A BILL TO BE ENTITLED
AN ACT TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO UTILIZE STANDARDIZED DIGITAL TECHNOLOGIES FOR TRACKING INMATES AND YOUTH OFFENDERS AND TO APPROPRIATE FUNDS.

The General Assembly of North Carolina enacts:

PREAMBLE: DISCOVERY

SECTION 1.(a) The initial inmate documentation process on a daily basis of tracking the Prison Inmate and Youth Offender movements in North Carolina Adult and Juvenile Justice Correctional Facilities is a series of paper processes. Once this required documentation of movement is transcribed on paper, it is then transcribed onto the State Prison Information Management System called OPUS.

SECTION 1.(b) After the tragedies that occurred in Bertie Correctional Institution and Pasquotank Correctional Institution in 2017, the Senate Select Committee on Prison Safety uncovered that the initial and daily documentation by North Carolina Correctional Officers is initially transcribed by paper and pencil.

SAFETY AND INFORMATION DOCUMENTATION INTEGRITY REQUIREMENTS

SECTION 2.(a) No later than January 1, 2028, the Department of Public Safety, Division of Adult Correction and Juvenile Justice, must digitally standardize the logging of daily movements and activities of Prison Inmates and Youth Offenders.

SECTION 2.(b) The Department of Public Safety, Division of Adult Correction and Juvenile Justice, shall implement the transition required by subsection (a) of this section for all State facilities housing Prison Inmates and Youth Offenders according to the following schedule:

(1) Four facilities by no later than January 1, 2024.
(2) At least one-quarter of the facilities by no later than January 1, 2025.
(3) At least one-half of the facilities by no later than January 1, 2026.
(4) Full implementation for all facilities by no later than January 1, 2028.

SECTION 2.(c) In implementing the transition required by subsection (a) of this section, the Department of Public Safety, Division of Adult Corrections and Juvenile Justice, must do each of the following:

(1) Utilize radio-frequency identification (RFID) technology and support real-time business and artificial intelligence.
(2) Embed digital video evidence gathering tools while integrating the current OPUS System technologies.
(3) Operate by running natively on AWS GovCloud.
(4) Utilize information integrity and security with real-time digital documentation of Prison Inmates and Youth Offenders that meets each of the following requirements:
   a. Monitoring inmate movement with RFID technology.
   b. Automating offender documentation with RFID technology.
   c. Integrating systems and methods for Behavior Monitoring and Identification.
   d. Integrating systems and methods for monitoring a headcount.
   e. Monitoring inmate movement with facial recognition.

REPORTING REQUIREMENTS AND TECHNICAL CLARIFICATION

SECTION 3.(a) The Department of Public Safety, Division of Adult Correction and Juvenile Justice, is the active Governing Body to manage the implementation of this section upon it becoming law.

SECTION 3.(b) The Department of Information Technology must directly report to the Department of Public Safety, Division of Adult Correction and Juvenile Justice, in the supportive role in providing any and all information that the Department of Public Safety, Division of Adult Correction and Juvenile Justice, needs to develop the implementation roadmap of this section on time. This support includes, but is not limited to, the ability to conduct walkthrough assessments in all Department of Public Safety Correctional Facilities in order to develop the implementation roadmap.

SECTION 3.(c) The North Carolina Criminal Justice Information Network must directly work with the technology provider to identify the total cost of implementing the required technologies by 2027.

SECTION 3.(d) The North Carolina Criminal Justice Information Network must report back to the Senate Select Committee on Prison Safety and the Joint Legislative Oversight Committee on Justice and Public Safety with the roadmap of digitizing documentation standardization required technologies no later than nine months after this section becomes law. The report shall, at a minimum, include each of the following:

1. The total cost it will take to become fully compliant by 2027.
2. The outline of the implementation.
3. The needs to be tracked in addition to Prison Inmates and Youth Offenders to ensure the safety of Prison Inmates, Youth Offenders, and North Carolina Correctional Officers alike, such as tools, inventory, and equipment.

SECTION 3.(e) All nonrecurring funds appropriated in Part III of S.L. 2020-90 that are unexpended and unencumbered shall immediately be transferred to the North Carolina Criminal Justice Information Network after this section becomes law. The North Carolina Criminal Justice Information Network must only use these nonrecurring funds strictly to develop the roadmap of digitizing documentation standardization using the outlined required technologies. Notwithstanding any law to the contrary, the North Carolina Criminal Justice Information Network shall direct the use of the funds transferred under this subsection.

SECTION 3.(f) The Department of Information Technology must work with the technology provider of the required technologies to properly align American Institute of Certified Public Accountants (AICPA) Service Organizational Control 2 (SOC 2) prerequisites and federal FedRAMP prerequisites. SOC 2 and FedRAMP prerequisites shall not interfere with the implementation of the required technologies. The North Carolina Criminal Justice Information Network must facilitate and manage this alignment in security prerequisites.

SECTION 3.(g) Part 9 of Article 15 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"§ 143B-1395. Exemption from certain contract and purchasing requirements.
The Criminal Justice Information Network is exempt from the requirements of Article 3 and Article 8 of Chapter 143 of the General Statutes."

SECTION 3.(h) Subsection (g) of this section is effective when it becomes law and applies to the requirements surrounding funds spent on or after that date. The remainder of this section is effective when it becomes law.

APPROPRIATION

SECTION 4.(a) There is appropriated from the General Fund to the North Carolina Criminal Justice Information Network the sum of fifteen million dollars ($15,000,000) in nonrecurring funds for the 2022-2023 fiscal year to be used to effectuate the transition required by subsection (a) of Section 2 of this act. Notwithstanding any law to the contrary, the North Carolina Criminal Justice Information Network shall direct the use of the funds appropriated under this subsection.

SECTION 4.(b) This section becomes effective July 1, 2022.

EFFECTIVE DATE

SECTION 5. Except as otherwise provided, this act is effective when it becomes law.