

# NEWS RELEASE

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**Spencer B. Merriweather III**  
District Attorney

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## **DA Merriweather announces plan to overcome backlog caused by COVID-19**

CHARLOTTE, N.C. – Taking steps to tackle violent crime in our community and push forward through the backlog of cases caused by coronavirus-related court closures, Mecklenburg County District Attorney Spencer B. Merriweather III is today announcing sweeping changes to the organization of his office and the prioritization of criminal prosecution in Mecklenburg County.

Under DA Merriweather's plan, the number of prosecutors assigned to his Violent Crimes Team and Homicide Team will grow thanks to an internal shift of assignments. Two existing prosecution teams will be replaced with a single team that focuses on drug, property and other general felonies. DA Merriweather's plan also calls for prosecutors to refer simple drug possession cases outside of the court system to recovery agencies and other service providers, freeing court resources to better focus on violent offenses. These changes will be implemented by February 2021.

"While COVID-19 has presented challenges for our courts, we know the great anguish endured by victims and families who are awaiting justice," says DA Merriweather. "Without a substantial change in our course of action after months of court closures, we are facing the very real possibility that it could take more than three years before some violent crimes make their way to trial and even longer for homicide cases. That is unacceptable for victims, and it is unacceptable for the entire community. Today marks the beginning of a new path forward."

### **The challenge at hand**

Judicial districts statewide have long been overburdened, and Mecklenburg County is no stranger to high caseloads. As the most populous jurisdiction in the state, Mecklenburg County has the highest criminal case volume. For years, the office has diligently worked to ensure justice in a timely fashion even while the state, under normal circumstances, allocates a maximum of only three Superior Court trial courtrooms each week in Mecklenburg County.

COVID-19 has exacerbated those existing challenges. The substantial reduction in court operations beginning in March was critical to prevent the spread of COVID-19 but had the unfortunate effect of building an immense backlog of cases. The halt of felony trials for eight months hampered prosecutors' ability to hold offenders accountable.

Meanwhile, our community – as well as other metropolitan areas across the state and nation – have been afflicted by an increase in violent crime and homicides, leaving a lasting impact on families and neighborhoods. In Mecklenburg County, approximately 700 defendants have

entered not guilty pleas and are awaiting trial in Superior Court. That figure includes more than 100 defendants charged in homicides and about 150 defendants charged in other violent crimes. While the District Attorney's Office is pleased that Superior Court trials resumed this week for the first time since early March thanks to a coordinated plan by court officials and public health experts, we acknowledge that public health demands and social distancing requirements are likely to limit our trial capacity to a single courtroom each week for the foreseeable future.

The number of pending trials, coupled with our limited ability to bring cases to trial as the pandemic continues, means that it could take years for serious crimes to make their way to a jury. On behalf of victims who are awaiting justice and for a community that deserves safety and peace, the District Attorney's Office must take action.

### **Reorganization of the DA's Office**

DA Merriweather's reorganization plan allows for more efficient and focused use of trial time for top priorities. The existing Drug Team and Crimes Against Property Team will be replaced with a new Felony Crimes Team of about a dozen trial prosecutors.

Prosecutors throughout the office will be reassigned to increase the number of trial attorneys on the Violent Crimes Team by more than 50 percent. This expansion will enable prosecutors on this team to focus more closely on priority cases and to ensure more timely communications with victims. An additional prosecutor will also be moved to the Homicide Team.

### **Refocus of criminal prosecution**

Much of the community conversation in 2020 has focused on the criminal justice system and equity within that system. The pandemic has brought many of the system's challenges into stark view, and DA Merriweather believes it is critical to seek out strategies that improve the work of justice while also increasing efficiencies and promoting safety.

Under DA Merriweather's new plan, the office will shift its approach to drug possession cases. While the Felony Crimes Team will place an emphasis on the sale and trafficking of drugs, as well as drug crimes linked to violence or weapons, prosecutors will now generally refer simple drug possession cases outside of the court system to recovery agencies and other service providers. This will allow prosecutors to direct the resources of the criminal justice system to violent offenders. The Felony Crimes Team will also increasingly refer non-violent defendants to Mecklenburg County's Recovery Courts when it is clear that substance use disorder or addiction is the key driver of the crime at hand.

Trial sessions that had been scheduled in 2021 for the Drug Team, which will now be consolidated with the Crimes Against Property Team, will be dedicated to the Violent Crimes Team, significantly increasing the office's ability to bring more violent offenses to trial.

"It's time for us to employ new strategies and better focus our resources on the crimes that most endanger our neighborhoods," says DA Merriweather. "A change in our approach to drug possession cases will bolster our efforts to confront violent crime. It means we can get help for those who need help and stop those who need to be stopped."

*Note: For more information about the District Attorney's Office, visit [www.charmeckda.com](http://www.charmeckda.com). For updates and other information, "like" the DA's Office on Facebook at [www.facebook.com/charmeckda](http://www.facebook.com/charmeckda) and follow us on Twitter: @CharMeckDA.*

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