

Criminal Justice

Beyond the Headlines

Kevin Tully – Mecklenburg Public Defender

BAIL

“Police Chief Blames
New Bail Policy for
Spike in Homicides”

Bail



Bail

2008/2009

- Average Daily Population
Mecklenburg Jail

2,800

2018/2019

- Average Daily Population
Mecklenburg Jail

1,500

BAIL

Study by UNC School of Government

- Jail Population **decrease 40+%**
- Failure to Appear **NO CHANGE**
- New Charges **increase ½ %**

Dismissals

“High Rate of
Dismissals by DA
Questioned”

Dismissals

Why are charges dismissed?

- Key is **Burden of Proof**

Dismissals

Different types of **Burdens of Proof**

- Reasonable Suspicion
- Probable Cause
- Preponderance of the Evidence (Civil)
- Beyond a Reasonable Doubt

Dismissals

A POLICE OFFICER MUST HAVE...



a
**REASONABLE
SUSPICION**
to stop and
frisk a
person.



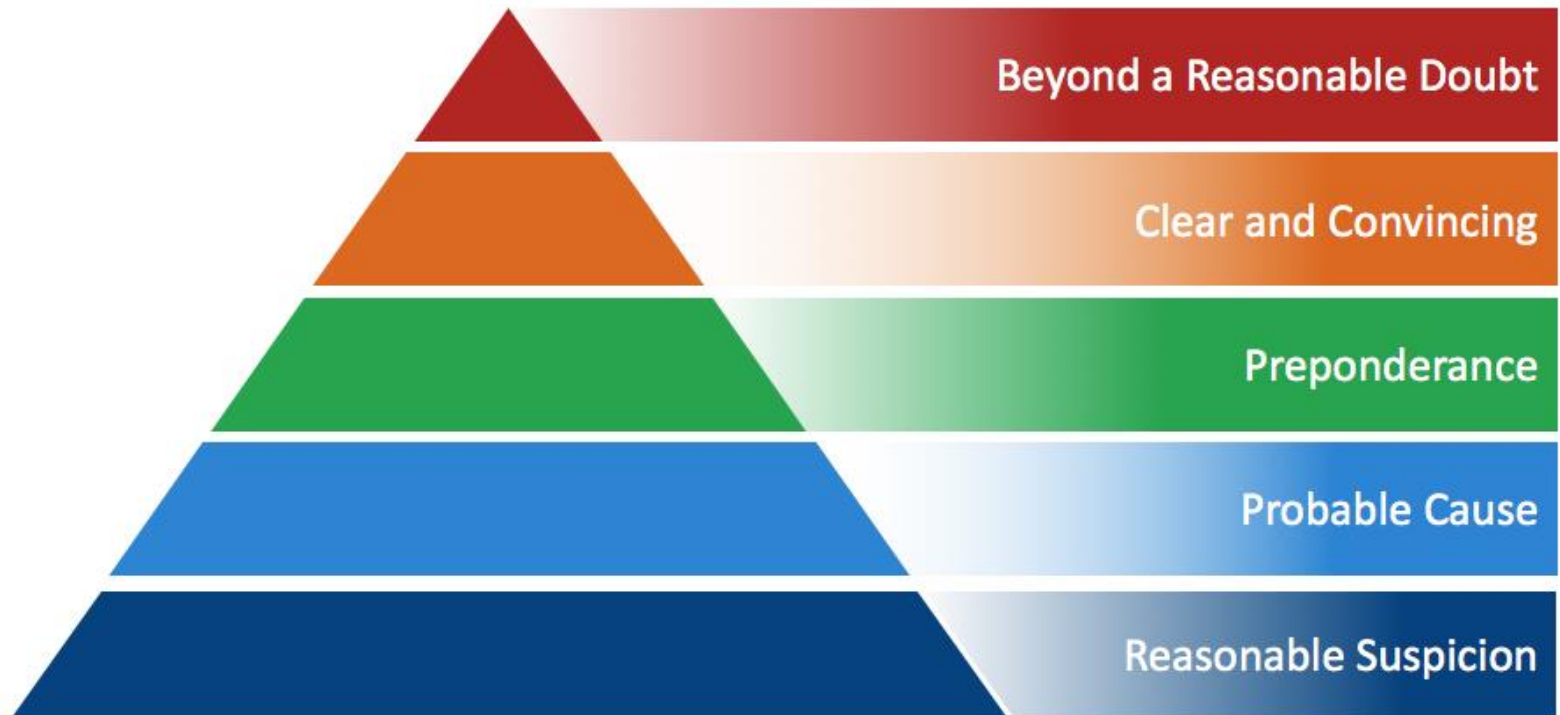
a
**PROBABLE
CAUSE** for
warrantless
search or
arrest.

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Dismissals



Dismissals



Dismissals

