

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 589
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40349-ML-51B

Short Title: The Second Look Act.

(Public)

Sponsors: Representative Morey.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO IMPLEMENT CRIMINAL SENTENCE REDUCTION REFORM.

Whereas, there are nearly two million people in American prisons and jails, a five hundred percent (500%) increase over the past fifty years; and

Whereas, research has repeatedly shown that lengthy prison sentences do not significantly deter crime and instead divert resources away from essential public safety services (The Sentencing Project); and

Whereas, North Carolina's correction spending—including prisons as well as probation and parole—has nearly quadrupled over the past two decades, making it the fastest-growing budget item after Medicaid; and

Whereas, North Carolina's prisons are chronically understaffed, with thirty-nine percent (39%) of positions vacant as of April 2024; and

Whereas, one-third of the prison population is over the age of 55, and decades of data shows a steep decline in crime at about age 35; and

Whereas, incapacitation is a costly way to deter future crimes by aging individuals who already are less likely to commit those crimes by virtue of age and cost eight percent (8%) more to incarcerate than their younger counterparts; Now, therefore, The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known as "The Second Look Act."

SECTION 2. Article 83 of Chapter 15A of the General Statutes is amended by adding a new section to read:

"§ 15A-1357. Modification of an imposed term of imprisonment.

(a) Notwithstanding any other provision of law, an individual serving a term of imprisonment pursuant to G.S. 20-179 or Article 81B or 82 of this Chapter, except those sentenced to life imprisonment, may file a motion for appropriate relief in accordance with Article 89 of this Chapter for a modification of the person's sentence pursuant to the authority granted in this section.

(b) Notwithstanding any other provision of law, the court shall reduce a term of imprisonment imposed upon a defendant for an offense if:

(1) The defendant was sentenced pursuant to G.S. 20-179 or Article 81B or 82 of this Chapter and has served at least (i) 10 years in prison or (ii) fifty percent (50%) of the sentence imposed if the sentence was for 10 years or less.

(2) The court finds, after considering the factors set forth in subsection (c) of this section, that the defendant is not a danger to the safety of any person or the community and that the interests of justice warrant a sentence modification.



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1 (c) The court, in determining whether to reduce a term of imprisonment pursuant to
2 subsection (b) of this section, shall consider any of the following:

3 (1) The defendant's age at the time of the offense.

4 (2) The history and characteristics of the defendant.

5 (3) Whether the defendant has substantially complied with the rules of the
6 institution to which he or she has been confined and whether the defendant
7 has completed any educational, vocational, or other program, where available.

8 (4) Whether the defendant has completed any behavioral health treatment or
9 stabilization.

10 (5) Any report or recommendation received from the district attorney in the
11 prosecutorial district in which the conviction was entered.

12 (6) Whether the defendant has demonstrated maturity, rehabilitation, and a fitness
13 to reenter society sufficient to justify a sentence reduction.

14 (7) Any statement provided orally or in writing pursuant to G.S. 15A-832.1(c) by
15 a victim of the offense for which the defendant is imprisoned or by a family
16 member of the victim if the victim is deceased.

17 (8) Any reports of physical, mental, or psychiatric examinations of the defendant
18 conducted by licensed health care professionals.

19 (9) The defendant's family and community circumstances at the time of the
20 offense, including any history of abuse, trauma, or involvement in the child
21 welfare system.

22 (10) The extent of the defendant's role in the offense and whether, and to what
23 extent, an adult was involved in the offense.

24 (11) The diminished culpability of juveniles as compared to that of adults, and the
25 hallmark features of youth, including immaturity, impetuosity, and failure to
26 appreciate risks and consequences, which counsel against sentencing them to
27 lengthy terms in prison, despite the brutality or cold-blooded nature of any
28 particular crime.

29 (12) Any other information the court deems relevant to its decision.

30 (d) A motion for appropriate relief filed pursuant to this section shall not be granted or
31 denied without a hearing held in accordance with Article 89 of this Chapter.

32 (e) Any defendant whose sentence is reduced under this section shall be resentenced
33 pursuant to G.S. 20-179 or Article 81B or 82 of this Chapter, as applicable."

34 **SECTION 3.** This act becomes effective December 1, 2025, and applies to motions
35 for appropriate relief filed on or after that date.