

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 46
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10026-MS-45 (02/06)

Short Title: Allison's Law/GPS Tracking Pilot Prog/DV. (Public)

Sponsors: Representatives Lambeth, Conrad, Hanes, and Terry (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A PILOT PROGRAM ON ALLOWING THE USE OF A GPS TRACKING DEVICE ON A PERSON WHO HAS COMMITTED ACTS OF DOMESTIC VIOLENCE.

The General Assembly of North Carolina enacts:

SECTION 1. The North Carolina Department of Public Safety, in consultation with local law enforcement agencies, the courts, and any other appropriate local entities, shall conduct a pilot program for the use of global positioning system (GPS) tracking devices on domestic violence offenders. The pilot program shall be conducted in Forsyth County. The offender subject to the GPS monitoring may be responsible for paying the costs associated with use of the device. In developing and implementing the pilot program, the Department and all entities involved shall consider the following:

- (1) The type of offender that will be subject to GPS monitoring, such as all offenders who violate a domestic violence protective order or only violent offenders, and what constitutes a violent offender.
- (2) How offender monitoring will be staffed and whether a local law enforcement agency will staff the monitoring of the offender's location or whether it will be outsourced to an independent agency.
- (3) The costs associated with monitoring the offender's location.
- (4) The type of GPS tracking device that will be used.
- (5) The type of GPS monitoring that will be used, such as active tracking, which provides real-time location of the offender 24 hours a day, versus passive tracking, in which an offender wears a device, but the monitoring official may only receive information once a day when it is uploaded.
- (6) Whether the victim's location will be monitored or tracked as well and what privacy or safety concerns such monitoring or tracking raises.
- (7) Any other systems for monitoring offenders currently in place in this State that may assist in implementing the GPS monitoring program established under this act.
- (8) Whether other states have implemented similar systems and the means by which those systems were implemented and costs associated with implementation.
- (9) Any other information or practices deemed relevant.

SECTION 2. The Department of Public Safety shall report to the Joint Legislative Oversight Committee on Justice and Public Safety on the effectiveness of the pilot program by April 1, 2020. The report shall include any recommendations regarding the continuation,



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1 expansion, or elimination of the pilot program, as well as costs associated with implementing the
2 program or any recommended legislation.

3 **SECTION 3.** This act becomes effective January 1, 2018.