

News Roundup

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It might not seem like a sexy story, but in terms of practical impact, the rollout of a new system for handling certain traffic cases in Forsyth County is a big deal. The Winston-Salem *Journal* has the story [here](#). The super condensed version is that the new system is for people who have been charged with infractions that the State would normally dismiss upon proof of compliance, like expired tags or no operator's license. These defendants can scan their citations and the paperwork proving that they've addressed the problem, the DA's office can review the submissions, and if appropriate, the DA's office will dismiss the charges. If you have experience with the system, please post a comment.

In other news:

Same-sex marriage standoff continues. Senator Berger and the AOC still disagree about whether magistrates may opt out of performing same-sex marriages. The *News and Observer* reports [here](#) on Senator Berger's latest salvo.

FBI reports another drop in crime. The FBI has released [crime data for 2013](#). Both violent and property crime were down over 4% from 2012.

South Carolina Supreme Court rules *Miller* retroactive – and applicable to nonmandatory LWOP sentences. The retroactivity of *Miller v. Alabama*, the Supreme Court case prohibiting mandatory LWOP sentences for juveniles, has not been decided in North Carolina, as Jessie noted in [this previous post](#). Across the line in South Carolina, though, the state supreme court just ruled in favor of retroactivity. Perhaps more surprisingly, the court ruled that all juveniles sentenced to LWOP should be resentenced and allowed to argue age as a mitigating factor, even if the original sentence was discretionary rather than mandatory. Sentencing Law & Policy has the story [here](#).

Supreme Court on knock and talks at the side door. The Supreme Court issued an opinion in a civil case earlier this week that will be of interest to some readers. The case arose after officers went to the side door of a residence for a "knock and talk." The issue was whether going to the side, rather than the front, constituted a warrantless intrusion into the curtilage in violation of the Fourth Amendment. The Court didn't rule on that directly, but held that at the least, the law is not settled that such an approach is unlawful where the side door appears to get some use. The case is *Carroll v. Carman*, and the opinion is [here](#).

Did an innocence project frame an innocent man? I was born in Milwaukee and have a soft spot for Wisconsin, but even folks without a local interest may be intrigued (astounded?) by [this Milwaukee Journal-Sentinel column](#) about a man who admitted his involvement in a murder to innocence project investigators seeking to clear another man who had been convicted of the crime. Years later, the purported "real killer" has been cleared as well. Apparently, the private investigators working for the innocence project obtained the confession after presenting themselves with "guns and badges and claim[ing] to be . . . police officers"; confronting the man with bogus evidence, including a "video of a supposed witness to the crime who turned out to be an actor"; promising him leniency and money from a book deal if he confessed; and providing him with a lawyer who was secretly working with the innocence project and who encouraged him to admit his guilt.

Finally, the billion-dollar divorce. Admittedly, it has nothing to do with criminal law, but I was intrigued by [this New](#)

[York Times story](#) about the billion dollar divorce judgment just entered against Oklahoma oil tycoon Harold Hamm. On the one hand, a billion dollars, to be paid in a \$320 million lump sum plus increments of \$7 million per month, is not chump change. On the other hand, it's only about 6% of Hamm's fortune. Among other tidbits from the article, Hamm is "the 13th and youngest child of sharecroppers and he moved with his parents from job to job as a child." His fortunes have certainly changed.