

**Meeting Minutes
November 25, 2025**

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Budget/Public Policy Session in Conference Center Room 267 on the 2nd floor of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 2:33 p.m. on Tuesday, November 25, 2025.

ATTENDANCE

Present: Chair Mark Jerrell, Vice-Chair Leigh Altman
and Commissioners George Dunlap, Arthur Griffin,
Vilma D. Leake, Laura J. Meier, Elaine Powell,
Susan Rodriguez-McDowell, Yvette Townsend-
Ingram County Manager Mike Bryant
County Attorney Tyrone C. Wade
Deputy Clerk to the Board Arlissa Eason
Senior Admin. Madison Little

Absent: Clerk to the Board Kristine M. Smith

CALL TO ORDER

The meeting was called to order by Chair Mark Jerrell, which was followed by the reading of the County's Mission and Vision and the FY2026 Board Budget Priorities, introductions, and the Pledge of Allegiance to the Flag.

25-0667 HB307 Iryna's Law: Anticipated Impact on Mecklenburg County

The Board reviewed key provisions of HB307, Iryna's Law, and provided an update on anticipated impacts to the judicial system, pretrial release and criminal justice services and the Mecklenburg County Sheriff's Office.

Background: Leadership from the NC General Assembly passed HB307 in response to the murder of Iryna Zarutskya on the light rail. The bill provides for amendments to current procedures for involuntary commitment, pretrial release, and the addition of ten new district attorney positions and five new full-time legal assistant positions.

Sonya Harper, Director of Criminal Justice Services, Honorable Judge Roy Wiggins, Chief Judge, and Sheriff Garry L. McFadden gave the presentation.

Commissioner Elaine Powell joined the meeting at 2:42 p.m.



Mecklenburg County Sheriff's Office

25 November 2025

Potential Impact of Iryna's Law (HB307) on MCDCC

Board of County Commissioners

Presented by:
Sheriff Garry L. McFadden





Mecklenburg County Sheriff's Office

Overview of Iryna's Law

- Stricter pretrial conditions for violent offenders.
- Introduction of a new category for violent offenses requiring GPS monitoring or house arrest.
- Elimination of cashless bail for many crimes.
- Guidelines for assessing offenders for involuntary commitment.
- Plans to resume executions after nearly 20 years.
- New mental health evaluation protocols.
- Over \$2 million allocated to hire more prosecutors in Mecklenburg County, with local officials seeking \$10–15 million.

- Detention Center Perspective
- Legislative Reaction and Collaboration
- Procedural Changes and Predictions



Mecklenburg County Sheriff's Office

Current State of the Detention Center

Currently, some residents are provided stack-a-bunks when all pods are at capacity.

Overall, there has been an increase in the number of contractual obligations for MCDCC.

1560*

residents

38

pods

73

residents in stack-a-bunks

92

vacancies (28.2%)

Potential Challenges



Current Capacity
Challenges and Lack of
Guidelines

Potential Challenges



Current Capacity
Challenges and Lack of
Guidelines



Anticipated Increase in
Detention Operational Costs

Staffing and Mental Health Concerns



Recruitment and
Retention Issues



Officer Burnout
and Mental Health



Alternatives for Officers,
Such as Joining surrounding
law enforcement agencies



Arrest Processing

Main concerns:



Additional Responsibilities

Any law enforcement personnel, including Sheriff's Deputies making arrests, are now required to spend extra time before the magistrate.



Staffing

Given the rise in off-site deputies, an increase in staffing will be necessary.

There are approximately **31 vacancies (27.4%)** in AP. This includes only uniform staff, below rank of Sgt.



Mental Health



Coordination with Medical Facilities

Some hospitals have been hesitant to accept detainees and prefers to avoid IVC matters, raising concerns about community hospital involvement.

Relevant Documentation

Health Assessment 1.0 Pre-screening form:

- Initial health and mental health assessment
- 1 page questionnaire

Health Assessment 2.0 Pre-screening (after court date):

- MCDCC has 14 days to complete this assessment.
- MCDCC aims to have this done within 10 days.



What's the immediate solution?

Detention Officers will work mandatory overtime.



New-hires will forgo immediate Detention Officer Certification Courses (DOCC).





RISE Program

The RISE Program (Restoring Individuals Safely and Effectively) is an initiative aimed at restoring capacity within detention centers.



Services

RISE provides services for individuals unable to proceed, including:

- Assessments
- Individualized treatment planning
- Individual and group therapy
- Psychiatric and psychological services
- Medication management
- Discharge and re-entry planning



25 beds

NC RISE manages a 25-bed unit at the Mecklenburg County Detention Center designated for defendants classified as Incompetent to Proceed (ITP) by the courts.



We invite your questions and welcome your feedback.





HB307 Local Impacts

Presented to the Mecklenburg
Board of County Commissioners
November 25, 2025

HB307

Iryna's Law

- Effective December 01, 2025
 - Makes a number of changes to pretrial release proceedings
 - Adds a new aggravating sentence factor
 - Alters the way magistrates may be disciplined
 - Expands permissible methods of execution



HB307

Iryna's Law

- Additional Provisions
 - Amends various procedures for involuntary commitment
 - Provides funding for 10 additional full-time Assistant District Attorneys and five full-time Legal Assistants
 - Effective retroactively to July 01, 2025



HB307

Violent Offenses

- Creates a new category of violent offenses
 - Any Class A through G that includes assault, the use of physical force against a person, or threat of physical force against a person, as an essential element of the offense
 - Any felony offense requiring registration as a sex offender
 - Attempts to commit any listed violent offense



HB307

Violent Offenses

- Other offenses identified in various statutes
 - Murder
 - Rape and other serious sex offenses
 - Stalking
 - AWDWIKISI
 - Discharging a firearm into occupied property
 - Kidnapping
 - Human trafficking
 - Burglary
 - Death by distribution of a controlled substance
 - Trafficking of fentanyl
 - Robbery with a firearm or other dangerous weapon
 - Indecent liberties with a child
 - Felon in possession of a firearm
 - Arson



HB307

Pretrial Release

- The arresting law enforcement officer, a pretrial services program or a district attorney is to provide the judicial official a criminal history report for defendants
 - The judicial official is required to consider a defendant's criminal history (not just the record of convictions) when setting conditions of pretrial release
 - The law now requires a defendant's housing situation to be considered



HB307

Pretrial Release

- Eliminates Written Promise to Appear
- Does not permit for the imposition of unsecured bonds or custody releases for defendants charged with violent offenses or those who have been convicted of three or more offenses within the previous 10 years
 - Judicial official must enter a written finding of fact if pretrial release is authorized
- Release to pretrial supervision is permitted where available



HB307

Pretrial Release for Violent Offenses

- Rebuttable presumptions against pretrial release for defendants charged with violent offenses
- Judicial official must enter a written finding of fact if pretrial release is authorized
 - Must impose secure bond and/or house arrest



HB307

Immediate Local Impacts

- Increases volume at Arrest Processing (AP)
 - Increases magistrate workloads
 - Results in longer delays for law enforcement officers at AP
- Increases the number of Public Safety Assessments and associated criminal records to be produced by CJS Pretrial Services Unit for those booked into the jail
- Increases the jail population



HB307

Immediate Local Impacts

- Increases the size of First Appearance dockets
- Increases the number of persons required to be placed on electronic monitors
- Increases the number of cases supervised by the CJS Pretrial Services Unit



HB307

Involuntary Commitment Proceedings

- Effective December 01, 2026
 - Creates new pretrial release procedure that requires judicial officials to initiate involuntary commitment (IVC) proceedings for defendants who:
 - Are charged with a violent offense and have been subject to an IVC within the previous three years
 - Are charged with any offense and the judicial official has reason to believe the defendant is a danger to themselves or others



HB307

Involuntary Commitment Proceedings

- Requires defendant to receive an initial examination by a commitment examiner to determine grounds to petition for IVC
- Arresting officer must transport the defendant to a facility for an initial examination
- Commitment examiner must either petition for IVC or provide written notice to the court that there are no grounds for petition



HB307

Involuntary Commitment Proceedings

- House Select Committee on Involuntary Commitment and Public Safety
 - Representative Hugh Blackwell, Co-Chair
 - Representative Timothy Reeder, MD, Co-Chair



HB307

Questions



HB307 Local Impacts

Presented to the Mecklenburg
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Comments

Commissioner Griffin asked what success would look like, given the increase in ankle monitors, misdemeanors, written findings, and secured holdings. He asked if they would need more resources and, if so, what those resources were. He said it appeared to be another State mandate coming down to the County, so he wanted to be prepared for the budget process in January if that were the case.

Judge Wiggins said regarding the impact on the Clerk's office, they could not function without the Clerk's office, which processed all their paperwork and shepherded them through the change to electronic filing. He said it would be another increase on their workload with the additional requirements of the judge's written findings, processing that paperwork, getting that into the files, and making sure it was documented. He said it would significantly increase their workload. He said to him, success meant being able to navigate successfully through the first few, seeing where they stood.

Sheriff McFadden said funding and personnel would be needed to attempt to achieve success. He said the clerks and the Judges alone would have additional hearings, but at the time, there were people in the detention center who had been waiting for 6 years due to the entire system.

Ms. Harper said in terms of criminal justice services, there would be an increase in needed resources. She said they anticipated they would need additional resources within the pretrial services unit and potentially within the forensic evaluations unit, and that would depend on how things fell with the Involuntary Commitment (IVC) process next year. She said it was difficult to say how much and how many more positions they would need at present and very difficult to quantify the impact, but they could be more specific by the end of February or early March.

Commissioner Townsend-Ingram asked what recourse they would have as policymakers and advocates to lobby to fix the glaring loopholes in the criminal justice system related to racial, ethnic, and other biases. She asked what the differences were between CMPD and the Sheriff's office regarding arrests and detentions. *Sheriff McFadden said CMPD did not house anyone, but the Sheriff's department housed everyone for every department in the County, etc. Sheriff McFadden stated that, regarding policy, if policies could help fill vacancies or secure funding, that was what they needed, but that was not the case.*

Commissioner Townsend-Ingram said it was mentioned that the Rise program was successful and asked if they had numbers based on the average cost to feed an inmate who had medical or mental challenges and what success meant in terms of incarcerated persons in the program. *Sheriff McFadden said success meant he had half the people inside the detention facility. He said they could not tell agencies not to arrest anyone, but the community had to have input as to how they could decrease incarcerations. He said that would decrease all their workloads.* Commissioner Townsend-Ingram asked how much it would cost per person. *Sheriff McFadden said they could get those numbers at a later date.*

Commissioner Rodriguez-McDowell asked, as this law was being passed, whether they had been able to estimate what their population would look like if the law had been in place for several months. She asked whether they had an emergency overflow plan in place in case there were 20%-50% more people than expected. She also asked for quantifiable numbers on what they could have expected. *Ms. Harper said, though it was difficult to quantify right now, she could say that when they looked at some of the touch points of data in the system leading up to this point, one of the things they looked at was the number of bookings into the Mecklenburg County jail in 2025, and that number was close to 22,000. She said they knew that, within the provisions of the new legislation, with 'written promise to appear' no longer being an option, the new category of violent offenses would require people to bypass 'initial appearance' and be booked into jail. She said that also included individuals with three or more convictions within the 10-year period, so that would be a very significant number. She said they saw that often, but it was hard to filter that down through the data right now, though they*

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knew it would be upwards of 22,000 individuals. She added that it would be limiting judicial discretion, so there would be no option but to book some individuals into jail.

Commissioner Rodriguez-McDowell asked about the suspension of magistrates, whether anything had been said about future funding, and whether all of it would be up to Mecklenburg County. *Judge Wiggins said there had been no discussion of any additional funding. He said he hoped it would not be an issue and that all magistrates and judges would follow the written findings requirements, thereby eliminating the need for the Chief Justice to initiate removal proceedings against a magistrate.*

Sheriff McFadden said, as far as he was aware, there would be no other funding. He said going back to the 48-hour-hold rule for House Bill 318, to hold a presumably undocumented immigrant for an additional 48 hours at a cost to Mecklenburg taxpayers of \$398 per hold, was now on the County. He said that, at the mention of the law, the population at the Mecklenburg facility rose to 118, the highest it had been since he became Sheriff, with 1,609 people housed in the detention center.

Commissioner Meier said that, as it was an unfunded mandate, she wanted the public to understand that the County was forced to do this to cover the cost without State funding. She asked whether her assumption that requests would rise as the budget cycle began was correct. *Sheriff McFadden said that was correct.*

County Manager Bryant said, as they discussed this House Bill legislation, they shifted to the fiscal impact, but he said they should be mindful that there would be other competing needs to support these priorities as well. He said he wanted them to manage their expectations and be mindful that, as they provided feedback, direction, and guidance, it was only one piece of the larger pie.

Commissioner Meier said she was in 100% agreement with that statement from County Manager Bryant, because their priorities would be cut into because of it, and she wanted the public to understand that. Commissioner Meier said in slide #6 of the presentation that officials were required to consider the defendant's criminal history, not just convictions, and asked whether it was only convictions that were being considered. *Ms. Harper said, yes, the judicial official took into consideration the prior convictions of an individual, but the legislation required that the entire record be taken into consideration, which included times the person may have been arrested, but there were no convictions. She said, even if an arrest were made and the charges were dismissed, that still had to be reviewed as part of the record.*

Judge Wiggins said he handled the domestic violence first appearances, and there were factors that were considered outside the convictions. For instance, if there were pending charges such as when someone was arrested on a particular charge, then they picked up a new charge, that was very useful to the district attorney, and it would be on the pre-charge report that they had pending charges. He said most judges, including himself, took that into consideration.

Commissioner Meier asked what happened when legislation required a person's housing situation to be considered when the person was homeless. *Judge Wiggins said they now had an advocate in the public defender's office, and they typically mentioned if the person was potentially unhoused. He said he could not answer how that impacted each individual judge's decision; however, the assistant public defender in the court indicated that they would work with the social worker to help the individual find appropriate housing with resources.*

Commissioner Dunlap said he continued to see increased funding requirements and could see a backlog as a result of these arrests due to the inability to move people out of the system. He said they had been trying to reduce the jail population, so he asked if being at capacity meant having available space that could be used or if it meant the ability to expand capacity based on the facility itself. *Sheriff McFadden said if they had a room, there needed to be a staff person in that room or pod, and they would need four persons because there were four different shifts.*

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He said they could handle the capacity, but they needed enough staff to manage it, and they also needed to look at homelessness because many people came to the facility this time of year. Sheriff McFadden said the previous week they evicted 280 persons from their homes, so some of that population may come into the facility with mental health issues. He said 618 people had the same diagnosis as Mr. Brown on the train on that day. Sheriff McFadden said when those people were recognized, they would also be in their custody and care.

Commissioner Dunlap asked what the impact would be of eliminating one of the five ways of bonding. *Judge Wiggins said that it was used on a minimal basis, but there was no way it would not have an impact on the increased population. He said this entire Bill would affect Sheriff McFadden's responsibilities and the County's ability to house people.*

Ms. Harper said they had always had a risk-based system that looked at a person's risk to public safety and their risk of re-offending or failure to appear in court. She said legislation was very 'charge-based,' which runs counter to the efforts that had been in place for nearly 20 years.

Commissioner Altman said their first duty was public safety. She said NC had allocated 2.8% of the State budget to the criminal justice system. She said Sheriff McFadden had asked how they could decrease the workload or prevent people from continuously coming to the jail. She said a huge part of the jail population had mental health issues, so they needed to think of it on a bipartisan basis. She said they needed to have the resources to prevent tragedy. Commissioner Altman said it was more expensive to send individuals to an involuntary commitment setting than to provide them with healthcare on the front end. She said she hoped they could discuss the need to strengthen the mental health and criminal defense systems, as 2.8% of the budget is not enough. She said she was grateful for the additional district attorneys and legal assistants allocated by the general assembly, but that was only one dimension of the law's impact. She said there were so many other dimensions of this law that were not being allocated, and there was no way to meet that obligation. She asked what type of facility individuals would go to if they received an IVC order.

Ms. Harper said they would go to a hospital or crisis facility, so that would remain the same. She said that unless they were connected to a clinical home, they would most likely go without services. Sheriff McFadden said they may not have gotten additional mental health care, but they were still in the Sheriff's care at the Mecklenburg County Detention Center until they were released from court.

Commissioner Leake thanked everyone for participating in the discussion. She said her concern was that the legislators came up with the Bill without proper information from those who would deal with it, rather than from those who had to implement the process. *Judge Wiggins said he could not speak on behalf of their legislative leaders, but as a member of the judicial branch, he took the responsibility to execute what they had said very seriously. He said as he understood, this Bill had passed very quickly.*

Commissioner Leake asked whether the new law addressed youths involved in criminal activity or only pertained to adults. *Judge Wiggins said he believed the juvenile code remained the same and there were no changes.* Commissioner Leake asked how many persons they could house in the jail. *Sheriff McFadden said they could house 2000.*

Commissioner Powell said it was a bipartisan issue and a first-order priority because public safety was of utmost importance. She said she believed the State legislators had good intentions, but there was a disconnect because the County had been funding what the State was responsible for, for at least the past 10 years. She said that year they funded \$ 8.3 million for the clerks, which was a State responsibility, and she felt many rural lawmakers did not understand what the County was going through. She asked how they could work with them to make sure Sheriff McFadden was included in the input.

Chair Jerrell said, in slight contrast to Commissioner Powell, that they would know if the

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legislature was rooted in good intentions if the appropriate changes were made. He said he could see that there were increased workloads and that officers were taken off the road. He said that was not what they needed. He said he agreed that advocacy needed to continue, and that they should continue speaking with persons in the General Assembly to help them understand the impact. Chair Jerrell said they needed to do that, along with the other 99 counties that were similarly affected.

Motion was made by Commissioner Leake, seconded by Commissioner Meier, and unanimously carried to forgo Commission Reports.

Mr. Kevin P. Tully, Public Defender, said with the jail overcrowded, the Bill was going to cause more jail visits, with each visit taking longer. He said they had not had a new position added since 2002, when they had accepted 12,500 clients, and last year they accepted 17,800.

Mr. Spencer Merriweather, District Attorney, said he could connect with the comments from Commissioner Powell and Chair Jerrell. He said he was appreciative that there were more persons to do the work of a prosecutor, and would encourage connecting with other counties, as he expected there would be a lot of need across the board.

Elisa Chin-Gary, Clerk of Superior Court, said Judge Wiggins said they were prepared for the following Monday. She said she had previously stood before this Board and spoke about the Mecklenburg County Clerk's office being the most under-resourced of all 100 counties, and she said that stands, so they would be most impacted by their ability to take on more work. Clerk Chin-Gary said some of their clerks were in court in the late hours, and some of them were working mothers and could not afford that. She said this was more than their system could take.

Chair Jerrell thanked them all for their work and said the Board stood ready to partner with them.

25-0666 COMMISSIONER REPORTS

Commissioners shared information of their choosing within the guidelines as established by the Board, which included, but not limited to, past and/or upcoming events.

ADJOURNMENT

With no further business to come before the Board, Chair Jerrell declared the meeting adjourned at 3:55 p.m.

Arlissa Eason, Deputy Clerk

Mark Jerrell, Chairman