law enforcement.
- B. Re-evaluate domestic violence best practices as they specifically relate to the introduction and usage of "The System" in the litigation process and make recommendations for changes or improvements.
- C. Work together to implement identified strategies for improving outcomes for domestic violence cases electronically filed.
- D. Identify cross-training opportunities for all DV related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in "The System" process.
- E. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, and (9) representatives of the Department of Adult Correction and Juvenile Justice.

IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.


V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.



VI. Signatures.



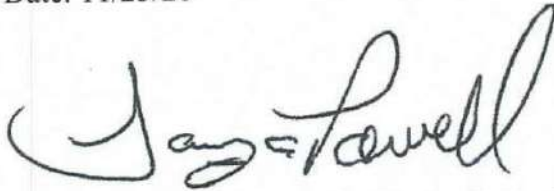
Edgar L. Barnes, Chief District Court Judge
1st Judicial District
Date:



Jerry R. Tillett, Senior Resident Superior Court Judge
1st Judicial District
Date:



Judson T. Whitehurst, Chairman of Caitlyn's Courage
Date: 11/23/20



Larry A. Powell, Principal of Tarheel Monitoring
Date: 11/23/20



**Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
2nd Judicial District**

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the 2nd District in Beaufort County and Tarheel Monitoring, LLC, (hereafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

I. The Domestic Violence GPS Monitoring System.

- A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant/accused in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The petitioner/victim will receive an electronic device or a cellular phone application that will warn the petitioner/victim of a violation on the court order by the defendant/accused. The warning is based upon proximity of the defendant/accused to the petitioner/victim and the no-contact provisions of the court order. This is also reinforced and supported by 24 hour 7 days a week domestic third-party monitoring agent. This agent will also call the petitioner/victim and notify them of the violation and warn them to get to a secure location.
- B. Process: "The System" is a collaborative pilot program conceived by Caitlyn's Courage, funded by the North Carolina General Assembly, provided by Tarheel implemented and directed by the Honorable Regina R. Parker, Chief District Court Judge. The is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.
- C. Stakeholders:
 - 1) District Court Judges. The Chief District Judge is the key stakeholder in this pilot program. The Chief will be the implementor, convener and supervisor of the program through stalking, sexual assault, domestic abuse, and violations of a domestic violence protective



orders and authority of the Court. The Chief Judge along with fellow judges will ensure the due process rights of the defendant/accused in the case and prioritize victim safety and offender accountability from the time of the defendant/accused's initial Court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the Court because of the high rates of recidivism and the substantial risks to the victim. Judges will be actively involved in each case on the domestic violence criminal calendar to ensure that the defendant/accused are following all Court orders. Magistrates are the primary court officials who enforce the Chief District Court Judge's policy on criminal domestic violence cases. They should identify domestic violence cases at the time the warrant is issued and then schedule them together on the court docket.

- 2) Caitlyn's Courage. The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) Tarheel Monitoring. With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the Court, it is Tarheel's objective to maintain the relationship with Caitlyn's Courage, the Court, the petitioner/victim, the defendant/accused for "The System", and to maintain and support "The System" as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the petitioner/victim and provide the monitoring service to the Court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the system in the Beaufort County. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court



personnel for purposes of this project. An important part of monitoring domestic violence offenders and increasing safety for victims is providing information to the Court via the dashboard as to the supervision of the defendant during the period of probation or during the period of a protective order.

- 4) East Carolina University. Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) Other community partners. The parties to this MOU recognize and agree that there are other important partners to “The System” process, who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an “as needed” basis for the future growth and development of “The System”.

II. Purpose of this MOU is to:

- A. Memorialize the understanding and commitment by and between the Caitlyn’s Courage, Tarheel and the identified stakeholders of the 2nd Judicial District to work together as a collaborative team to implement “The System” in the Beaufort County.
- B. Solidify the intent to operate “The System” in criminal domestic violence cases to improve the safety and wellbeing of both victims and alleged perpetrators.
- C. Establish commonality as to the understanding that “The System” will not only improve the enforcement and effectiveness of the orders of the 2nd Judicial District, but will also increase the safety for victims of domestic violence, and the courthouse community.
- D. Allow partners to work together to identify trends which impact Court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using the observations and input from the Court, data gathered from the pilot program and the analysis of this data by East Carolina University.
- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of “The System”.



III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

- A. Attend, or send an appropriate designee to, formal or informal technical assistance and training opportunities provided by the Caitlyn's Courage, the district court community, including law enforcement.
- B. Re-evaluate domestic violence best practices as they specifically relate to the introduction and usage of "The System" in the litigation process and make recommendations for changes or improvements.
- C. Work together to implement identified strategies for improving outcomes for domestic violence cases electronically filed.
- D. Identify cross-training opportunities for all DV related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in "The System" process.
- E. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, and (9) representatives of the Department of Adult Correction and Juvenile Justice.

IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.

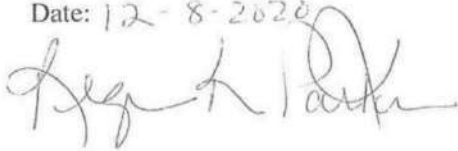
V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.



VI. Signatures.

Regina R. Parker, Chief District Court Judge
2nd Judicial District

Date: 12-8-2020



Judson T. Whitehurst, Chairman of Caitlyn's Courage

Date: 12/9/20



Larry A. Powell, Principal of Tarheel Monitoring

Date: 12/9/20



**Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
3-A Judicial District**

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the 3-A District in Pitt County and Tarheel Monitoring, LLC, (hereafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

I. The Domestic Violence GPS Monitoring System.

- A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant/accused in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The petitioner/victim will receive an electronic device or a cellular phone application that will warn the petitioner/victim of a violation on the court order by the defendant/accused. The warning is based upon proximity of the defendant/accused to the petitioner/victim and the no-contact provisions of the court order. This is also reinforced and supported by 24 hour 7 days a week domestic third-party monitoring agent. This agent will also call the petitioner/victim and notify them of the violation and warn them to get to a secure location.
- B. Process: "The System" is a collaborative pilot program conceived by Caitlyn's Courage, funded by the North Carolina General Assembly, provided by Tarheel implemented and directed by the Honorable G. Galen Braddy, Chief District Court Judge. The is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.
- C. Stakeholders:
 - 1) District Court Judges. The Chief District Judge is the key stakeholder in this pilot program. The Chief will be the implementor, convener and supervisor of the program through stalking, sexual assault, domestic abuse, and violations of a domestic violence protective



orders and authority of the Court. The Chief Judge along with fellow judges will ensure the due process rights of the defendant/accused in the case and prioritize victim safety and offender accountability from the time of the defendant/accused's initial Court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the Court because of the high rates of recidivism and the substantial risks to the victim. Judges will be actively involved in each case on the domestic violence criminal calendar to ensure that the defendant/accused are following all Court orders. Magistrates are the primary court officials who enforce the Chief District Court Judge's policy on criminal domestic violence cases. They should identify domestic violence cases at the time the warrant is issued and then schedule them together on the domestic violence docket.

- 2) Caitlyn's Courage. The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) Tarheel Monitoring. With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the Court, it is Tarheel's objective to maintain the relationship with Caitlyn's Courage, the Court, the petitioner/victim, the defendant/accused for "The System", and to maintain and support "The System" as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the petitioner/victim and provide the monitoring service to the Court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the system in Pitt County. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel



for purposes of this project. An important part of monitoring domestic violence offenders and increasing safety for victims is providing information to the Court via the dashboard as to the supervision of the defendant during the period of probation or during the period of a protective order.

- 4) East Carolina University. Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) Other community partners. The parties to this MOU recognize and agree that there are other important partners to “The System” process, who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an “as needed” basis for the future growth and development of “The System”.

II. Purpose of this MOU is to:

- A. Memorialize the understanding and commitment by and between the Caitlyn’s Courage, Tarheel and the identified stakeholders of the 3-A Judicial District to work together as a collaborative team to implement “The System” in the District Court of Pitt County.
- B. Solidify the intent to operate “The System” in each civil domestic violence case to improve the safety and wellbeing of both victims and alleged perpetrators.
- C. Establish commonality as to the understanding that “The System” will not only improve the enforcement and effectiveness of the orders of the Court in Pitt County, but will also increase the safety for victims of domestic violence, and the courthouse community.
- D. Allow partners to work together to identify trends which impact Court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using the observations and input from the Court, data gathered from the pilot program and the analysis of this data by East Carolina University.
- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of “The System”.



III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

- A. Attend, or send an appropriate designee to, formal or informal technical assistance and training opportunities provided by the Caitlyn's Courage, the district court community, including law enforcement.
- B. Re-evaluate domestic violence best practices as they specifically relate to the introduction and usage of "The System" in the litigation process and make recommendations for changes or improvements.
- C. Work together to implement identified strategies for improving outcomes for domestic violence cases electronically filed.
- D. Identify cross-training opportunities for all DV related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in "The System" process.
- E. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, and (9) representatives of the Department of Adult Correction and Juvenile Justice.

IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.

V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.



VI. Signatures.



G. Galen Braddy, Chief District Court Judge
3-A Judicial District, Pitt County
Date: 12-3-20



Judson T. Whitehurst, Chairman of Caitlyn's Courage
Date: 11/30/20



Larry A. Powell, Principal of Tarheel Monitoring
Date: 12/1/20



**Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
4th Judicial District
Sampson County**

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the 4th Judicial District and Tarheel Monitoring, LLC, (hereafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina nonprofit corporation.

I. The Domestic Violence GPS Monitoring System.

- A. Definition: The Domestic Violence GPS Monitoring System (hereafter "System") is defined as a technological advance whereby the defendant/accused in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The petitioner/victim will receive an electronic device or a cellular phone application that will warn the petitioner/victim of a violation of the court order by the defendant/accused. The warning is based upon proximity of the defendant/accused to the petitioner/victim and the no-contact provisions of the court order. This is also reinforced and supported by a 24 hour, 7 days a week, domestic third-party monitoring agent. This agent will also call the petitioner/victim and notify them of the violation and warn them to get to a secure location.



B. Process: The “System” is a collaborative pilot program conceived by Caitlyn’s Courage, funded by the North Carolina General Assembly, provided by Tarheel, and implemented and directed by Chief District Court Judge Sarah C. Seaton. This is conducted through cooperation of other community stakeholders, as identified by the session law and named by Chief District Court Judge Seaton, serving as an advisory committee.

C. Stakeholders:

1) Judges/Magistrates. The District Court Judges and the Magistrates are the key stakeholders in this pilot program. The Chief District Court Judge will be the supervisor of the program; the program will be implemented by District Court Judges and Magistrates. The program may be used in criminal cases involving stalking, assault on a female, sexual assault, domestic abuse, violations of domestic violence protective orders and any other assaults. Criminal domestic violence cases need to be closely monitored by the Court because of the high rates of recidivism and the substantial risk to the victims. Judges will be actively involved in each case to ensure that the defendant is following all court orders. Upon request, the Judge will have access to the information generated by Tarheel, so that the Judge can monitor the defendant’s compliance. In civil domestic violence cases, the plaintiff may have the same substantial risk, so the Magistrate or Judge may use the program for these cases as well. Each Judge and



Magistrate must examine each case individually to determine whether the program would be useful and appropriate.

- 2) Caitlyn's Courage. The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) Tarheel Monitoring. With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the Court, it is Tarheel's objective to maintain the relationship with Caitlyn's Courage, the Court, the petitioner/victim, the defendant/accused for "The System," and to maintain and support "The System" as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the petitioner/victim and provide the monitoring service to the Court and the program. Tarheel



Monitoring will also provide the necessary training and technical assistance to other stakeholders to ensure uniform and seamless application of the system in Sampson County. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel for purposes of this project. An important part of monitoring domestic violence offenders and increasing safety for victims is providing information to the Court via the dashboard as to the supervision of the defendant during the period of probation or during the period of a protective order.

- 4) East Carolina University. Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) Other community partners. The parties to this MOU recognize and agree that there are other important partners to "The System" process, who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an "as needed" basis for the future growth and development of "The System."

II. Purpose of this MOU is to:

- A. Memorialize the understanding and commitment by and between Caitlyn's Courage, Tarheel and the identified stakeholders of Sampson County to work together as a



collaborative team to implement “The System” in Sampson County.

- B. Solidify the intent to operate “The System” in each appropriate criminal and civil domestic violence case to improve the safety and wellbeing of both victims and alleged perpetrators.
- C. Establish commonality as to the understanding that “The System” will not only improve the enforcement and effectiveness of the orders of the Court in Sampson County, but will also increase the safety for victims of domestic violence, and the courthouse community.
- D. Allow partners to work together to identify trends which impact Court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using the observations and input from the Court, data gathered from the pilot program and the analysis of this data by East Carolina University.
- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of “The System.”

III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:



- A. Attend, or send an appropriate designee, to formal or informal technical assistance and training opportunities provided by Caitlyn's Courage, the district court community, or by law enforcement.
- B. Re-evaluate domestic violence best practices as they specifically relate to the introduction and usage of "The System." Make recommendations for changes or improvements.
- C. Work together to implement identified strategies for improving outcomes for domestic violence cases electronically filed.
- D. Identify cross-training opportunities for all domestic violence related court and community stakeholders. Examine informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in "The System" process.
- E. The final step is to create a local implementation team. Stakeholders that may be considered for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) defense attorneys, (5) deputy, assistant, and elected clerks of superior court, (6) law enforcement officers, (7) domestic violence victims' advocates, (8) court support staff, and (9) representatives of the Department of Adult Correction and Juvenile Justice.



IV. Term of Agreement: this MOU shall be effective until dissolution by mutual agreement of the signatories.

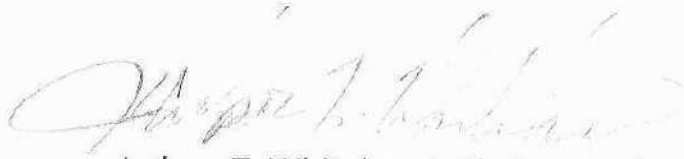
V. Revisions: revisions to this agreement may be made only upon the approval of all signatories.

VI. Signatures:



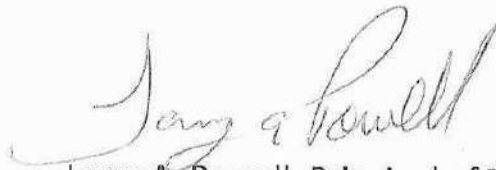
Sarah C. Seaton, Chief District Court Judge
4th Judicial District

Date: 1/7/21



Judson T. Whitehurst, Chairman of Caitlyn's Courage

Date: 1-6-2021



Larry A. Powell, Principal of Tarheel Monitoring

Date: 1-6-2021



**Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
6th Judicial District**

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the 6th Judicial District and Tarheel Monitoring, LLC, (hereafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

I. The Domestic Violence GPS Monitoring System.

- A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant/accused in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The petitioner/victim will receive an electronic device or a cellular phone application that will warn the petitioner/victim of a violation on the court order by the defendant/accused. The warning is based upon proximity of the defendant/accused to the petitioner/victim and the no-contact provisions of the court order. This is also reinforced and supported by 24 hour 7 days a week domestic third-party monitoring agent. This agent will also call the petitioner/victim and notify them of the violation and warn them to get to a secure location.
- B. Process: "The System" is a collaborative pilot program conceived by Caitlyn's Courage, funded by the North Carolina General Assembly, provided by Tarheel implemented and directed by the Honorable Brenda G. Branch, Chief District Court Judge. The is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.
- C. Stakeholders:
 - 1) District Court Judges. The Chief District Judge is the key stakeholder in this pilot program. The Chief will be the implementor, convener and supervisor of the program through stalking, sexual assault, domestic abuse, and violations of a domestic violence protective



orders and authority of the Court. The Chief Judge along with fellow judges will ensure the due process rights of the defendant/accused in the case and prioritize victim safety and offender accountability from the time of the defendant/accused's initial Court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the Court because of the high rates of recidivism and the substantial risks to the victim. Judges will be actively involved in each case on the domestic violence criminal calendar to ensure that the defendant/accused are following all Court orders. By North Carolina law, domestic violence defendants who have not appeared before a judge within 48 hours of their arrest may have their conditions of pre-trial release set by a magistrate. Magistrates in the 6th Judicial District have authority to require use of the System as a condition of release in domestic violence cases that the magistrate finds appropriate.

- 2) Caitlyn's Courage. The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) Tarheel Monitoring. With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the Court, it is Tarheel's objective to maintain the relationship with Caitlyn's Courage, the Court, the petitioner/victim, the defendant/accused for "The System", and to maintain and support "The System" as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the petitioner/victim and provide the monitoring service to the Court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the



system in the 6th Judicial District. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel for purposes of this project. An important part of monitoring domestic violence offenders and increasing safety for victims is providing information to the Court via the dashboard as to the supervision of the defendant during the period of probation or during the period of a protective order.

- 4) East Carolina University. Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) Other community partners. The parties to this MOU recognize and agree that there are other important partners to “The System” process, who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an “as needed” basis for the future growth and development of “The System”.

II. Purpose of this MOU is to:

- A. Memorialize the understanding and commitment by and between the Caitlyn’s Courage, Tarheel and the identified stakeholders of the 6th Judicial District to work together as a collaborative team to implement “The System” in the 6th Judicial District.
- B. Solidify the intent to operate “The System” in each civil domestic violence case to improve the safety and wellbeing of both victims and alleged perpetrators.
- C. Establish commonality as to the understanding that “The System” will not only improve the enforcement and effectiveness of the orders of the Court in the 6th Judicial District, but will also increase the safety for victims of domestic violence, and the courthouse community.
- D. Allow partners to work together to identify trends which impact Court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using the observations and input from the Court, data gathered from the pilot program and the analysis of this data by East Carolina University.



- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of “The System”.

III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

- A. Attend, or send an appropriate designee to, formal or informal technical assistance and training opportunities provided by the Caitlyn’s Courage, the district court community, including law enforcement.
 - B. Re-evaluate domestic violence best practices as they specifically relate to the introduction and usage of “The System” in the litigation process and make recommendations for changes or improvements.
 - C. Work together to implement identified strategies for improving outcomes for domestic violence cases electronically filed.
 - D. Identify cross-training opportunities for all DV related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in “The System” process.
 - E. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, and (9) representatives of the Department of Adult Correction and Juvenile Justice.
- IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.**
- V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.**



VI. Signatures.

A handwritten signature in blue ink, appearing to read 'B. G. Branch', with a long horizontal flourish extending to the right.

Branda G. Branch, Chief District Court Judge
6th Judicial District
Date: 1/27/21

A handwritten signature in black ink, appearing to read 'J. T. Whitehurst', with a large, stylized 'J' and 'W'.

Judson T. Whitehurst, Chairman of Caitlyn's Courage
Date: 1/14/21

A handwritten signature in black ink, appearing to read 'Larry A. Powell', with a large, stylized 'L' and 'P'.

Larry A. Powell, Principal of Tarheel Monitoring
Date: 1/15/21



Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
Seventh Judicial District
Edgecombe County

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the Seventh District, Edgecombe County, N.C., and Tarheel Monitoring, LLC, (hereinafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

- I. The Domestic Violence GPS Monitoring System
 - A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The victim/ prosecuting witness (hereinafter "witness") will receive an electronic device or a cellular phone application that will warn the witness of a violation of the court order by the defendant. The warning is based upon proximity of the defendant to the witness and the no-contact provisions of the release order. This is reinforced and supported 24 hours a day, 7 days a week by a third-party monitoring agent. This agent will call the witness and notify them of the violation and warn them to get to a secure location.
 - B. Process: The System is a collaborative pilot program conceived by Caitlyn's Courage, funded the NC General Assembly, provided by Tarheel, and directed by the Chief District Court Judge. This is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.
 - C. Stakeholders:
 - 1) District Court Judges. The Chief District Court Judge will be the implementor, convener, and supervisor of the program for use in pre-trial release of defendants charged with crimes designated by North Carolina law as domestic violence. The district court judges will ensure the due process rights of the defendant in the case and prioritize victim safety and defendant accountability from the time of the defendant's initial court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the court because of the high rates of recidivism and the substantial risks to the witness. Judges will be actively involved in each criminal domestic violence case to ensure that defendants are complying with conditions of pre-trial release. Judges will have access to the information generated by Tarheel to assist them in the assessment of the defendant's compliance. By North Carolina law, domestic violence defendants



who have not appeared before a judge within 48 hours of their arrest may have their conditions of pre-trial release set by a magistrate. Magistrates in the Seventh Judicial District have authority to require use of the System as a condition of release in domestic violence cases that the magistrate finds appropriate.

- 2) **Caitlyn's Courage.** The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, The Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) **Tarheel Monitoring.** With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the court, it is Tarheel's objective to maintain a relationship with Caitlyn's Courage, the court, the witness, and the defendant and to maintain and support the System as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the witness and provide the monitoring service to the court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the System in Wilson County. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel, including the district court judges and staff for purposes of this project. An important part of monitoring domestic violence defendants and increasing safety for witnesses is providing information to the court via the dashboard as to defendants' compliance with conditions of pre-trial release. Compliance hearings which can issue graduated sanctions and rewards are a recommended way of achieving this goal. Community partners should be actively involved in compliance hearings so that the court has access to all pertinent information when determining compliance.
- 4) **East Carolina University.** Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) **Other community partners.** The parties to this MOU recognize and agree that there are other important partners to the System who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an as needed basis for the future growth and development of the System.



II. Purpose of this MOU

- A. Memorialize the understanding and commitment by and between Caitlyn's Courage, Tarheel, and the identified stakeholders of the Seventh Judicial District to work together as a collaborative team to implement the System in the District Court of Edgecombe County;
- B. Solidify the intent to operate the System in appropriate domestic violence criminal cases to improve the safety and wellbeing of both witnesses and defendants;
- C. Establish commonality as to the understanding that the System will not only improve the enforcement and effectiveness of the orders of the court in Edgecombe County but will also increase the safety for witnesses and the courthouse community.
- D. Allow partners to work together to identify trends which impact court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using observations and input from the court, data gathered from the pilot program, and the analysis of this data by East Carolina University; and
- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of the System.

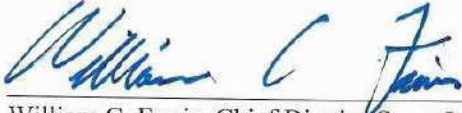
III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

- A. Attend, or send an appropriate designee, to formal or informal technical assistance and training opportunities provided by Caitlyn's Courage, the district court community, and law enforcement;
- B. Evaluate domestic violence best practices as they relate to the introduction and usage of the System in criminal cases and make recommendations for changes or improvements;
- C. Identify cross-training opportunities for all domestic violence related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in the System process.
- D. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior



court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, (9) representatives of the Department of Adult Correction and Juvenile Justice, and (10) representatives of the county defense bar. Stakeholders agree to send at least one representative from their agency to an implementation team meeting as needed to review implementation and program needs.

- IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.
- V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.
- VI. Signatures.



William C. Farris, Chief District Court Judge
Seventh Judicial District, Wilson County



Judson T. Whitehurst, Chairman of Caitlyn's Courage



Larry A. Powell, Principal Tarheel Monitoring



Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
Seventh Judicial District
Nash County

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the Seventh District, Nash County, N.C., and Tarheel Monitoring, LLC, (hereinafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

I. The Domestic Violence GPS Monitoring System

- A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The victim/ prosecuting witness (hereinafter "witness") will receive an electronic device or a cellular phone application that will warn the witness of a violation of the court order by the defendant. The warning is based upon proximity of the defendant to the witness and the no-contact provisions of the release order. This is reinforced and supported 24 hours a day, 7 days a week by a third-party monitoring agent. This agent will call the witness and notify them of the violation and warn them to get to a secure location.
- B. Process: The System is a collaborative pilot program conceived by Caitlyn's Courage, funded the NC General Assembly, provided by Tarheel, and directed by the Chief District Court Judge. This is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.
- C. Stakeholders:
 - 1) District Court Judges. The Chief District Court Judge will be the implementor, convener, and supervisor of the program for use in pre-trial release of defendants charged with crimes designated by North Carolina law as domestic violence. The district court judges will ensure the due process rights of the defendant in the case and prioritize victim safety and defendant accountability from the time of the defendant's initial court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the court because of the high rates of recidivism and the substantial risks to the witness. Judges will be actively involved in each criminal domestic violence case to ensure that defendants are complying with conditions of pre-trial release. Judges will have access to the information generated by Tarheel to assist them in the assessment of the defendant's compliance. By North Carolina law, domestic violence defendants



who have not appeared before a judge within 48 hours of their arrest may have their conditions of pre-trial release set by a magistrate. Magistrates in the Seventh Judicial District have authority to require use of the System as a condition of release in domestic violence cases that the magistrate finds appropriate.

- 2) **Caitlyn's Courage.** The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, The Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) **Tarheel Monitoring.** With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the court, it is Tarheel's objective to maintain a relationship with Caitlyn's Courage, the court, the witness, and the defendant and to maintain and support the System as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the witness and provide the monitoring service to the court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the System in Wilson County. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel, including the district court judges and staff for purposes of this project. An important part of monitoring domestic violence defendants and increasing safety for witnesses is providing information to the court via the dashboard as to defendants' compliance with conditions of pre-trial release. Compliance hearings which can issue graduated sanctions and rewards are a recommended way of achieving this goal. Community partners should be actively involved in compliance hearings so that the court has access to all pertinent information when determining compliance.
- 4) **East Carolina University.** Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) **Other community partners.** The parties to this MOU recognize and agree that there are other important partners to the System who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an as needed basis for the future growth and development of the System.



II. Purpose of this MOU

- A. Memorialize the understanding and commitment by and between Caitlyn's Courage, Tarheel, and the identified stakeholders of the Seventh Judicial District to work together as a collaborative team to implement the System in the District Court of Nash County;
- B. Solidify the intent to operate the System in appropriate domestic violence criminal cases to improve the safety and wellbeing of both witnesses and defendants;
- C. Establish commonality as to the understanding that the System will not only improve the enforcement and effectiveness of the orders of the court in Nash County but will also increase the safety for witnesses and the courthouse community.
- D. Allow partners to work together to identify trends which impact court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using observations and input from the court, data gathered from the pilot program, and the analysis of this data by East Carolina University; and
- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of the System.

III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

- A. Attend, or send an appropriate designee, to formal or informal technical assistance and training opportunities provided by Caitlyn's Courage, the district court community, and law enforcement;
- B. Evaluate domestic violence best practices as they relate to the introduction and usage of the System in criminal cases and make recommendations for changes or improvements;
- C. Identify cross-training opportunities for all domestic violence related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in the System process.
- D. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior



court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, (9) representatives of the Department of Adult Correction and Juvenile Justice, and (10) representatives of the county defense bar. Stakeholders agree to send at least one representative from their agency to an implementation team meeting as needed to review implementation and program needs.

- IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.
- V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.
- VI. Signatures.



William C. Farris, Chief District Court Judge
Seventh Judicial District, Wilson County



Judson T. Whitehurst, Chairman of Caitlyn's Courage



Larry A. Powell, Principal Tarheel Monitoring



Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
Seventh Judicial District
Wilson County

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the Seventh District, Wilson County, N.C., and Tarheel Monitoring, LLC, (hereinafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

- I. The Domestic Violence GPS Monitoring System
 - A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The victim/ prosecuting witness (hereinafter "witness") will receive an electronic device or a cellular phone application that will warn the witness of a violation of the court order by the defendant. The warning is based upon proximity of the defendant to the witness and the no-contact provisions of the release order. This is reinforced and supported 24 hours a day, 7 days a week by a third-party monitoring agent. This agent will call the witness and notify them of the violation and warn them to get to a secure location.
 - B. Process: The System is a collaborative pilot program conceived by Caitlyn's Courage, funded the NC General Assembly, provided by Tarheel, and directed by the Chief District Court Judge. This is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.
 - C. Stakeholders:
 - 1) District Court Judges. The Chief District Court Judge will be the implementor, convener, and supervisor of the program for use in pre-trial release of defendants charged with crimes designated by North Carolina law as domestic violence. All of the district court judges will ensure the due process rights of the defendant in the case and prioritize victim safety and defendant accountability from the time of the defendant's initial court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the court because of the high rates of recidivism and the substantial risks to the witness. Judges will be actively involved in each criminal domestic violence case to ensure that defendants are complying with conditions of pre-trial release. Judges will have access to the information generated by Tarheel to assist them in the assessment of the defendant's compliance. By North Carolina law, domestic violence defendants



who have not appeared before a judge within 48 hours of their arrest may have their conditions of pre-trial release set by a magistrate. Magistrates in the Seventh Judicial District have authority to require use of the System as a condition of release in domestic violence cases that the magistrate finds appropriate.

- 2) **Caitlyn's Courage.** The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, The Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) **Tarheel Monitoring.** With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the court, it is Tarheel's objective to maintain a relationship with Caitlyn's Courage, the court, the witness, and the defendant and to maintain and support the System as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the witness and provide the monitoring service to the court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the System in Wilson County. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel, including the district court judges and staff for purposes of this project. An important part of monitoring domestic violence defendants and increasing safety for witnesses is providing information to the court via the dashboard as to defendants' compliance with conditions of pre-trial release. Compliance hearings which can issue graduated sanctions and rewards are a recommended way of achieving this goal. Community partners should be actively involved in compliance hearings so that the court has access to all pertinent information when determining compliance.
- 4) **East Carolina University.** Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) **Other community partners.** The parties to this MOU recognize and agree that there are other important partners to the System who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an as needed basis for the future growth and development of the System.



- II. Purpose of this MOU
 - A. Memorialize the understanding and commitment by and between Caitlyn's Courage, Tarheel, and the identified stakeholders of the Seventh Judicial District to work together as a collaborative team to implement the System in the District Court of Wilson County;
 - B. Solidify the intent to operate the System in appropriate domestic violence criminal cases to improve the safety and wellbeing of both witnesses and defendants;
 - C. Establish commonality as to the understanding that the System will not only improve the enforcement and effectiveness of the orders of the court in Wilson County but will also increase the safety for witnesses and the courthouse community.
 - D. Allow partners to work together to identify trends which impact court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using observations and input from the court, data gathered from the pilot program, and the analysis of this data by East Carolina University; and
 - E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of the System.
- III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:
 - A. Attend, or send an appropriate designee, to formal or informal technical assistance and training opportunities provided by Caitlyn's Courage, the district court community, and law enforcement;
 - B. Evaluate domestic violence best practices as they relate to the introduction and usage of the System in criminal cases and make recommendations for changes or improvements;
 - C. Identify cross-training opportunities for all domestic violence related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in the System process.
 - D. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior



court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, (9) representatives of the Department of Adult Correction and Juvenile Justice, and (10) representatives of the county defense bar. Stakeholders agree to send at least one representative from their agency to an implementation team meeting as needed to review implementation and program needs.

- IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.
- V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.
- VI. Signatures.



William C. Farris, Chief District Court Judge
Seventh Judicial District, Wilson County



Judson T. Whitehurst, Chairman of Caitlyn's Courage



Larry A. Powell, Principal Tarheel Monitoring



**MEMORANDUM OF UNDERSTANDING
2020 DOMESTIC VIOLENCE GPS
MONITORING SYSTEM
12TH JUDICIAL DISTRICT**

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the 12th District in Cumberland County and Tarheel Monitoring, LLC, (hereafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

- I. The Domestic Violence GPS Monitoring System.
 - A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant/accused in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The Plaintiff/Prosecuting Witness will receive an electronic device or a cellular phone application that will warn the Plaintiff/Prosecuting Witness of a violation on the court order by the defendant/accused. The warning is based upon proximity of the defendant/accused to the Plaintiff/Prosecuting Witness and the no-contact provisions of the court order. This is also reinforced and supported by 24 hour 7 days a week domestic third-party monitoring agent. This agent will also call the Plaintiff/Prosecuting Witness and notify them of the violation and warn them to get to a secure location.
 - B. Process: "The System" is a collaborative pilot program conceived by Caitlyn's Courage, funded by the North Carolina General Assembly, provided by Tarheel and implemented by the Honorable Toni S. King, Acting Chief District Court Judge and The Honorable James Floyd Ammons, Jr., Senior Resident Superior Court Judge. The is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.
 - C. Stakeholders:
 - 1) Superior and District Court Judges. The Superior and District Court Judges are the key stakeholders in this pilot program. The Courts will ensure the due process rights of the defendant/accused in the case and the prosecuting witness. Criminal domestic violence cases need to be closely monitored by the Court because of the high rates of recidivism and the substantial risks to the prosecuting witness. Judges will be actively involved in each case on the domestic violence criminal calendar to ensure that the defendant/accused are



following all court orders. Upon request, the Judge will have access to the information generated by Tarheel to assist them in the assessment of the defendant/accused's compliance. Magistrates, Clerks, and the District Attorney's Office should identify domestic violence cases at the time the warrant is issued and schedule them together on the domestic violence docket when possible. Upon the entry of a designation of authority order by the Chief District Court Judge the magistrates shall be authorized to designate placing a GPS monitoring bracelet upon the defendant by Pre-Trial Release as a condition of bond release on domestic violence cases in accordance with North Carolina General Statute requirements.

- 2) Pre-Trial Release. All orders and authority will be ordered through this program. Pretrial Services will
 - i. Provide supervision for the program, while keeping the victim and community safe.
 - ii. Notify the judges/monitoring company of any problems or conflict.
 - iii. Contact the judges/monitoring company when clients are in violation with an Order for Arrest issuance.
 - iv. Notify monitoring company with client's movement within 24 hours.
 - v. Provide partner with a list of assigned case manager, name, and number.
 - vi. Prepare paperwork for release of clients from detention center to be placed on program

- 3) Caitlyn's Courage. The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot program to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.

- 4) Tarheel Monitoring. With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the Court, it is Tarheel's objective to maintain the relationship with Caitlyn's Courage, the Court, the petitioner/victim, the defendant/accused for "The System", and to maintain and support "The System" as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the petitioner/victim and provide the monitoring service to the Court and the program. Tarheel Monitoring will also provide the



necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the system in Cumberland County. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel, including the district court judges and staff for purposes of this project. An important part of monitoring domestic violence offenders and increasing safety for victims is providing information to the Court via the dashboard as to the supervision of the defendant during the period of probation or during the period of a protective order. Compliance hearings before the court, which can issue graduated sanctions and rewards, are a recommended way of achieving this goal. Community partners should be actively involved in compliance hearings so that the court has access to all pertinent information when determining compliance.

- 5) East Carolina University. Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 6) Other community partners. The parties to this MOU recognize and agree that there are other important partners to "The System" process, who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an "as needed" basis for the future growth and development of "The System".

II. Purpose of this MOU is to:

- A. Memorialize the understanding and commitment by and between the Caitlyn's Courage, Tarheel and the identified stakeholders of the 12th Judicial District to work together as a collaborative team to implement "The System" in the Superior and District Courts of Cumberland County;
- B. Solidify the intent to operate "The System" in each civil and criminal domestic violence case to improve the safety and wellbeing of both victims and alleged perpetrators;
- C. Establish commonality as to the understanding that "The System" will not only improve the enforcement and effectiveness of the orders of the Court in Cumberland County, but will also increase the safety for victims of domestic violence, and the courthouse community;





- D. Allow partners to work together to identify trends which impact court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using the observations and input from the Court, data gathered from the pilot program and the analysis of this data by East Carolina University; and
 - E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of "The System".
- III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:
 - A. Attend, or send an appropriate designee to, formal or informal technical assistance and training opportunities provided by the Caitlyn's Courage, the district court community, including law enforcement;
 - B. Re-evaluate domestic violence best practices as they specifically relate to the introduction and usage of "The System" in the litigation process and make recommendations for changes or improvements;
 - C. Work together to implement identified strategies for improving outcomes for domestic violence cases electronically filed;
 - D. Identify cross-training opportunities for all DV related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in "The System" process.
 - E. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) District Court Judges, (2) Superior Court Judges, (3) Assistant and Elected District Attorneys, (4) Assistant and Appointed Public defenders, (5) Deputy, Assistant, and Elected Clerks of Superior Court, (6) Law enforcement Officers, (7) Domestic Violence Victims Advocates, (8) Court Support Staff, (9) Representatives of the Department of Adult Correction and Juvenile Justice, and (10) Pre-Trial Release. Stakeholders agree to send at least one representative from their agency to an implementation team meeting to convene at least




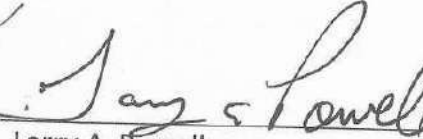
quarterly, or as needed, to review implementation and program needs; including but not limited to: funding, resources, and system flow.

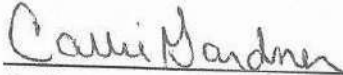
- IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.
- V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.
- VI. Signatures.


 Toni S. King,
 12th Judicial District Acting
 Chief District Court Judge
 Dated: 11-13-2020


 James Floyd Ammons, Jr.
 12th Judicial District Senior
 Resident Superior Court Judge
 Dated: 11-13-2020


 Judson T. Whitehurst,
 Chairman of Caitlyn's Courage
 Dated: 11-13-2020


 Larry A. Powell,
 Principal of Tarheel Monitoring
 Dated: 11-13-2020


 Callie Gardner,
 Cumberland County PreTrial Services
 Dated: 11-13-2020



**Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
Judicial District 15B**

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of Judicial District 15B and Tarheel Monitoring, LLC, (hereafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

I. The Domestic Violence GPS Monitoring System.

A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant/accused in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The petitioner/victim will receive an electronic device or a cellular phone application that will warn the petitioner/victim of a violation on the court order by the defendant/accused. The warning is based upon proximity of the defendant/accused to the petitioner/victim and the no-contact provisions of the court order. This is also reinforced and supported by 24 hour 7 days a week domestic third-party monitoring agent. This agent will also call the petitioner/victim and notify them of the violation and warn them to get to a secure location.

B. Process: "The System" is a collaborative pilot program conceived by Caitlyn's Courage, funded by the North Carolina General Assembly, provided by Tarheel implemented and directed by the Honorable Samantha H. Cabe, Chief District Court Judge. This is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.

C. Stakeholders:

- 1) District Court Judges. The Chief District Judge is the key stakeholder in this pilot program. The Chief will be the implementer, convener and supervisor of the program through stalking, sexual assault, domestic abuse, and violations of a domestic violence protective



orders and authority of the Court. The Chief Judge along with fellow judges will ensure the due process rights of the defendant/accused in the case and prioritize victim safety and offender accountability from the time of the defendant/accused's initial Court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the Court because of the high rates of recidivism and the substantial risks to the victim. Judges will be actively involved in each case on the domestic violence criminal calendar to ensure that the defendant/accused are following all Court orders. Upon request, the Judge will have access to the information generated by Tarheel to assist them in the assessment of the defendant/accused's compliance.

- 2) **Caitlyn's Courage.** The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) **Tarheel Monitoring.** With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the Court, it is Tarheel's objective to maintain the relationship with Caitlyn's Courage, the Court, the petitioner/victim, the defendant/accused for "The System", and to maintain and support "The System" as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the petitioner/victim and provide the monitoring service to the Court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the system in the 18th Judicial District. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel, including the district court judges and staff for purposes of this project. An important part of monitoring domestic



violence offenders and increasing safety for victims is providing information to the Court via the dashboard as to the supervision of the defendant during the period of pre-trial monitoring or during the period of a protective order. Compliance hearings before the Court, which can issue graduated sanctions and rewards, are a recommended way of achieving this goal. Community partners should be actively involved in compliance hearings so that the Court has access to all pertinent information when determining compliance.

- 4) East Carolina University. Collaborate and provide feedback to the East Carolina University Department of Criminal Justice
- 5) Other community partners. The parties to this MOU recognize and agree that there are other important partners to “The System” process, who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an “as needed” basis for the future growth and development of “The System”.

II. Purpose of this MOU is to:

- A. Memorialize the understanding and commitment by and between Caitlyn’s Courage, Tarheel Monitoring and the identified stakeholders of Judicial District 15B to work together as a collaborative team to implement “The System” in the District Court of the Judicial District.
- B. Solidify the intent to operate “The System” in domestic violence cases deemed eligible pursuant to the local county MOU addendums for each county within the district, to improve the safety and well-being of both victims and alleged perpetrators.
- C. Establish commonality as to the understanding that “The System” will not only improve the enforcement and effectiveness of the orders of the Court in the Judicial District 15B, but will also increase the safety for victims of domestic violence, and the community.
- D. Provide input to outside partners to identify trends which impact Court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using the



observations and input from the Court, data gathered from the pilot program and the analysis of this data by East Carolina University.

- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of “The System.”

III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

- A. When possible, attend, or send an appropriate designee, to formal or informal technical assistance and training opportunities provided by the Caitlyn’s Courage, the district court community, or law enforcement.
- B. Assess and implement domestic violence best practices as they specifically relate to the introduction and usage of “The System” in the litigation process and make recommendations for changes or improvements, as needed.
- C. Identify cross-training opportunities for all DV-related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in “The System” process.
- D. The final step is to create a local implementation team for each county in the district. Stakeholders that may be considered, but not limited to for this team, include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, (9) pretrial services representatives and (10) representatives of the Department of Adult Correction and Juvenile Justice. Stakeholders agree to send at least one representative from their agency to an implementation team meeting to convene at least quarterly, or as needed, to review implementation and program needs; including but not limited to: funding, resources, and system flow.
- E. The county implementation teams will be responsible for creating Addendums to this MOU outlining the policies and procedures in each county for ordering Caitlyn’s Courage GPS Monitoring. These



Addendums will include, but will not be limited to, specific information regarding case eligibility, restrictions on the number of individuals under Caitlyn's Courage monitoring within each county, and hearing and review processes. No individuals in Judicial District 15B may be ordered to Caitlyn's Courage GPS Monitoring within a county until the Addendum for the respective county has been fully executed. No person shall be ordered to Caitlyn's Courage GPS Monitoring within either county within Judicial District 15B unless the person meets the specific criteria set forth by the implementation team in the respective county.

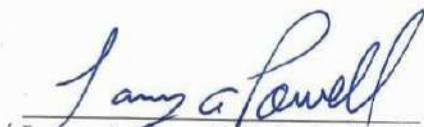
- IV. **Term of Agreement.** This MOU shall be effective until dissolution by any of the signatories.
- V. **Revisions.** Revisions to this agreement may be made only upon the approval of all signatories.
- VI. **Signatures.**



Samantha H. Cabe,
Chief District Court Judge
Judicial District 15B
Date: 12-8-20



Judson T. Whitehurst, Chairman of Caitlyn's Courage
Date: 12-9-20



Larry A. Powell, Principal of Tarheel Monitoring
Date: 12-9-20



**Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
16-B Judicial District**

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the 16-B Judicial District in Robeson County and Tarheel Monitoring, LLC, (hereafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

I. The Domestic Violence GPS Monitoring System.

- A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant/accused in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The petitioner/victim will receive an electronic device or a cellular phone application that will warn the petitioner/victim of a violation on the court order by the defendant/accused. The warning is based upon proximity of the defendant/accused to the petitioner/victim and the no-contact provisions of the court order. This is also reinforced and supported by 24 hour 7 days a week domestic third-party monitoring agent. This agent will also call the petitioner/victim and notify them of the violation and warn them to get to a secure location.
- B. Process: "The System" is a collaborative pilot program conceived by Caitlyn's Courage, funded by the North Carolina General Assembly, provided by Tarheel implemented and directed by the Honorable Angelica Chavis McIntyre, Chief District Court Judge. The is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.
- C. Stakeholders:
 - 1) District Court Judges. The Chief District Judge is the key stakeholder in this pilot program. The Chief will be the implementor, convener and supervisor of the program through stalking, sexual assault, domestic abuse, and violations of a domestic violence protective



orders and authority of the Court. The Chief Judge along with fellow judges will ensure the due process rights of the defendant/accused in the case and prioritize victim safety and offender accountability from the time of the defendant/accused's initial Court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the Court because of the high rates of recidivism and the substantial risks to the victim. Judges will be actively involved in each case on the domestic violence criminal calendar to ensure that the defendant/accused are following all Court orders. By North Carolina law, domestic violence defendants who have not appeared before a judge within 48 hours of their arrest may have their conditions of pre-trial release set by a magistrate. Magistrates in the 16-B Judicial District have authority to require use of the System as a condition of release in domestic violence cases that the magistrate finds appropriate.

- 2) **Caitlyn's Courage.** The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) **Tarheel Monitoring.** With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the Court, it is Tarheel's objective to maintain the relationship with Caitlyn's Courage, the Court, the petitioner/victim, the defendant/accused for "The System", and to maintain and support "The System" as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the petitioner/victim and provide the monitoring service to the Court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the



system in Robeson County. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel for purposes of this project. An important part of monitoring domestic violence offenders and increasing safety for victims is providing information to the Court via the dashboard as to the supervision of the defendant during the period of probation or during the period of a protective order.

- 4) East Carolina University. Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) Other community partners. The parties to this MOU recognize and agree that there are other important partners to “The System” process, who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an “as needed” basis for the future growth and development of “The System”.

II. Purpose of this MOU is to:

- A. Memorialize the understanding and commitment by and between the Caitlyn’s Courage, Tarheel and the identified stakeholders of the 16-B Judicial District to work together as a collaborative team to implement “The System” in Robeson County.
- B. Solidify the intent to operate “The System” in each civil domestic violence case to improve the safety and wellbeing of both victims and alleged perpetrators.
- C. Establish commonality as to the understanding that “The System” will not only improve the enforcement and effectiveness of the orders of the Court in Robeson County, but will also increase the safety for victims of domestic violence, and the courthouse community.
- D. Allow partners to work together to identify trends which impact Court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using the observations and input from the Court, data gathered from the pilot program and the analysis of this data by East Carolina University.



- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of “The System”.

III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

- A. Attend, or send an appropriate designee to, formal or informal technical assistance and training opportunities provided by the Caitlyn’s Courage, the district court community, including law enforcement.
- B. Re-evaluate domestic violence best practices as they specifically relate to the introduction and usage of “The System” in the litigation process and make recommendations for changes or improvements.
- C. Work together to implement identified strategies for improving outcomes for domestic violence cases electronically filed.
- D. Identify cross-training opportunities for all DV related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in “The System” process.
- E. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, and (9) representatives of the Department of Adult Correction and Juvenile Justice.

IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.

V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.



VI. Signatures.

Angelica Chavis McIntyre

Angelica Chavis McIntyre, Chief District Court Judge
16-B Judicial District, Robeson County

Date: 1/28/21

Judson T. Whitehurst

Judson T. Whitehurst, Chairman of Caitlyn's Courage

Date: 1/28/21

Larry A. Powell

Larry A. Powell, Principal of Tarheel Monitoring

Date: 1/28/21



Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
Seventeen B Judicial District
Stokes County and Surry County

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the Seventeen B Judicial District, Stokes County and Surry County, N.C., and Tarheel Monitoring, LLC, (hereinafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

I. The Domestic Violence GPS Monitoring System

- A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The victim/ prosecuting witness (hereinafter "witness") will receive an electronic device or a cellular phone application that will warn the witness of a violation of the court order by the defendant. The warning is based upon proximity of the defendant to the witness and the no-contact provisions of the release order. This is reinforced and supported 24 hours a day, 7 days a week by a third-party monitoring agent. This agent will call the witness and notify them of the violation and warn them to get to a secure location.
- B. Process: The System is a collaborative pilot program conceived by Caitlyn's Courage, funded the NC General Assembly, provided by Tarheel, and directed by the Chief District Court Judge. This is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.
- C. Stakeholders:
 - 1) District Court Judges. The Chief District Court Judge will be the implementor, convenor, and supervisor of the program for use in pre-trial release of defendants charged with crimes designated by North Carolina law as domestic violence. All of the district court judges will ensure the due process rights of the defendant in the case and prioritize victim safety and defendant accountability from the time of the defendant's initial court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the court because of the high rates of recidivism and the substantial risks to the witness. Judges will be actively involved in each criminal domestic violence case to ensure that defendants are complying with conditions of pre-trial release. Judges will have access to the information generated by Tarheel to assist them in the assessment of



the defendant's compliance. By North Carolina law, domestic violence defendants who have not appeared before a judge within 48 hours of their arrest may have their conditions of pre-trial release set by a magistrate. Magistrates in the Seventeen B Judicial District have authority to require use of the System as a condition of release in domestic violence cases that the magistrate finds appropriate.

- 2) Caitlyn's Courage. The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, The Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) Tarheel Monitoring. With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the court, it is Tarheel's objective to maintain a relationship with Caitlyn's Courage, the court, the witness, and the defendant and to maintain and support the System as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the witness and provide the monitoring service to the court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the System in Wilson County. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel, including the district court judges and staff for purposes of this project. An important part of monitoring domestic violence defendants and increasing safety for witnesses is providing information to the court via the dashboard as to defendants' compliance with conditions of pre-trial release. Compliance hearings which can issue graduated sanctions and rewards are a recommended way of achieving this goal. Community partners should be actively involved in compliance hearings so that the court has access to all pertinent information when determining compliance.
- 4) East Carolina University. Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) Other community partners. The parties to this MOU recognize and agree that there are other important partners to the System who have not been specifically



identified herein. It is intended that these partners be acknowledged and included on an as needed basis for the future growth and development of the System.

II. Purpose of this MOU

- A. Memorialize the understanding and commitment by and between Caitlyn's Courage, Tarheel, and the identified stakeholders of the Seventeen B Judicial District to work together as a collaborative team to implement the System in the District Court of Stokes County and Surry County;
- B. Solidify the intent to operate the System in appropriate domestic violence criminal cases to improve the safety and wellbeing of both witnesses and defendants;
- C. Establish commonality as to the understanding that the System will not only improve the enforcement and effectiveness of the orders of the court in Stokes County and Surry County but will also increase the safety for witnesses and the courthouse community.
- D. Allow partners to work together to identify trends which impact court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using observations and input from the court, data gathered from the pilot program, and the analysis of this data by East Carolina University; and
- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of the System.

III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

- A. Attend, or send an appropriate designee, to formal or informal technical assistance and training opportunities provided by Caitlyn's Courage, the district court community, and law enforcement;
- B. Evaluate domestic violence best practices as they relate to the introduction and usage of the System in criminal cases and make recommendations for changes or improvements;
- C. Identify cross-training opportunities for all domestic violence related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in the System process.



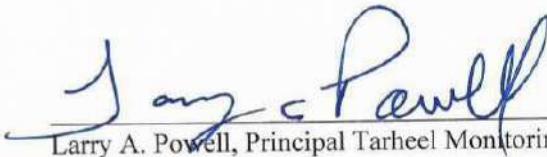
- D. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, (9) representatives of the Department of Adult Correction and Juvenile Justice, and representatives of the county defense bar. Stakeholders agree to send at least one representative from their agency to an implementation team meeting as needed to review implementation and program needs.
- IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.
- V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.
- VI. Signatures.



William F. Southern III, Chief District Court Judge
Seventeen B Judicial District, Stokes County and Surry County
12-3-20



Judson T. Whitehurst, Chairman of Caitlyn's Courage
12-9-20



Larry A. Powell, Principal Tarheel Monitoring
12-9-20



Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
Eighteenth Judicial District
Guilford County

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the Eighteenth Judicial District, Guilford County, N.C., and Tarheel Monitoring, LLC, (hereinafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

- I. The Domestic Violence GPS Monitoring System
 - A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The victim/ prosecuting witness (hereinafter "witness") will receive an electronic device or a cellular phone application that will warn the witness of a violation of the court order by the defendant. The warning is based upon proximity of the defendant to the witness and the no-contact provisions of the release order. This is reinforced and supported 24 hours a day, 7 days a week by a third-party monitoring agent. This agent will call the witness and notify them of the violation and warn them to get to a secure location.
 - B. Process: The System is a collaborative pilot program conceived by Caitlyn's Courage, funded the NC General Assembly, provided by Tarheel, and directed by the Chief District Court Judge. This is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.
 - C. Stakeholders:
 - 1) District Court Judges. The Chief District Court Judge will be the implementor, convenor, and supervisor of the program for use in pre-trial release of defendants charged with crimes designated by North Carolina law as domestic violence. All of the district court judges will ensure the due process rights of the defendant in the case and prioritize victim safety and defendant accountability from the time of the defendant's initial court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the court because of the high rates of recidivism and the substantial risks to the witness. Judges will be actively involved in each criminal domestic violence case to ensure that defendants are complying with conditions of pre-trial release. Judges will have access to the information generated by Tarheel to assist them in the assessment of the defendant's compliance. By North Carolina law, domestic violence defendants



who have not appeared before a judge within 48 hours of their arrest may have their conditions of pre-trial release set by a magistrate. Magistrates in the Eighteenth Judicial District have authority to require use of the System as a condition of release in domestic violence cases that the magistrate finds appropriate.

- 2) **Caitlyn's Courage.** The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, The Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) **Tarheel Monitoring.** With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the court, it is Tarheel's objective to maintain a relationship with Caitlyn's Courage, the court, the witness, and the defendant and to maintain and support the System as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the witness and provide the monitoring service to the court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the System in Guilford County. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel, including the district court judges and staff for purposes of this project. An important part of monitoring domestic violence defendants and increasing safety for witnesses is providing information to the court via the dashboard as to defendants' compliance with conditions of pre-trial release. Compliance hearings which can issue graduated sanctions and rewards are a recommended way of achieving this goal. Community partners should be actively involved in compliance hearings so that the court has access to all pertinent information when determining compliance.
- 4) **East Carolina University.** Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) **Other community partners.** The parties to this MOU recognize and agree that there are other important partners to the System who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an as needed basis for the future growth and development of the System.



II. Purpose of this MOU

- A. Memorialize the understanding and commitment by and between Caitlyn's Courage, Tarheel, and the identified stakeholders of the Eighteenth Judicial District to work together as a collaborative team to implement the System in the District Court of Guilford County;
- B. Solidify the intent to operate the System in appropriate domestic violence criminal cases to improve the safety and wellbeing of both witnesses and defendants;
- C. Establish commonality as to the understanding that the System will not only improve the enforcement and effectiveness of the orders of the court in Guilford County but will also increase the safety for witnesses and the courthouse community.
- D. Allow partners to work together to identify trends which impact court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using observations and input from the court, data gathered from the pilot program, and the analysis of this data by East Carolina University; and
- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of the System.

III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

- A. Attend, or send an appropriate designee, to formal or informal technical assistance and training opportunities provided by Caitlyn's Courage, the district court community, and law enforcement;
- B. Evaluate domestic violence best practices as they relate to the introduction and usage of the System in criminal cases and make recommendations for changes or improvements;
- C. Identify cross-training opportunities for all domestic violence related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in the System process.
- D. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and

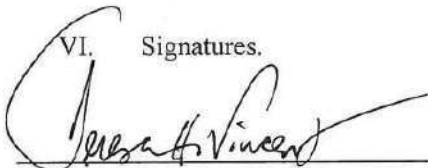


appointed public defenders, (5) deputy, assistant, and elected clerks of superior court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, (9) representatives of the Department of Adult Correction and Juvenile Justice, and representatives of the county defense bar. Stakeholders agree to send at least one representative from their agency to an implementation team meeting as needed to review implementation and program needs.

IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.

V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.

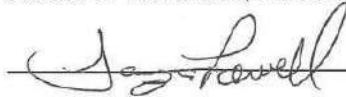
VI. Signatures.



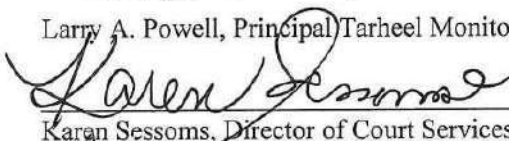
Teresa H. Vincent, Chief District Court Judge
Eighteenth Judicial District, Guilford County



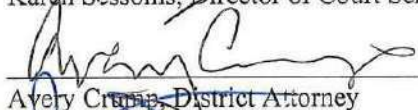
Judson T. Whitehurst, Chairman of Caitlyn's Courage



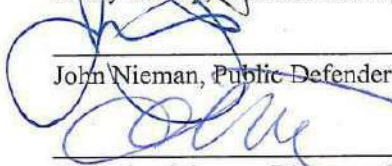
Larry A. Powell, Principal Tarheel Monitoring



Karen Sessoms, Director of Court Services



Avery Crump, District Attorney



John Nieman, Public Defender

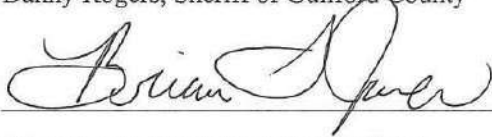


Catherine Johnson, Director of the Family Justice Center





Danny Rogers, Sheriff of Guilford County



Brian James, Greensboro Police Chief
12/21/20



**Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
21st Judicial District**

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the 21st District in Forsyth County and Tarheel Monitoring, LLC, (hereafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

I. The Domestic Violence GPS Monitoring System.

- A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant/accused in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The petitioner/victim will receive an electronic device or a cellular phone application that will warn the petitioner/victim of a violation on the court order by the defendant/accused. The warning is based upon proximity of the defendant/accused to the petitioner/victim and the no-contact provisions of the court order. This is also reinforced and supported by 24 hour 7 days a week domestic third-party monitoring agent. This agent will also call the petitioner/victim and notify them of the violation and warn them to get to a secure location.
- B. Process: "The System" is a collaborative pilot program conceived by Caitlyn's Courage, funded by the North Carolina General Assembly, provided by Tarheel implemented and directed by the Honorable Lisa V. Menefee, Chief District Court Judge. The is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.
- C. Stakeholders:
 - 1) District Court Judges. The Chief District Judge is the key stakeholder in this pilot program. The Chief will be the implementor, convener and supervisor of the program through stalking, sexual assault, domestic abuse, and violations of a domestic violence protective



orders and authority of the Court. The Chief Judge along with fellow judges will ensure the due process rights of the defendant/accused in the case and prioritize victim safety and offender accountability from the time of the defendant/accused's initial Court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the Court because of the high rates of recidivism and the substantial risks to the victim. Judges will be actively involved in each case on the domestic violence criminal calendar to ensure that the defendant/accused are following all Court orders. Upon request, the Judge will have access to the information generated by Tarheel to assist them in the assessment of the defendant/accused's compliance. Magistrates are the primary court officials who enforce the Chief District Court Judge's policy on criminal domestic violence cases. They should identify domestic violence cases at the time the warrant is issued and then schedule them together on the domestic violence docket. Upon the entry of a designation of authority order by the Chief District Court Judge the magistrates shall be authorized to placing a GPS monitoring bracelet upon the defendant.

- 2) Caitlyn's Courage. The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) Tarheel Monitoring. With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the Court, it is Tarheel's objective to maintain the relationship with Caitlyn's Courage, the Court, the petitioner/victim, the defendant/accused for "The System", and to maintain and support "The System" as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the petitioner/victim and provide the



monitoring service to the Court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the system in Forsyth County. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel, including the district court judges and staff for purposes of this project. An important part of monitoring domestic violence offenders and increasing safety for victims is providing information to the Court via the dashboard as to the supervision of the defendant during the period of probation or during the period of a protective order. Compliance hearings before the Court, which can issue graduated sanctions and rewards, are a recommended way of achieving this goal. Community partners should be actively involved in compliance hearings so that the Court has access to all pertinent information when determining compliance.

- 4) East Carolina University. Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) Other community partners. The parties to this MOU recognize and agree that there are other important partners to “The System” process, who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an “as needed” basis for the future growth and development of “The System”.

II. Purpose of this MOU is to:

- A. Memorialize the understanding and commitment by and between the Caitlyn’s Courage, Tarheel and the identified stakeholders of the 21st Judicial District to work together as a collaborative team to implement “The System” in the District Court of Forsyth County.
- B. Solidify the intent to operate “The System” in each civil domestic violence case to improve the safety and wellbeing of both victims and alleged perpetrators.
- C. Establish commonality as to the understanding that “The System” will not only improve the enforcement and effectiveness of the orders of the Court in Forsyth County, but will also increase the safety for victims of domestic violence, and the courthouse community.



- D. Allow partners to work together to identify trends which impact Court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using the observations and input from the Court, data gathered from the pilot program and the analysis of this data by East Carolina University.
- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of “The System”.

III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

- A. Attend, or send an appropriate designee to, formal or informal technical assistance and training opportunities provided by the Caitlyn’s Courage, the district court community, including law enforcement.
- B. Re-evaluate domestic violence best practices as they specifically relate to the introduction and usage of “The System” in the litigation process and make recommendations for changes or improvements.
- C. Work together to implement identified strategies for improving outcomes for domestic violence cases electronically filed.
- D. Identify cross-training opportunities for all DV related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in “The System” process.
- E. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, and (9) representatives of the Department of Adult Correction and Juvenile Justice. Stakeholders agree to send at least one representative from their agency to an implementation team meeting to convene at least



quarterly, or as needed, to review implementation and program needs; including but not limited to: funding, resources, and system flow.

IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.

V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.

VI. Signatures.



Lisa V. Menefee, Chief District Court Judge
21st Judicial District, Forsyth County
Date: 12/18/2020



Judson T. Whitehurst, Chairman of Caitlyn's Courage
Date: 11/10/20



Larry A. Powell, Principal of Tarheel Monitoring
Date: 11/10/20



**Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
22-A Judicial District**

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the 22-A District and Tarheel Monitoring, LLC, (hereafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

I. The Domestic Violence GPS Monitoring System.

- A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant/accused in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The petitioner/victim will receive an electronic device or a cellular phone application that will warn the petitioner/victim of a violation on the court order by the defendant/accused. The warning is based upon proximity of the defendant/accused to the petitioner/victim and the no-contact provisions of the court order. This is also reinforced and supported by 24 hour 7 days a week domestic third-party monitoring agent. This agent will also call the petitioner/victim and notify them of the violation and warn them to get to a secure location.
- B. Process: "The System" is a collaborative pilot program conceived by Caitlyn's Courage, funded by the North Carolina General Assembly, provided by Tarheel implemented and directed by the Honorable Lawrence D. Graham, Chief District Court Judge. The is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.
- C. Stakeholders:
 - 1) District Court Judges. The Chief District Judge is the key stakeholder in this pilot program. The Chief will be the implementor, convener and supervisor of the program through stalking, sexual assault, domestic abuse, and violations of a domestic violence protective



orders and authority of the Court. The Chief Judge along with fellow judges will ensure the due process rights of the defendant/accused in the case and prioritize victim safety and offender accountability from the time of the defendant/accused's initial Court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the Court because of the high rates of recidivism and the substantial risks to the victim. Judges will be actively involved in each case on the domestic violence criminal calendar to ensure that the defendant/accused are following all Court orders. Upon request, the Judge will have access to the information generated by Tarheel to assist them in the assessment of the defendant/accused's compliance. Magistrates are the primary court officials who enforce the Chief District Court Judge's policy on criminal domestic violence cases. They should identify domestic violence cases at the time the warrant is issued and then schedule them together on the domestic violence docket. Upon the entry of a designation of authority order by the Chief District Court Judge the magistrates shall be authorized to placing a GPS monitoring bracelet upon the defendant.

- 2) Caitlyn's Courage. The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) Tarheel Monitoring. With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the Court, it is Tarheel's objective to maintain the relationship with Caitlyn's Courage, the Court, the petitioner/victim, the defendant/accused for "The System", and to maintain and support "The System" as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the petitioner/victim and provide the



monitoring service to the Court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the system in the 22-A Judicial District. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel, including the district court judges and staff for purposes of this project. An important part of monitoring domestic violence offenders and increasing safety for victims is providing information to the Court via the dashboard as to the supervision of the defendant during the period of probation or during the period of a protective order. Compliance hearings before the Court, which can issue graduated sanctions and rewards, are a recommended way of achieving this goal. Community partners should be actively involved in compliance hearings so that the Court has access to all pertinent information when determining compliance.

- 4) East Carolina University. Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) Other community partners. The parties to this MOU recognize and agree that there are other important partners to “The System” process, who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an “as needed” basis for the future growth and development of “The System”.

II. Purpose of this MOU is to:

- A. Memorialize the understanding and commitment by and between the Caitlyn’s Courage, Tarheel and the identified stakeholders of the 22-A Judicial District to work together as a collaborative team to implement “The System” in the District Court of the 22-A Judicial District.
- B. Solidify the intent to operate “The System” in each civil domestic violence case to improve the safety and wellbeing of both victims and alleged perpetrators.
- C. Establish commonality as to the understanding that “The System” will not only improve the enforcement and effectiveness of the orders of the Court in the 22-A Judicial District, but will also increase the safety for victims of domestic violence, and the courthouse community.



- D. Allow partners to work together to identify trends which impact Court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using the observations and input from the Court, data gathered from the pilot program and the analysis of this data by East Carolina University.
- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of “The System”.

III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

- A. Attend, or send an appropriate designee to, formal or informal technical assistance and training opportunities provided by the Caitlyn’s Courage, the district court community, including law enforcement.
- B. Re-evaluate domestic violence best practices as they specifically relate to the introduction and usage of “The System” in the litigation process and make recommendations for changes or improvements.
- C. Work together to implement identified strategies for improving outcomes for domestic violence cases electronically filed.
- D. Identify cross-training opportunities for all DV related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in “The System” process.
- E. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, and (9) representatives of the Department of Adult Correction and Juvenile Justice. Stakeholders agree to send at least one representative from their agency to an implementation team meeting to convene at least



quarterly, or as needed, to review implementation and program needs; including but not limited to: funding, resources, and system flow.

IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.

V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.

VI. Signatures.

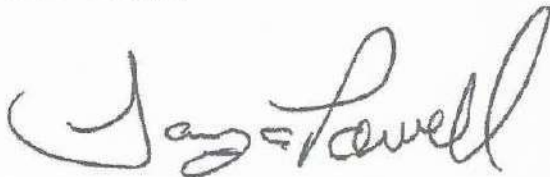


Lawrence D. Graham, Chief District Court Judge
22-A Judicial District

Date: 11/18/2020



Judson T. Whitehurst, Chairman of Caitlyn's Courage
Date: 11/10/20



Larry A. Powell, Principal of Tarheel Monitoring
Date: 11/10/20



Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
24th Judicial District
Watauga County

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the 24th District, Watauga County, N.C., and Tarheel Monitoring, LLC, (hereinafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

I. The Domestic Violence GPS Monitoring System

A. Definition: The Domestic Violence GPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant in a domestic violence case can be ordered to wear a GPS electronic monitoring bracelet, either by agreement or direct order of the court. The victim/ prosecuting witness (hereinafter "witness") will receive an electronic device or a cellular phone application that will warn the witness of a violation of the court order by the defendant. The warning is based upon proximity of the defendant to the witness and the no-contact provisions of the release order. This is reinforced and supported 24 hours a day, 7 days a week by a third-party monitoring agent. This agent will call the witness and notify them of the violation and warn them to get to a secure location.

B. Process: The System is a collaborative pilot program conceived by Caitlyn's Courage, funded the NC General Assembly, provided by Tarheel, and directed by the Chief District Court Judge. This is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.

C. Stakeholders:

- 1) District Court Judges. The Chief District Court Judge will be the implementor, convenor, and supervisor of the program for use in pre-trial release of defendants charged with crimes designated by North Carolina law as domestic violence. All of the district court judges will ensure the due process rights of the defendant in the case and prioritize victim safety and defendant accountability from the time of the defendant's initial court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the court because of the high rates of recidivism and the substantial risks to the witness. Judges will be actively involved in each criminal domestic violence case to ensure that defendants are complying with conditions of pre-trial release. Judges will have access to the information generated by Tarheel to assist them in the assessment of the defendant's compliance. By North Carolina law, domestic violence defendants



who have not appeared before a judge within 48 hours of their arrest may have their conditions of pre-trial release set by a magistrate. Magistrates in the 24th Judicial District have authority to require use of the System as a condition of release in domestic violence cases that the magistrate finds appropriate.

- 2) **Caitlyn's Courage.** The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development, implementation, and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, The Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.
- 3) **Tarheel Monitoring.** With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the court, it is Tarheel's objective to maintain a relationship with Caitlyn's Courage, the court, the witness, and the defendant and to maintain and support the System as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the witness and provide the monitoring service to the court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the System in Watauga County. Tarheel Monitoring will provide the necessary information, equipment, and maintenance to district court personnel, including the district court judges and staff for purposes of this project. An important part of monitoring domestic violence defendants and increasing safety for witnesses is providing information to the court via the dashboard as to defendants' compliance with conditions of pre-trial release. Compliance hearings which can issue graduated sanctions and rewards are a recommended way of achieving this goal. Community partners should be actively involved in compliance hearings so that the court has access to all pertinent information when determining compliance.
- 4) **East Carolina University.** Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.
- 5) **Other community partners.** The parties to this MOU recognize and agree that there are other important partners to the System who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an as needed basis for the future growth and development of the System.



II. Purpose of this MOU

- A. Memorialize the understanding and commitment by and between Caitlyn's Courage, Tarheel, and the identified stakeholders of the 24th Judicial District to work together as a collaborative team to implement the System in the District Court of Watauga County;
- B. Solidify the intent to operate the System in appropriate domestic violence criminal cases to improve the safety and wellbeing of both witnesses and defendants;
- C. Establish commonality as to the understanding that the System will not only improve the enforcement and effectiveness of the orders of the court in Watauga County but will also increase the safety for witnesses and the courthouse community.
- D. Allow partners to work together to identify trends which impact court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using observations and input from the court, data gathered from the pilot program, and the analysis of this data by East Carolina University; and
- E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of the System.

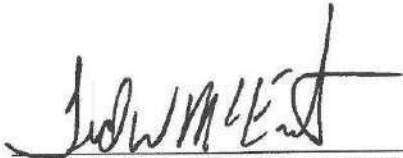
III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

- A. Attend, or send an appropriate designee, to formal or informal technical assistance and training opportunities provided by Caitlyn's Courage, the district court community, and law enforcement;
- B. Evaluate domestic violence best practices as they relate to the introduction and usage of the System in criminal cases and make recommendations for changes or improvements;
- C. Identify cross-training opportunities for all domestic violence related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in the System process.
- D. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior



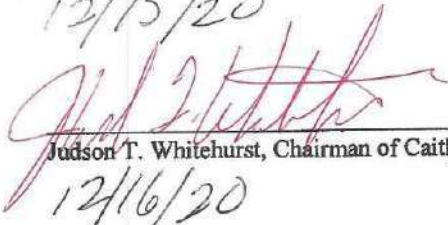
court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, (9) representatives of the Department of Adult Correction and Juvenile Justice, and representatives of the county defense bar. Stakeholders agree to send at least one representative from their agency to an implementation team meeting as needed to review implementation and program needs.

- IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.
- V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.
- VI. Signatures.



Ted W. McEntire, Chief District Court Judge
24th Judicial District, Watauga County

12/15/20



Judson T. Whitehurst, Chairman of Caitlyn's Courage

12/16/20



Larry A. Powell, Principal Tarheel Monitoring

12/16/20



Memorandum of Understanding
2020 Domestic Violence GPS Monitoring System
28th Judicial District

This Memorandum of Understanding (MOU) is entered into as of the date of the last signature below (the Effective Date) by and between the undersigned Chief District Court Judge of the 28th Judicial District Buncombe County and Tarheel Monitoring, LLC, (hereafter Tarheel) on behalf of Caitlyn's Courage, Inc., a North Carolina non-profit corporation.

I. The Domestic Violence OPS Monitoring System.

A. **Definition:** The Domestic Violence OPS Monitoring System (hereinafter "System") is defined as a technological advance whereby the defendant/accused in a domestic violence case can be ordered to wear a OPS electronic monitoring bracelet, either by agreement or direct order of the court. The petitioner/victim will receive an electronic device or a cellular phone application that will warn the petitioner/victim of a violation on the court order by the defendant/accused. The warning is based upon proximity of the defendant/accused to the petitioner/victim and the no-contact provisions of the court order. This is also reinforced and supported by 24 hour 7 days a week domestic third-party monitoring agent. This agent will also call the petitioner/victim and notify them of the violation and warn them to get to a secure location.

B. **Process:** "The System" is a collaborative pilot program conceived by Caitlyn's Courage, funded by the North Carolina General Assembly, provided by Tarheel implemented and directed by the Honorable J. Calvin Hill, Chief District Court Judge. The is in conjunction and cooperation with other district court community stakeholders as identified by the session law and named by the Chief District Court Judge to serve on an advisory committee.

C. Stakeholders:

1) **District Court Judges.** The Chief District Judge is the key stakeholder in this pilot program. The Chief, or his designee, will be the implementor, convenor and supervisor of the program through stalking, sexual assault, domestic abuse, and violations of a domestic violence protective orders and authority of the Court. The Chief Judge along with fellow judges will ensure the due process rights of the defendant/accused in the case and prioritize victim safety and offender accountability from the time of the defendant/accused's initial court appearance to the post-disposition phase. Criminal domestic violence cases need to be closely monitored by the Court because of the high rates of recidivism and the substantial risks to the victim. Judges will be actively involved in each case on the domestic violence criminal calendar to ensure that the defendant/accused are following all court orders. The Judge will have access to the information generated by Tarheel to assist them in the assessment of the defendant/accused's compliance. Magistrates are the primary court officials who enforce the Chief District Court Judge's policy on a criminal domestic violence case. They should identify domestic violence cases at the time the warrant is issued and then schedule them together on the domestic violence docket. Magistrates will be authorized to have bracelets placed on defendants in very limited situations that will be clearly indicated by the Chief District Court Judge.

2) **Caitlyn's Courage.** The organization was founded in memory of Caitlyn Whitehurst, who was tragically murdered in a domestic violence incident. Caitlyn's Courage will oversee the development,



implementation and payment of the program. The costs of the program will be covered by the Federal COVID-19 Stimulus Funds and allocated by the North Carolina General Assembly to the Department of Public Safety and granted to Caitlyn's Courage. The organization will report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division of the North Carolina General Assembly.

3) **Tarheel Monitoring.** With the intent of providing North Carolina's court system with the tools and technology necessary for efficient and effective enforcement of the orders of the Court, it is Tarheel's objective to maintain the relationship with Caitlyn's Courage, the Court, the petitioner/victim, the defendant/accused for "The System", and to maintain and support "The System" as appropriate. It will also provide the personnel to put on and remove the GPS bracelet, issue the warning device or app to the petitioner/victim and provide the monitoring service to the Court and the program. Tarheel Monitoring will also provide the necessary training and technical assistance to the other stakeholders to ensure uniform and seamless application of the system in Buncombe County. Tarheel Monitoring will provide the necessary information, equipment and maintenance to district court personnel, including the district court judges and staff for purposes of this project. An important part of monitoring domestic violence offenders and increasing safety for victims is providing information to the Court via the dashboard as to the supervision of the defendant during the period of probation or during the period of a protective order. Compliance hearings before the court, which can issue graduated sanctions and rewards, are a recommended way of achieving this goal. Community partners should be actively involved in compliance hearings so that the court has access to all pertinent information when determining compliance.

4) **East Carolina University.** Collaborate and provide feedback to the East Carolina University Department of Criminal Justice.

5) **Other community partners.** The parties to this MOU recognize and agree that there are other important partners to "The System" process, who have not been specifically identified herein. It is intended that these partners be acknowledged and included on an "as needed" basis for the future growth and development of "The System".

6) The Chief District Court Judge reserves the right to request the services of stakeholders as needed for the effective and efficient operation of the Caitlyn's Courage Domestic Violence Program.

II. Purpose of this MOU is to:

A. Memorialize the understanding and commitment by and between the Caitlyn's Courage, Tarheel and the identified stakeholders of the 28th Judicial District to work together as a collaborative team to implement "The System" in the District Court of Buncombe County;

B. Solidify the intent to operate "The System" in each civil domestic violence case to improve the safety and wellbeing of both victims and alleged perpetrators;

C. Establish commonality as to the understanding that "The System" will not only improve the enforcement and effectiveness of the orders of the Court in Buncombe County, but will also increase the safety for victims of domestic violence, and the courthouse community.

D. Allow partners to work together to identify trends which impact court outcomes for parties in domestic violence actions, develop responsive strategies and provide a report to the North Carolina General Assembly in April 2021. This will be accomplished using the observations and input from the Court, data gathered from the pilot program and the analysis of this data by East Carolina University; and



E. Allow partners to engage in formal and informal training activities to fully implement the operation and consistent usage of "The System".

III. The Stakeholders recognize and support the vital role of partnerships with each other and therefore agree to:

A. Attend, or send an appropriate designee to, formal or informal technical assistance and training opportunities provided by the Caitlyn's Courage, the district court community, including law enforcement;

B. Re-evaluate domestic violence best practices as they specifically relate to the introduction and usage of "The System" in the litigation process and make recommendations for changes or improvements;

C. Work together to implement identified strategies for improving outcomes for domestic violence cases electronically filed;


D. Identify cross-training opportunities for all DV related court and community stakeholders, including informal opportunities to build effective relationships and establish collaborative plans to resolve any problems identified in "The System" process.

E. The final step is to create a local implementation team. Stakeholders that may be considered but not limited to for this team include (1) district court judges, (2) superior court judges, (3) assistant and elected district attorneys, (4) assistant and appointed public defenders, (5) deputy, assistant, and elected clerks of superior court, (6) law enforcement officers, (7) domestic violence victims advocates, (8) court support staff, and (9) representatives of the Department of Adult Correction and Juvenile Justice. Stakeholders agree to send at least one representative from their agency to an implementation team meeting to convene at least quarterly, or as needed, to review implementation and program needs; including but not limited to: funding, resources, and system flow.


IV. Term of Agreement. This MOU shall be effective until dissolution by mutual agreement of the signatories.

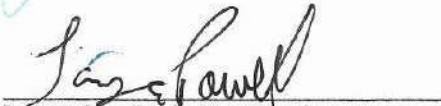
V. Revisions. Revisions to this agreement may be made only upon the approval of all signatories.

VI. Signatures.


Calvin Hill, Chief District Court Judge
28th Judicial District, Buncombe County

12-21-2020


Judson T. Whitehurst, Chairman of Caitlyn's Courage


Larry A. Powell, Principal, Tarheel Monitoring

12-22-20

