



News Roundup

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The first week of the new year has been unusually cold and a mid-week winter storm created dangerous travel conditions across much of North Carolina. The Highway Patrol already had responded to [hundreds](#) of weather-related collisions at the time of writing, and frigid conditions are expected to cause hazardous conditions into the weekend.

Thanks to law enforcement, emergency response, and other government agencies for their efforts during and after the storm. Stay safe and keep reading for more news.

DOJ Guidance. On Monday, California became the eighth state to legalize recreational marijuana sales, putting it on the precipice of practical [state-level criminal law](#) issues such as enforcing prohibitions on public consumption and driving under the influence. Shea recently discussed drug-impaired driving [here](#) and [here](#).

On Thursday, the Associated Press [reported](#) that Attorney General Jeff Sessions rescinded Obama-era Department of Justice guidance that provided some assurance to states with legalized marijuana that federal prosecutors would not prioritize enforcing criminal laws implicated by the marijuana industry. In his [memo](#) rescinding the prior guidance, Sessions suggested that U.S. Attorneys exercise individual discretion in determining which marijuana activities to prosecute.

More Guidance. Attorney General Sessions recently has [rescinded](#) various other Department of Justice guidance, including a guideline that advised local courts to refrain from imposing unnecessary or excessive fines and fees upon defendants who are without the means to pay them. Sessions has announced a general opposition to using guidance documents to implement policy outside of a formal rule-making process.

Fines and Fees. Speaking of the imposition of fines and fees in criminal cases, the North Carolina Poverty Research Fund recently published a [report](#) entitled "Court Fines and Fees: Criminalizing Poverty in North Carolina." The first of a six part series, the reports intend to explore "a broad array of state criminal justice practices that work to criminalize poverty."

Voter Fraud. President Donald Trump [announced](#) this week that he was disbanding an advisory commission charged with investigating voter fraud across the nation. President Trump said that certain states had frustrated the commission's efforts by refusing to provide basic information necessary for the investigation, and said that he would ask the Department of Homeland Security to review the voter fraud issue.

Manafort Sues. Paul Manafort, the former Trump campaign chairman who has been [charged](#) with several federal crimes unrelated to his work on the campaign, has filed a [federal lawsuit](#) against the Department of Justice and Special Counsel Robert Mueller that may impede the criminal prosecution against him. Manafort has alleged that Mueller's investigatory authorization is overly broad and has asked the court to enter an order prohibiting Mueller from investigating anything other than Russian interference in the 2017 presidential election.

The Year for Reform? The [Washington Examiner](#) says that 2018 is poised to be the year for criminal justice reform at both the federal and state level. The article details legislation involving sentence reform for nonviolent offenses, strategies to reduce recidivism, and efforts towards establishing a default mens rea requirement for federal crimes.

For reference, the first News Roundup of last year ended with a [story](#) about how 2017 was going to be the year for criminal justice reform.