

**Before the House Judiciary Committee
Field Hearing: Victims of Violent Crime
Charlotte, North Carolina
September 29, 2025**

Submitted by:

Michael Woody

North Carolina Chairman, National Association of Bail Agents
Board of Directors, North Carolina Bail Agents Association

EXECUTIVE SUMMARY

Chairman Jordan, and distinguished members of the House Judiciary Committee, I submit this testimony to provide comprehensive evidence of how "no cash bail" policies—implemented through unsecured bonds and pretrial release programs—have failed North Carolina communities, endangered public safety, and imposed substantial costs on taxpayers while undermining justice for victims.

The tragic murder of Iryna Zarutska, a 23-year-old Ukrainian refugee seeking safety in America, exemplifies the deadly consequences of these misguided policies. Her killer, Decarlos Brown Jr., was a repeat offender who had been released without bond despite his lengthy criminal history and mental health concerns. This preventable tragedy occurred in Charlotte's light rail system on August 22, 2025, and has galvanized North Carolina lawmakers to introduce "Iryna's Law"—legislation specifically targeting the cashless bail policies that enabled this horrific crime.

STATEMENT OF QUALIFICATIONS

I appear before this Committee not only as North Carolina Chairman of the National Association of Bail Agents, but as a lifelong North Carolina resident, father, grandfather, and integral voice in the accountable success of our state's criminal justice system. My professional background includes service with the North Carolina Department of Public Safety, where I specialized in gangs, sex offenses, criminal drug court, treatment programs, and fugitive apprehension as part of a task force partnering with the U.S. Marshals Service. I hold a degree in Sociology and bring extensive experience in public safety, treatment initiatives, and offender accountability.

THE PROBLEM: UNSECURED BONDS/"PROMISES TO APPEAR"

North Carolina has not formally abolished secured bail statewide, but courts across our state—particularly in Mecklenburg County (Charlotte)—have embraced unsecured criminal offender

release policies ("promises to appear") and taxpayer-funded pretrial release programs as their preferred alternative to secured bail. These policies are marketed as "reform" and "fairness," but they represent a fundamental abandonment of accountability that has resulted in measurable harm to our communities.

No-cash bail policies have had a direct impact on every community in North Carolina and nationally. In our state, "unsecured bail release policies" without familial connection and financial risk have become the "new normal," creating a system where offenders face no meaningful consequences for failing to appear in court or comply with release conditions.

The Accountability Gap

When there is no accountability in criminal offender release, court appearance rates fall. When offenders are released without secured bail conditions, public safety is jeopardized. When taxpayer dollars are poured into supervising individuals who should have been held accountable through secured bail, North Carolina communities bear both the financial burden and the safety risks.

Additionally, when offenders fail to appear, court cases must continue in their absence. Offenders are often sentenced in absentia, which costs the state, municipalities, and counties significant resources. This process also denies victims their fundamental right to provide victim impact statements, leaving them without closure or voice in the justice process that should serve them.

Mental Health and Public Safety

North Carolina law already provides judges with the authority to address mental health concerns in pretrial decisions. Under existing statutes including Chapter 122C, courts can order mental health evaluations and, when appropriate, involuntary commitment proceedings for individuals who may lack the capacity to understand legal proceedings or present a danger to themselves or others.

The current system, however, often fails to utilize these existing legal tools. Judges should mandate evaluation and appropriate treatment before release when credible mental-health concerns are present, and authorize preventive detention where legally justified under existing statutory authority. Without proper assessment, medication, and treatment, offenders with serious psychological issues may reoffend, potentially lacking the capacity to differentiate between right and wrong. Rather than creating new laws, North Carolina courts should consistently apply the mental health evaluation and commitment authority already enshrined in state statute.

System Integration and Data Quality Concerns

Stakeholders have flagged intermittent warrant data-quality and process issues (including eWarrants workflow errors), which can impede cross-jurisdiction awareness if not promptly corrected. A formal audit of NCIC entry rates for failure-to-appear warrants would help quantify

the scope of any systematic issues in ensuring law enforcement across state lines can access current warrant information that keeps our communities safe.

DOCUMENTED EVIDENCE FROM NORTH CAROLINA

1. Failure to Appear Rates

In Mecklenburg County, after unsecured bonds became more common, stakeholders including judges, prosecutors, and victims report concerns about court compliance and the cycle of missed appearances, warrant issuances, and re-arrests that stretch law enforcement resources.

Public studies of Mecklenburg's reforms (2019) found higher release rates without a statistically significant increase in FTAs or new pretrial criminal activity during the study period. More recent statewide analysis estimates overall non-appearance rates around 17-18%, with county-level variation and data limitations for Mecklenburg. Media sampling in 2024 reported approximately 20% of felony defendants with at least one failure to appear that year.

However, the fundamental policy concern remains: unsecured release removes third-party accountability and financial incentives that secured bail provides through family and community co-signers who have genuine stakes in ensuring compliance.

2. Violent Crime and Repeat Offenses

Charlotte has experienced multiple violent incidents involving offenders who were released on unsecured bonds. The most tragic and preventable example is the murder of Iryna Zarutskya on August 22, 2025.

Ms. Zarutskya was a 23-year-old Ukrainian refugee who had fled the war in her homeland to find safety in America. She was fatally stabbed in an unprovoked attack on Charlotte's LYNX light rail system on August 22, 2025, by Decarlos Brown Jr., a repeat offender with a lengthy criminal history who had been released without bond earlier in 2025 despite concerns about his mental stability. The Department of Justice filed a federal complaint on September 9, 2025, charging Brown with causing a death on a mass-transportation system.

This case exemplifies everything wrong with unsecured release policies:

- **Repeat offender with documented history:** Brown had multiple prior arrests and releases on unsecured bonds
- **Mental health concerns ignored:** Despite known psychological issues, he was released without evaluation or treatment requirements
- **Preventable tragedy:** Proper risk assessment and secured bail could have prevented this murder
- **Vulnerable victim:** A refugee seeking safety became a victim of the very policies that were supposed to create a more "compassionate" system

Other documented cases include armed robbery offenders released on unsecured bonds who committed additional violent crimes within weeks of their release, creating an endless cycle of victimization that secured bail would have prevented.

3. Comprehensive Financial Analysis: The True Cost of "Free" Bail

The financial burden of North Carolina's unsecured release policies extends far beyond what most taxpayers realize. Our analysis reveals multiple funding streams now supporting what secured bail accomplished at no cost to the public:

Local Taxpayer Burden:

- Mecklenburg County allocated at least \$345,000 in FY2025 alone for new pretrial staff positions and clinical support to manage pretrial caseloads and supervision
- These positions exist solely to supervise offenders who would have been held accountable through secured bail at zero cost to taxpayers

Federal Taxpayer Investment:

- \$1,000,000 in NIJ/Byrne Discretionary grants for Mecklenburg's justice system and pretrial data upgrades
- \$672,395 in FY2023 local Byrne-JAG allocation for Charlotte/Mecklenburg, budgeted primarily for law-enforcement purposes (CMPD with a required County share)
- These federal funds represent taxpayers nationwide subsidizing systems that operate parallel to secured bail

Philanthropic Foundation Funding:

- At least \$3.3 million in MacArthur Foundation Safety + Justice Challenge grants to Mecklenburg County (the County now reports \$3.87 million cumulative through 2024)
- These private foundation investments have significantly expanded pretrial infrastructure beyond what secured bail required

Total Financial Impact: Combined funding sources represent over \$5 million in taxpayer and external funding to operate systems that secured bail accomplished without any public cost. This represents inefficient government: multiple layers of bureaucracy and expense operating parallel to a system that worked effectively and required no taxpayer investment.

Meanwhile, secured bail requires the offender—not the taxpayer—to shoulder financial responsibility while ensuring accountability through family and community co-signers who have genuine incentives to ensure compliance.

4. Victim Impact and Notification Gaps

Every missed court date delays justice for victims. Every re-arrest means another person is harmed who should have been protected. North Carolina operates NC SAVAN, an automated

notification system; however, opt-in requirements and process handoffs can leave victims unaware of pretrial status changes outside custody. Standardized opt-in at first contact and mandatory pretrial-release notifications would reduce these gaps.

This stands in stark contrast to secured bail, where release is tied to family or community co-signers—creating layers of accountability and communication that better protect victims. Unlike states such as New York, which have mandatory notification systems for victims when offenders are released, North Carolina's current system leaves gaps in victim protection during the pretrial phase.

The result is that victims learn of an offender's release not through official channels, but often when that offender commits another crime—as tragically occurred with Iryna Zarutska.

NATIONAL IMPLICATIONS

What is happening in North Carolina mirrors documented failures in Illinois, New York, California, and other jurisdictions that have embraced "no-cash bail" policies. However, North Carolina serves as a particularly instructive cautionary tale because it demonstrates how piecemeal adoption of no-cash bail principles—through unsecured bonds and pretrial programs—can replicate the same systemic failures without a single comprehensive statewide law.

The lessons from North Carolina are clear and transferable:

1. **Appearance rates decline when accountability is removed** - This outcome is consistent across jurisdictions
2. **Public safety suffers when violent offenders are released without cost or consequence** - Predictable and preventable tragedies occur
3. **Taxpayers subsidize expensive programs that shift responsibility away from offenders** - Financial burden increases while effectiveness decreases
4. **Victim protection deteriorates** - Those harmed by crime face additional trauma through system failures

These outcomes are not aberrations—they are predictable, preventable, and proven results of policies that prioritize ideological goals over public safety and fiscal responsibility.

POLICY RECOMMENDATIONS

Federal Action

Congress can help address these failures by ensuring that federal funding does not incentivize or subsidize policies that undermine public safety and accountability:

1. **Reform Grant Requirements:** Federal grants such as Byrne-JAG should not be used to subsidize "no-cash bail" programs that demonstrably increase failure-to-appear rates and recidivism
2. **Accountability Metrics:** Federal funding should require jurisdictions to demonstrate improved public safety outcomes, not just process changes
3. **Victim Protection Standards:** Federal grants should mandate robust victim notification systems for all pretrial releases
4. **Data Transparency:** Require standardized reporting on failure-to-appear rates, recidivism, and costs by release type

State and Local Reforms

North Carolina and similarly affected states should implement immediate reforms:

1. **Re-center Secured Bail:** Establish secured bail as the standard for all but the most minor offenses, with particular emphasis on repeat and violent offenders
2. **Mental Health Evaluation:** Mandate psychiatric evaluation and appropriate treatment for emotionally disturbed repeat offenders before any release consideration
3. **Judicial Discretion with Guidelines:** Preserve judicial discretion while establishing clear guidelines that prioritize public safety and court appearance
4. **System Integration:** Ensure all failure-to-appear warrants are entered into NCIC and other appropriate databases
5. **Victim Notification:** Implement mandatory notification systems for all pretrial releases

Accountability Mechanisms

Both federal and state reforms should include:

1. **Performance Measurement:** Regular assessment of failure-to-appear rates, recidivism, and public safety outcomes by release type
2. **Cost-Benefit Analysis:** Transparent reporting on taxpayer costs versus secured bail alternatives
3. **Victim Input:** Formal mechanisms for victim impact in pretrial release decisions
4. **Legislative Oversight:** Regular review of pretrial policies and their outcomes

LEGISLATIVE RESPONSE: IRYNA'S LAW

The tragic murder of Iryna Zarutskya has prompted North Carolina legislators to introduce "Iryna's Law"—comprehensive legislation specifically targeting the cashless bail policies that enabled her killer's release. This bipartisan response demonstrates that even progressive lawmakers recognize the failures of current policies when confronted with their deadly consequences.

Iryna's Law represents exactly the kind of evidence-based policy reform this Committee should support and encourage in other jurisdictions facing similar challenges.

CONCLUSION: RESTORING BALANCE AND ACCOUNTABILITY

Members of the Committee, this testimony is not about punishing offenders—it is about balancing rights with responsibility and results with rhetoric. "No cash bail" policies may sound compassionate, but in North Carolina and elsewhere, they have proven reckless and deadly.

The documented results speak for themselves:

- Higher failure-to-appear rates that undermine court operations
- Increased violent crime by repeat offenders who should have been held accountable
- Massive taxpayer expenses to fund ineffective bureaucratic alternatives
- Shattered confidence in the justice system among victims and communities
- Preventable tragedies like the murder of Iryna Zarutskya

Secured bail works because it enlists family, friends, and the offender in ensuring compliance with court orders. It protects victims and communities while allowing courts to function effectively. Most importantly, it accomplishes these goals without any cost to taxpayers while maintaining appropriate accountability for those accused of crimes.

The evidence from North Carolina provides this Committee with clear documentation of a broader national problem. Rather than rewarding failure with continued federal funding, Congress should restore accountability, protect victims, and ensure that justice means both fairness and safety.

I urge this Committee to:

1. Reform federal grant requirements to prioritize public safety over ideological preferences
2. Support state efforts like Iryna's Law that restore accountability to pretrial release
3. Demand transparency and measurable outcomes from jurisdictions receiving federal funds
4. Recognize that compassionate policy must include compassion for victims and communities, not just offenders

The choice is clear: we can continue subsidizing failed policies that endanger innocent people like Iryna Zarutskya, or we can restore proven systems that balance individual rights with community safety. I respectfully urge you to choose accountability, effectiveness, and genuine justice.

Thank you for your attention to this critical issue. I welcome your questions and stand ready to provide any additional information that would assist this Committee in addressing these urgent public safety challenges.

Contact Information:

Michael Woody

(828) 360-8122

Mew1973@gmail.com

Submitted: September 28, 2025