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SENATE BILL DRS35376-NDa-179

Short Title: Law Enforcement Investment Act.

(Public)

Sponsors: Senators Batch, Fitch, and Garrett (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO STRENGTHEN POLICIES AND STANDARDS SURROUNDING LAW
3 ENFORCEMENT OFFICERS AND TO APPROPRIATE FUNDS.

4 The General Assembly of North Carolina enacts:

5
6 **PART I. FUNDS FOR NORTH CAROLINA JUSTICE ACADEMY**

7 **SECTION 1.1.** There is appropriated from the General Fund to the North Carolina
8 Justice Academy the sum of two hundred fifty thousand dollars (\$250,000) in recurring funds for
9 the 2022-2023 fiscal year to be used to expand its ability to serve law enforcement agencies of
10 the State by providing more opportunities to attend courses and trainings.

11 **SECTION 1.2.** There is appropriated from the General Fund to the North Carolina
12 Justice Academy the sum of two hundred fifty thousand dollars (\$250,000) in nonrecurring funds
13 for the 2022-2023 fiscal year to be used to expand the Academy's ability to offer online courses
14 for law enforcement agencies to allow for greater statewide participation in Academy courses
15 and training.

16 **SECTION 1.3.** This Part becomes effective July 1, 2022.

17
18 **PART II. CREATE A PARTNERSHIP BETWEEN THE NORTH CAROLINA JUSTICE**
19 **ACADEMY AND NORTH CAROLINA COMMUNITY COLLEGES**

20 **SECTION 2.1.** The North Carolina Justice Academy and the North Carolina
21 Community College System shall develop a memorandum of understanding to allow community
22 colleges throughout the State to provide training and education to those individuals trained and
23 educated by the North Carolina Justice Academy in order to alleviate travel time and related costs
24 incurred by law enforcement agencies due to the limited availability of North Carolina Justice
25 Academy training locations.

26 **SECTION 2.2.** The memorandum of understanding required by Section 2.1 of this
27 Part shall be submitted to the Joint Legislative Oversight Committee on Justice and Public Safety
28 no later than October 1, 2022.

29 **SECTION 2.3.** This Part is effective when it becomes law.

30
31 **PART III. FUNDS FOR THE NORTH CAROLINA LAW ENFORCEMENT**
32 **ACCREDITATION PROGRAM**

33 **SECTION 3.1.** There is appropriated from the General Fund to the Department of
34 Justice the sum of two hundred fifty thousand dollars (\$250,000) in recurring funds for the
35 2022-2023 fiscal year to be used to further develop, maintain, and staff the North Carolina Law
36 Enforcement Accreditation Program.



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SECTION 3.2. This Part becomes effective July 1, 2022.

PART IV. EXPAND CRIMINAL JUSTICE FELLOWS PROGRAM

SECTION 4.1. Article 2 of Chapter 17C of the General Statutes reads as rewritten:

"Article 2.

"North Carolina Criminal Justice Fellows Program.

"§ 17C-20. Definitions.

As used in this Article, the following definitions apply:

...

(5) Eligible county. – ~~A Any county with a population of less than 200,000 according to the latest federal decennial census; this State.~~

...

"§ 17C-22. North Carolina Criminal Justice Fellows Program established; administration.

(a) Program. – There is established the North Carolina Criminal Justice Fellows Program to be administered by the Committee with the assistance of the Division. The purpose of the Program is to increase the number of criminal justice professionals by providing forgivable loans to exceptional individuals to obtain any of the following:

(1) An Applied Associate Degrees—Degree in Criminal Justice or other Committee-approved related fields of study as preparation to enter a criminal justice profession.

(2) A bachelor's degree.

(3) A North Carolina Basic Law Enforcement Training Program certificate of completion.

...

(c) Awards of Forgivable Loans. – The Program shall provide forgivable loans of up to three thousand one hundred fifty-two dollars (\$3,152.00) per year for up to two years to selected individuals. The funds from the forgivable loans may be used for tuition, fees, and the cost of books. The Committee may determine the maximum amount of loan proceeds that may be applied to community college ~~fees—fees, college or university fees, Basic Law Enforcement Training Program fees,~~ and course textbooks. The number of forgivable loans awarded annually shall not exceed 100 and the total number of recipients in the Program each year shall not exceed 200. The Committee shall select recipients no later than June 1 of each year.

...

(g) Administration of Forgivable Loan Awards. – Upon the naming of recipients by the Committee, the Division shall perform all administrative functions necessary to implement this Article, which functions shall include dissemination of information, disbursement, receipt, liaison with participating community colleges, colleges, universities, and Basic Law Enforcement Training Programs, determination of the acceptability of service repayment agreements, and all other functions necessary for the execution, payment, and enforcement of promissory notes required under this Article.

(h) Applied Associate Degree Recipient Obligations. – A recipient must become and remain a full-time student at a North Carolina community college in an Applied Associate Degree in Criminal Justice or in a Committee-approved related field of study at all times during each of the recipient's two academic years of community college study and pursue continuously studies that will qualify the recipient to be employed in an eligible criminal justice profession upon graduation. The recipient must maintain a minimum cumulative 2.0 GPA throughout the course of study and also maintain appropriate credit hours for each semester to obtain an Applied Associate Degree in Criminal Justice or Committee-approved field of study within two years. The recipient must also accept employment in an eligible county in an eligible criminal justice profession for at least four out of five years following graduation. The Committee may adopt additional recipient obligations it deems appropriate.

1 (h1) Bachelor's Degree Recipient Obligations. – A recipient must become and remain a
2 full-time student at a North Carolina college or university in a bachelor's degree and pursue
3 continuous studies that will qualify the recipient to be employed in an eligible criminal justice
4 profession upon graduation. The recipient must maintain a minimum cumulative 2.0 GPA
5 throughout the course of study and also maintain appropriate credit hours for each semester to
6 obtain a bachelor's degree within four years. The recipient must also accept employment in an
7 eligible county as a criminal justice professional for at least four out of five years following
8 graduation. The Committee may adopt additional recipient obligations it deems appropriate.

9 (h2) Basic Law Enforcement Training Program Certificate of Completion Recipient
10 Obligations. – A recipient must become and remain a trainee in a North Carolina Basic Law
11 Enforcement Training Program and pursue continuous studies that will qualify the recipient to
12 be employed in an eligible criminal justice profession upon completion of the Basic Law
13 Enforcement Training Program. The recipient must maintain appropriate participation and test
14 results required to obtain a Basic Law Enforcement Training Program certificate of completion
15 within one year. The recipient must also accept employment in an eligible county as a criminal
16 justice professional for at least four out of five years following graduation. The Committee may
17 adopt additional recipient obligations it deems appropriate.

18 ...

19 **"§ 17C-23. Terms of forgivable loans; receipt and disbursement of funds; default.**

20 (a) Forgivable Loans. – All forgivable loans shall be evidenced by notes made payable
21 to the Program that bear interest at a rate not to exceed ten percent (10%) per year as set by the
22 Committee and beginning on the first day of September after the completion of the Program or
23 60 days after termination of the forgivable loan, whichever is earlier. The forgivable loan may
24 be terminated upon the recipient's withdrawal from ~~school,~~ a school or training program by the
25 recipient's failure to meet the standards set by the Committee, or by the recipient's default based
26 on conditions set by the Committee. The Committee may only disburse funds to the community
27 ~~college~~ college, college, university, or Basic Law Enforcement Training Program where the
28 recipient is enrolled and may not disburse funds directly to a recipient.

29 (b) Forgiveness. – The Committee shall forgive the loan and any interest accrued on the
30 loan if, within five years after obtaining (i) an Applied Associate Degree in Criminal Justice or
31 Committee-approved field of study, (ii) a bachelor's degree, or (iii) a Basic Law Enforcement
32 Training Program certificate of completion, the recipient is employed on a full-time basis for a
33 period of at least four years in an eligible county in an eligible criminal justice profession. The
34 recipient shall provide the Committee within 60 days of completion of the Program verification
35 of the recipient's intent to seek employment in an eligible criminal justice profession in an eligible
36 county. The recipient shall provide verification of employment to the Committee each year until
37 the obligation is satisfied. The Committee shall also forgive the loan if it finds that it is impossible
38 for the recipient to meet the terms of the loan, after or before graduation, due to death or
39 permanent disability of the recipient.

40 ...

41 (d) Repayment. – If the recipient notifies the Committee that the recipient intends to
42 forego forgiveness of the loan after completion of the Program, the Committee shall provide the
43 recipient with the conditions of repayment and the recipient will have 60 days to begin repayment
44 of all funds distributed, including interest. The recipient will have up to 60 months to repay all
45 funds distributed, including ~~interest,~~ interest, received in pursuit of an Applied Associate Degree
46 or a Basic Law Enforcement Training Program certificate of completion. The recipient will have
47 up to 120 months to repay all funds distributed, including interest, received in pursuit of a
48 bachelor's degree.

49 (e) Default. – The Committee shall determine the events that constitute a default during
50 the Program, including, but not limited to, failure by the recipient to comply with the obligations
51 set out in ~~G.S. 17C-22(h).~~ G.S. 17C-22(h), (h1), or (h2). In the event of default during the

1 Program, the Committee may declare the entire unpaid amount of indebtedness evidenced by the
2 note, including interest, immediately due and payable. A default shall preclude further
3 participation by the recipient in the Program. Upon default, the Committee shall notify the
4 recipient, in writing, by certified mail, return receipt requested, addressed to the recipient at the
5 last address on file with the Committee. Refusal or nondelivery at that address will be deemed
6 delivered after seven days. The Committee may allow a recipient who is in default to repay all
7 funds distributed, including interest. If the Committee approves repayment, the recipient will
8 receive the conditions of repayment and will have 60 days to begin repayment of all funds
9 distributed, including interest. The recipient will have up to 60 months to repay all funds
10 distributed, including ~~interest~~interest, received in pursuit of an Applied Associate Degree or
11 Basic Law Enforcement Training Program certificate of completion. The recipient will have up
12 to 120 months to repay all funds distributed, including interest, received in pursuit of a bachelor's
13 degree."

14 **SECTION 4.2.** This Part is effective when it becomes law and applies to North
15 Carolina Criminal Justice Fellows Program participants selected on or after that date.

16 17 **PART V. ESTABLISH CRISIS INTERVENTION TEAMS**

18 **SECTION 5.1.** G.S. 15A-401 is amended by adding a new subsection to read:

19 "(h) Crisis Intervention Team Requirement. – In order to assist law enforcement officers
20 in the safe and efficient execution of the provisions of this section, all law enforcement agencies
21 in the State shall designate specially trained law enforcement officers to be a part of an agency
22 Crisis Intervention Team. Each Crisis Intervention Team member shall be trained in how to
23 determine whether a person is experiencing a mental or behavioral health crisis and what methods
24 are available to de-escalate or otherwise safely engage in interactions with a person experiencing
25 a mental or behavioral health crisis.

26 In order to remain eligible for Governor's Crime Commission grants, all law enforcement
27 agencies in the State shall have established a Crisis Intervention Team pursuant to this subsection
28 no later than December 1, 2024."

29 **SECTION 5.2.** Funds for Crisis Intervention Team Training. – There is appropriated
30 from the General Fund to the Department of Justice the sum of two hundred fifty million dollars
31 (\$250,000,000) to provide grant funds to law enforcement agencies for Crisis Intervention Team
32 training required by Section 5.1 of this Part.

33 **SECTION 5.3.** Section 5.2 of this Part becomes effective July 1, 2022. The
34 remainder of this Part is effective when it becomes law.

35 36 **PART VI. SEVERABILITY CLAUSE AND EFFECTIVE DATE**

37 **SECTION 6.1.** If any Part, section, or provision of this act is declared
38 unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or
39 any portion other than the portion declared to be unconstitutional or invalid.

40 **SECTION 6.2.** Except as otherwise provided, this act is effective when it becomes
41 law.