

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 1220
May 26, 2020
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30585-NDa-157A

Short Title: Fund DV Prevention Pilot Program. (Public)

Sponsors: Representative P. Jones.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO CREATE DOMESTIC VIOLENCE PREVENTION
3 PILOT PROGRAMS IN DISTRICT COURT JUDICIAL DISTRICT 3A.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** The General Assembly finds that the COVID-19 pandemic has
6 exacerbated isolation, uncertainty, and economic instability, which has led to an increase in
7 domestic violence, and due to the stay-at-home orders in effect, victims are more at risk and
8 vulnerable than ever before. It further finds that in order to combat the rising rate of domestic
9 violence due to the COVID-19 pandemic, victims need access to technology that provides
10 instantaneous notification if the offender is within close proximity.

11 **SECTION 1.(b)** The State Controller shall transfer the sum of one hundred thousand
12 dollars (\$100,000) from the Coronavirus Relief Reserve established in Section 2.1 of S.L. 2020-4
13 to the Coronavirus Relief Fund established in Section 2.2 of that same act.

14 **SECTION 1.(c)** There is appropriated from the Coronavirus Relief Fund to the
15 Administrative Office of the Courts the sum of one hundred thousand dollars (\$100,000) in
16 nonrecurring funds for the 2020-2021 fiscal year to be used as a grant for Caitlyn's Courage, Inc.,
17 a nonprofit organization serving victims of domestic violence, to conduct a pilot program in
18 District Court Judicial District 3A.

19 **SECTION 1.(d)** The requirements set forth in Part I of S.L. 2020-4 shall apply to
20 the funds appropriated by this section.

21 **SECTION 1.(e)** The pilot program created by this section shall do each of the
22 following:

- 23 (1) Provide judges in the participating judicial districts the option to use global
24 positioning system (GPS) tracking devices as a condition of pretrial release
25 for defendants of crimes related to stalking, sexual assault, domestic abuse,
26 and violations of a domestic violence protective order.
- 27 (2) Establish a local implementation team that shall, at a minimum, consider for
28 inclusion (i) district court judges, (ii) superior court judges, (iii) assistant and
29 elected district attorneys, (iv) assistant and appointed public defenders, (v)
30 deputy, assistant, and elected clerks of superior court, (vi) law enforcement
31 officers, (vii) domestic violence victims advocates, (viii) court support staff,
32 and (ix) representatives of the Department of Adult Correction and Juvenile
33 Justice.
- 34 (3) Operate a 24-hour monitoring center that contacts victims if an offender
35 violates a relevant condition of pretrial release or a domestic violence
36 protective order.



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- 1 (4) Train all pilot program participants, including, but not limited to, victims and
2 offenders, regarding the GPS tracking devices utilized by the pilot program.

3 **SECTION 1.(f)** The funds appropriated in this section shall only be used for project
4 expenses and shall not be used to pay for lobbying the North Carolina General Assembly,
5 salaries, travel, or other administrative costs.

6 **SECTION 2.** The electronic monitoring devices funded by this act shall have each
7 of the following specifications:

- 8 (1) The ability to automatically switch cellular networks, ensuring that the device
9 is not dependent upon one particular cellular network provider.
10 (2) The ability to detect, record, and report the deliberate shielding from receipt
11 of GPS signals.
12 (3) A disposable strap.
13 (4) A minimum single charge, 48-hour battery life via an inaccessible battery with
14 the option of a fixed charger, mobile charger, or both.
15 (5) The ability to detect and store the time and date of any physical impact to the
16 device at a level high enough to cause malfunction.
17 (6) The ability to record the offender's immediate location at all times.
18 (7) The ability to automatically notify the victim if an offender is within a
19 restricted proximity to the victim pursuant to a court order.

20 **SECTION 3.(a)** In consultation with District Court Judicial District 3A and the East
21 Carolina University Department of Criminal Justice, Caitlyn's Courage, Inc., shall report on the
22 effectiveness of the pilot programs created by this act to the Joint Legislative Oversight
23 Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health
24 and Human Services, and the Fiscal Research Division of the North Carolina General Assembly
25 by April 1, 2022.

26 **SECTION 3.(b)** The report required by this section shall include, at a minimum,
27 each of the following:

- 28 (1) Any recommendations regarding the continuation, expansion, or elimination
29 of the pilot programs.
30 (2) Current and future estimated costs associated with implementing the pilot
31 programs.
32 (3) Any recommended legislation related to the pilot programs.

33 **SECTION 4.** This act becomes effective July 1, 2020.