



News Roundup

Author : SOG Staff

Categories : [Uncategorized](#)

Date : March 10, 2017

Over the past week the Associated Press has published [reports](#) describing instances of physical and emotional abuse at the Word of Faith Fellowship church in Spindale. According to the AP, congregants, including children, “were regularly punched, smacked, choked, slammed to the floor or thrown through walls in a violent form of deliverance meant to ‘purify’ sinners by beating out devils.” Former congregants have [alleged](#) that two members of the church who are assistant district attorneys in Prosecutorial District 25 helped cover up the abuse. Keep reading for more news.

Raise the Age Bill. Regular blog readers [know](#) that the Criminal Committee of the North Carolina Commission on the Administration of Law and Justice produced a [report](#) recommending that North Carolina raise the age of juvenile court jurisdiction. As [WRAL reports](#), that work has culminated in the introduction of [House Bill 280](#) – the Juvenile Justice Reinvestment Act. The bill raises the age of juvenile jurisdiction from 16 to 18, subject to some exceptions, and has bipartisan support. Jessie has a quick YouTube video [here](#) explaining the basis for the Committee’s recommendations.

Sex Offender Recidivism. The New York Times has an [interesting article](#) this week that suggests that the United States Supreme Court has overstated sex offenders’ risk of recidivism, and that the overstatement has since permeated judicial opinions and legislative policy. According to the article, some lower courts and legal commentators have noticed the issue and are criticizing the Court.

Juvenile Interrogations. Last week Bob had [a post](#) discussing the North Carolina Supreme Court’s opinion in [State v. Saldierna](#) that a juvenile’s request to call his mother during custodial interrogation was not a clear invocation of the right to consult a parent or guardian. This week LaToya has [a post](#) over at the SOG’s On the Civil Side blog that takes a deep dive into the *Saldierna* opinion and discusses whether the holding can be reconciled with the United States Supreme Court’s opinion in [J.D.B. v. North Carolina](#), 546 U.S. 261 (2011), and other relevant provisions of the Juvenile Code.

Alito Cites Grine & Coward. Have you read the United States Supreme Court’s opinion in [Pena-Rodriguez v. Colorado](#), holding that “where a juror makes a clear statement that indicates he or she relied on racial stereotypes or animus to convict a criminal defendant, the Sixth Amendment requires that the no-impeachment rule give way” so that the trial court can consider whether there has been a denial of the jury trial guarantee? If not, check it out and take a close look at footnote 8 of Justice Alito’s dissent, joined by Chief Justice Roberts and Justice Thomas, which cites Alyson Grine and Emily Coward’s SOG publication, [Raising Issues of Race in North Carolina Criminal Cases](#). According to Justice Alito, the Race Manual is among those practice guides “replete with advice on conducting effective *voir dire* on the subject of race.”

He Was in the Pants When the Pants Burned Down. Prior to delivering closing argument in an arson case Wednesday, things were going well for Miami defense attorney Stephen Gutierrez – he was wearing his pants and they were not on fire. But the situation suddenly changed as Gutierrez began arguing that the alleged arson was the result of spontaneous combustion rather than intentional wrongdoing. In what one witness described as a “surreal” moment, Gutierrez’s [pants caught fire](#) and he rushed from the courtroom. He later returned, insisting that the episode wasn’t staged.