1997-98

INTERIM

JOINT APPROPRIATIONS - JUSTICE & PUBLIC SAFETY COMMITTEE

MINUTES

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

1997-98 INTERIM STUDY

CHAIRMEN

Representative Larry Justus
Representative Gregg Thompson
Representative Joe Kiser
Senator Wib Gulley

STAFF

Jim Mills, Fiscal Research
Charles Perusse, Fiscal Research
Elisa Wolper, Fiscal Research
Andy Willis, Fiscal Research
Sean Dail, Bill Drafting
Beth Barnes, Bill Drafting

Clerks

Carol Resar
Carolyn Justus

JOINT MEETINGS OF THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY 1997-98 INTERIM

October 21, 1997	Book 1
October 22, 1997	Book 1
October 23, 1997	Book 1
November 18, 1998	Book 1
November 19, 1998	Book 1
November 20, 1998	Book 1
December 16, 1998*	Book 1
December 17, 1998	Book 2
December 18, 1998*	Book 2
January 20, 1998	Book 2
January 21, 1998	Book 2
January 22, 1998	Book 2
February 17, 1998	Book 2
February 18, 1998	Book 3
February 19, 1998	Book 3
March 17, 1998	Book 3
March 18, 1998	Book 3
March 19, 1998	Book 3
April 21, 1998	Book 3
April 22, 1998	Book 3
April 23, 1998	Book 3

* House meeting only

APPROPRIATIONS/SUBCOMMITTEE ON JUSTICE & PUBLIC SAFETY
1997-98 INTERIM

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Sen. Wib Gulley, Chair
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715-3036

Sen. Frank Ballance
Vice-Chair
Room 523
715-3032

Sen. Don East
Ranking Minority
Room 521
733-5655

Sen. John Blust
Room 1117
733-7850

Sen. Tony Rand
Room 300-C
733-9892

Sen. Allen Wellons
Room 1026
733-5850

Carol Resar, Clerk 715-3036

Jim Mills, Fiscal Research 733-4910
Charles Perusse, Fiscal Research 733-4910
Elisa Wolper, Fiscal Research 733-4910
Andy Willis, Fiscal Research 733-4910

Beth Barnes, Bill Drafting 733-6660
Sean Dail, Bill Drafting 733-6660

outstanding contracts for the housing of State prisoners entered into under the authority of this section. The report shall be submitted to the Council of State, the Department of Administration, the Joint Legislative Commission on Governmental Operations, and the Joint Legislative Corrections and Crime Control Oversight Committee. In addition to the report, the Department of Correction shall provide information on contracts for the housing of State prisoners as requested by these groups."

(f) All reports directed by this act to be made to the Joint Legislative Corrections Oversight Committee shall be made to the Joint Legislative Corrections and Crime Control Oversight Committee. The Revisor of Statutes shall substitute any remaining references in the General Statutes to the Joint Legislative Corrections Oversight Committee with the Joint Legislative Corrections and Crime Control Oversight Committee.

(g) This section is effective when this act becomes law.

PART XXII. GENERAL ASSEMBLY

Requested by: Senators Plyler, Perdue, Odom, Representatives Ives, McCombs, Sherrill

ANALYSIS OF STATE BUDGET DURING THE INTERIM

Section 22. (a) The President Pro Tempore of the Senate shall authorize the standing Appropriations Committees and standing Appropriations Subcommittees of the Senate and the Speaker of the House of Representatives shall authorize the standing Appropriations Committees and standing Appropriations Subcommittees of the House of Representatives to meet separately or jointly during the interim between the Regular 1997 and 1998 Sessions of the General Assembly to review matters related to the State budget, the organization of State government, and any other matter as they deem appropriate. The review shall include, but not be limited to, an analysis of the budget of each agency to determine:

(1) The cost savings that could be realized from improvements in administrative structure, practices, and procedures in State agencies;

(2) Ways to increase efficiency in budgeting and use of resources; and

(3) Instances in which functions of agencies are duplicative, overlapping, obsolete, incomplete in scope or coverage, or fail to accomplish legislative objectives, and should be abolished, transferred, or modified to accomplish cost savings.

(b) The President Pro Tempore of the Senate shall appoint an oversight committee comprised of the Senate Appropriations Committee Chairs and one member of each Senate Appropriations Subcommittee and the Speaker of the House of Representatives shall appoint an oversight committee comprised of the House Appropriations Committee Chairs and one member of each House Appropriations Subcommittee to meet separately or jointly to oversee the work of the Appropriations Committees and Subcommittees during the interim.

Requested by: Senator Perdue, Representatives Ives, McCombs, Sherrill

HEALTH CARE OVERSIGHT COMMITTEE

Section 22.1. (a) Of the funds appropriated in this act to the General Assembly, the sum of fifty thousand dollars ($50,000) for the 1997-98 fiscal year and the sum of fifty thousand dollars ($50,000) for the 1998-99 fiscal year shall be allocated by the Legislative Services Commission for the Joint Legislative Health Care Oversight Committee established under subsection (b) of this section.

ATTENDANCE

COMMITTEE: Appropriations Subcommittee on Justice and Public Safety - Interim Meetings 1997-98

ATES / NAMES	10/22/97	10/23	11/18	11/19	11/20	12/16	12/18	1/26	3/17	3/19	4/22						
Sen. Wib Gulley, Chair																	
Sen. Frank Ballance, Vice-Chair																	
Sen. Don East, Ranking Minority																	
Senator John Blust																	
Senator Tony Rand																	
Senator Allen Wellons																	
Rep. Larry Justus, Chair	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓						
Rep. Gregory Thompson, Chair	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓						
Rep. Joe Kiser, Chair	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓						
Rep. Paul McCrary	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	.						
Rep. Edwin Hardy	✓	✓			✓	✓			✓	✓	.						
Rep. Ted Kinney			✓	✓	✓	✓	✓	✓	✓		.						
Rep. David Redwine	✓	✓	✓	✓	✓	✓	✓	✓	✓		.						
Rep. Wayne Sexton	✓	✓	✓	✓	✓	✓	X	✓	✓	✓	✓						
Rep. Ronald Smith	✓	✓	✓	✓	X	✓	✓	✓	✓		✓						
Rep. Jim Crawford			✓	✓			✓	✓	✓		✓						
Easterling	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓						
Neely																	

SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY – INTERIM MEETING

Tuesday, October 21, 1997 10:30 A.M.

Room 612, Legislative Office Building

AGENDA

AM

1. **Call to Order**

Co-Chairmen: Senator Wib Gulley, Presiding

Representative Larry Justus
Representative Gregg Thompson
Representative Joe Kiser

2. Discussion of Interim Budget Process and Interim Plan due in November

House and Senate Subcommittee Chairs

3. Review of Logistics for October 21-23 and List of Reports in JPS Area

Fiscal Research Staff

4. Overview of Major General Assembly Budget Actions in Justice and Public Safety Area – Funding and Provisions.

Fiscal Research Staff

JPS Departments

PM

1. Continue Overview of JPS Budget (if necessary).

Fiscal Research Staff

2. Agency Reports

Status of Out-of-State and Jail Housing; Jail Backlog

Gregg Stahl, Assistant Secretary, Department of Correction

3. Begin Overview of DOC Capital Budget and Projects

- DOC Capital Funding History/1997 Capital Funding and Provisions

  Jim Mills
  Fiscal Research Division

- Status Report on DOC Prison Projects

  Speros Fleggas, Director, Office of State Construction

- Review of 1997-98 Funding for Planning of Alexander Facility

  Lynn Phillips, Assistant Director, Department of Correction

  Robert Powell, Deputy Director, Office of State Budget and Management

4. Overview of DCI Terminal Rentals for state and local law enforcement access to criminal history information and overview of criminal history system.

Department of Justice

Ron Hawley, Director, Division of Criminal Information;

5. Committee Discussion/Other Business

6. Adjournment

NOTE: WEDNESDAY OCTOBER 22 AT 9:00 AM – CENTRAL PRISON CONFERENCE ROOM

MINUTES
SENATE AND HOUSE JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
OCTOBER 21, 1997

The Senate and House Joint Appropriations Subcommittee on Justice and Public Safety met at 10:00 am on Tuesday, October 21, 1997 in Room 612 of the Legislative Office Building. Representatives Justus, Thompson, Kiser, McCrary, Hardy, Kinney, Redwine, Sexton, Crawford, Easterling and seven Senators were present. Senator Wib Gulley, Chairman, presided.

First, Senator Gulley made a few opening remarks and then asked Representative Justus, Committee Co-chair, to give his opening remarks.

Next, Jim Mills, Fiscal Analyst, reviewed for the Committee the agenda for the three-day meeting in October. With regards to the trips to Central Prison on Wednesday and Women's Prison on Thursday, it was decided that everyone will ride the bus provided by the prison system. Next, Mr. Mills went over the four handouts in the General Information tab in the members' notebooks.

The first handout to be reviewed was Recommended and Final Budget (see Handout #` attached). In the Corrections portion of the budget, Mr. Mills highlighted items #1, Out of State Housing of Inmates; #2, County Jail Contracts; #9 Further Reduction in Inmate Food Cost; #16, Private Prisons-Substance Abuse; #25, Close GPAC Prison Units; #27, Title VII Program-Reserve Fund; and #34, County Jail Reimbursement. Mr. Mills reminded the Committee that most of the Corrections' budget was reductions ($60 million) with only a few expansion items.

Representative Redwine asked a question about item #16 Private Prison Beds and the overcrowding at Women's Prison. After Mr. Gregg Stahl, Assistant Secretary with the Department of Corrections, responded. Senator Gulley asked him to provide the Committee the size of the waiting list for drug treatment beds, if there is one, and what can be done to eliminate the waiting list.

Next, Mr. Mills reviewed the special provisions in the budget for the Department of Corrections, which are found on page I-7 of Handout #1. Mr. Stahl told the Committee that there were 1899 women in the prison system and that the North Carolina

Correctional Institute for Women was a multi-level security facility from maximum to minimum security levels.

Next, Ms. Elisa Wolper, Fiscal Analyst, was asked by Senator Gulley to give an overview of the budget items pertaining to the Community Corrections programs which are found on page I-5 of Handout #1. She highlighted item #29, Reduce Reserves for Structured Sentencing and item #7, Adjust Operating Budget for Probation and Parole. Representative Kiser asked about the officer ratio for intermediate and intensive cases. Ms. Wolper responded that the caseload this year for intermediate officers is 80:1 and the second year it will be 70:1, and for intensive officers it is 26:1 this year and 25:1 the second year of the biennium.

Representative Kiser then asked how many people were in the alternative punishment programs. Ms. Wolper responded that 115,000 were and that this number was steady but the mix of how many are in each type of program changes.

After Ms. Wolper went through the budget items, she reviewed the special provisions in the budget that deals with the Community Corrections programs. These are items #19.9, 19.24, and 19.9 on page I-9 in Handout #1.

Next, Senator Gulley asked Mr. Stahl to give the Committee a report on the Out-of-State Housing of Inmates (Handout #2 attached). Representative Justus asked about the ability of the prisons to receive prisoners. Mr. Stahl said there was some difficulty getting people out of the diagnostic centers and into the prison facilities. It was then asked how many beds were available and Mr. Stahl replied none.

Next, Mr. Stahl reviewed the County Jail Housing of Inmates (Handout #3 attached). He told the Committee that most of the county jails receive $40 per day for these beds. Durham receives less because it has maximum security inmates and the state prison system sends its own staff over to the jail, so Corrections only pays for the facility, not for the staff at the county jail. Mr. Stahl also told the Committee that there was a shortage of minimum security beds because most of the new beds are medium and close custody beds. By June 30, 1998 there should be a 33,522 bed capacity and the projected population will be 31,762. Further, during 1998-99, 4,300 extra beds will be available depending on the laws passed during the Short Session in 1998. Senator Odom asked what was the number of county beds the state could use. Mr. Stahl replied 500.

Next, Mr. Stahl reviewed Recommended Location of 21 New Modular Units (Handout #4 attached). Mr. Stahl was asked to explain the difference between maximum operating capacity (MOC) and standard operating capacity (SOC). He stated that MOC was 130% of capacity and 36 square feet per inmate while SOC was 50 square feet per inmate.

After a brief discussion regarding operating at MOC, Mr. Stahl updated the Committee on the GPAC Prison Consolidation Facilities (Handout #5 attached). Senator Gulley asked Mr. Stahl if the "Daily Cost Per Inmate" figure could be done on a six-months

basis rather than a fiscal year so the Committee could have a more current figure before Short Session. Mr. Stahl said that could be provided.

The Committee broke for lunch at 12:20 p.m. to reconvene at 1:30 p.m.

After the lunch break, Senator Gulley asked Mr. Andy Willis, Fiscal Analyst, to highlight the budget items and special provision items for Crime Control and Public Safety. These items are found beginning on page I-13 of Handout #1 attached.
Next, Mr. Willis went over the Justice Department budget items in Handout #1 beginning on page I-25. He told the Committee that most of the additional money went to the SBI. Items #85-88 were cuts to the budget. Representative Thompson asked if the October 1, 1997 positions filled. Ms. Jane Gray with the Justice Department responded that they are not but the process to fill them is under way.

Senator Odom asked Ms. Gray for a sex offender registry update. She responded that the state registry is still a paper transmission type of operation and that all 50 states have some form of registry. Also, the national registry would be computerized. Senator Odom then asked for another update at the November meeting. Senator Ballance asked if a person who was in prison when the law was passed needed to register. Ms. Gray replied that yes they did upon release, but a sex offender who was released before the law was passed does not have to register.

Senator East then asked Ms. Gray how many SBI agents there were and how their raise is calculated. Ms. Gray stated that there were between 350-360 agents. Their raise was based on time served times a fixed rate for each year, but there was a cap for their salary.

Next, Mr. Charles Perusse, Fiscal Analyst, highlighted the Judicial Department budget items which are found on page I-16 of Handout #1. Mr. Perusse told the Committee that items 54-84 were expansion budget items. Mr. Cameron with the Judicial Department further responded to the Committee's questions. Mr. Perusse then reviewed the special provisions in the budget for the Judicial Department which begin on page I-21 of Handout #1.

Senator Gulley next asked Mr. Mills to review the Department of Correction-Capital Budget (Handout #6 attached).

Next, Mr. Speros Fleggas, Director of Office of State Construction, gave the Committee an update of the construction projects (Handout #7 attached). Representative Kiser asked the Fiscal Staff to get the Committee a comparison of square foot/bed cost from other states so a comparison with North Carolina could be made, if it were possible. Representative Sexton asked if the state was using inmate labor for these construction projects. Mr. Fleggas replied that they were being used at three projects, a female BOOT camp and two work farms.

Representative Thompson asked the Fiscal Staff to look into the furniture line item for these facilities and other state buildings when a new one is opened or a new position is established and an office needed to be supplied. Also, with regard to costs, Senator East asked why there was a wide variance in the per foot cost from $60 to $160 per square foot. Mr. Fleggas responded that the bids are done at different times and the scope of the projects are not the same.

Next, Mr. Lynn Phillips, Assistant Director with the Department of Corrections, addressed the Committee regarding the Alexander County facility. He told the Committee that on September 22, 1997, the Alexander County Commissioners voted that they were not interested in this prison facility in Alexander County (Handout #8). Representative Thompson stated that he did not want the state to spend anymore money on this facility until the issue is resolved. Mr. Fleggas told the Committee that the money spent to date was for programming which needed to be done regardless of location and the money was, therefore, not wasted. Senator Gulley asked if there was a good reason to pursue the placement of this facility in Alexander County. Representative Justus asked who in Alexander County invited the Department of Corrections into the county in the first place. Mr. Phillips responded that the County Commissioners had invited them in, but since that time there has been a change in the Commissioners. Mr. Phillips also said the city of Taylorville would like the prison there but the land they have available was outside the city limits and in the county.

Senator Ballance then moved to direct the Department of Corrections to seek alternative sites in the same region if Taylorville could not provide land inside the city limits. Motion carried.

Next, Representative Thompson asked for a status report on the Davis facility closing. Mr. Stahl reported that the inmates have all been relocated, all the employees were relocated at their desired facility except two employees had to accept their second choice location, and the Enterprise Programs were relocated. Representative Thompson asked for the exact date of the closing.

Item #4 on the afternoon agenda, the Overview of DCI Terminal Rentals was rescheduled for the November meetings.

The meeting was adjourned at 3:30 p.m.

Senator Wib Gulley, Chair

Carol Resar, Committee Clerk

Handout #1
10-21-97

Correction

Statutory Authority: Statutory Authority: General Statutes, Chapter 143B-260

The head of the Department is the Secretary who is appointed by the Governor and who sits on the Governor's Cabinet. The Department's responsibilities are to punish criminal offenders by incarceration or by imposing probation or parole and to provide humane treatment by classifying offenders within appropriate levels of security and by providing opportunities for self-improvement.

	GENERAL FUND			
	FY 97-98		**FY 98-99**	
Recommended Budget	**$889,010,472**		**$925,266,138**	
Legislative Changes				
1 Out of State Housing of Inmates The Governor recommended eliminating all funds in the continuation budget for housing inmates out of state on the premise that the inmates would be returned to North Carolina prisons at the end of 1996-97. However, upon further review, it was determined that inmates will not be returned until December, 1997 due to lack of State prison bedspace. The net result is that an additional $4,262,500 is needed to fund out of state contracts so only $16.557 million can be reduced the first year of the biennium.(SB 352, Sec. 19.1, p. 366)	($16,557,256)	R	($20,819,756)	R
2 County Jail Contracts The Governor recommended eliminating continuation funding for contracting with county jails to house State inmates on the premise that adequate bedspace would be available in State prisons in 1997-98. However, upon further review it was noted that adequate bedspace will not be available until the end of 1997-98. Therefore, the $5,818,800 in the continuation budget is needed in 1997-98 for county jail contracts. (SB 352, Sec. 19.1, p. 366)			($5,818,800)	R
3 Reserve for Private Beds One-time reduction in the operating reserves for the two 500 bed private prisons. Delays in signing the final contracts have pushed back prison completion dates and delayed the need for a portion of the 1997-98 funding. Full funding is authorized in the 1998-99 budget.	($2,900,000)	NR		
4 Reserve for Operating New Prisons One-time reduction in 1997-98 operating reserves due to delays in completion of the Avery/Mitchell prison and the Albemarle Prison.	($9,500,000)	NR		

5 Reduction in Inmate Food Budget The Governor recommended a $5,000,000 reduction in the inmate food budget due to system efficiencies that have lowered the cost per meal. (SB 352, Sec. 19.20, p.373)	($5,000,000)	R	($5,000,000)	R
6 Reserve for Repeal of Prison Cap In 1995, in anticipation of inmates staying in prison longer due to repeal of the prison cap, the General Assembly authorized funding for DOC to add prison beds -- both inside and outside of the State prison system. The funds remaining in the reserve, approximately $2.1 million dollars, are for operating additional beds at Pasquotank, Central Prison and Marion. The reduction is based on over-estimating the total amount of funds needed when the budget was originally projected in 1995.	($500,000)	R	($500,000)	R
7 Adjust Operating Budget for Probation and Parole The operating budget was adjusted to a more realistic level of need. Line items affected include employee travel and per-diem, postage and printing, supplies, repairs, misc. contracts and materials.	($3,700,000)	R	($3,700,000)	R
8 Title VII Program In response to a federal lawsuit, the 1995 General Assembly funded 17 positions to implement and monitor improved recruitment, hiring, and promotional practices for females in the Department of Correction. The program has been fully implemented and reductions in positions and support are possible based on documented improvements in personnel practices.	($150,000) -2.00	R	($150,000) -2.00	R
9 Further Reduction in Inmate Food Cost Further reduction in the inmate food budget due to a more realistic projection of inmate average daily population during the 1997-99 biennium and to anticipated system efficiencies (e.g. statewide automation of food inventory system; newly standardized menus) that have lowered the cost per meal to 83 cents. (SB 352, Sec. 19.20, p. 373)	($3,124,828)	R	($5,358,432)	R
10 Reduce Staff at Parole Commission Eliminate 6 positions at the Post-Release Supervision and Parole Commission due to declining numbers of inmates eligible for parole. These positions include 4 vacancies (2 clerical, 1 analyst and a special projects manager), 1 additional analyst and 1 additional clerical position. The elimination of nonvacant positions is effective October 1, 1997. (SB 352, Sec 19.9, p. 370)	($166,995) -6.00	R	($183,820) -6.00	R
11 Reserve -- Repeal Prison Cap -- Further Reduction Additional funds that should have been deleted from the Prison Cap reserve were identified. Total reduction will be $579,568.	($79,568)	R	($79,568)	R

12 Title VII Program -- Further Reduction	($276,797)	R	($276,797)	R
The Governor reduced this program by $150,000, including two positions. An additional reduction of 7 positions is possible because the department has made significant progress in hiring, recruitment and promotion of females. The program will retain eight positions to monitor department wide progress. (Span of Control Study)	-7.00		-7.00	
13 Modular Housing -- Reduce Reserve				
One-time reduction in reserve in 1997-98 due to delays in purchasing and siting modular housing units.	($543,132)	NR		
14 Operating Cost for Inmate Work Crews				
Fourteen inmate work crews are to be established at prison units where modular housing will be placed. Delays in siting modular units will delay starting the work crews so a one-time reduction in operating costs can be taken.	($70,000)	NR		
15 Custody and Classification Unit	($219,935)	R	($519,935)	R
Reduce staffing from 17 positions to 10 since this unit will no longer be handling classification and movement of inmates housed out of state after inmates are returned to State prisons in December, 1997. The 1998-99 reduction includes elimination of $300,000 for airfare for returning inmates from out of state prisons since they will be returned in 1997-98. (Span of Control Study)	-7.00		-7.00	
16 Private Prisons -- Substance Abuse	($2,200,000)	R	($2,200,000)	R
The General Assembly authorized funding in 1994 to contract for 500 private prison treatment beds. To date, only contracts for 350 of the beds have been awarded. DOC indicates that with the impact of Structured Sentencing it will be difficult to keep 500 minimum security pre-release treatment beds full. It is recommended that a major potion of the funding for the additional 150 beds be eliminated, with a portion of the funds to be reallocated to a Reserve for Substance Abuse -- $527,806 in 1997-98 to support DART-DWI (Cherry Hospital) aftercare programs and to conduct an evaluation study of DOC substance abuse programs and $454,715 in 1998-99 for Dart - DWI aftercare programs (Cherry Hospital).(SB 352, Sec. 19.23, p.374)				
17 Prison Operating Reserve -- 87.5 Million Bond	($1,326,927)	R	($1,326,927)	R
Reduce positions and operating support for prisons constructed with funds from 1993 Bond. Reductions are based on reducing management levels and increasing employee to supervisor ratios as recommended in the Span of Control Study.	($1,288,633) -14.00	NR	-14.00	
18 Prison Operating Reserves	($1,436,110)	R	($1,436,110)	R
Two actions were taken to reduce this reserve - recurring reductions based on the Span of Control Study and non-recurring reductions based on delays in prison completion for Impact East (Female) and Albemarle and Avery/Mitchell.	($962,897) -30.00	NR	-30.00	

19 Span of Control Study -- Department-wide Eliminate 18 positions department-wide. These positions were identified as part of the Span Of Control Study.	($1,059,349) -18.00	R	($1,059,992) -18.00	R
20 Polk Youth Institution Reduce inmate operating costs for old prison (food, clothing, medical).	($1,320,181)	R	($1,320,181)	R
21 Private Prisons Reserve -- Further Reduction The Governor reduced this reserve by ($2,900,000) due to delays in signing private prison contracts which changed construction completion dates. An additional one-time reduction was taken based on a revised completion date for the two 500 bed facilities. Dates were changed from 2/98 to 5/98 for Pamlico and 5/98 to 8/98 for Avery/Mitchell. The construction/lease contract has now been signed.	($1,646,952)	NR	($641,824)	NR
22 Reimbursement for Housing Aliens Correction receives funding from the federal government for housing inmates who are illegal aliens. The DOC anticipates additional federal funds so the General Fund can be reduced to reflect increased receipts.	($670,000)	R	($670,000)	R
23 Salary Reserve Reduce salary reserve (funds generated by filling positons at salaries lower than budgeted).	($628,000)	R	($628,000)	R
24 Health Services Budget Based on revised projections of the average daily prison population,the Correction Health Services budget can be reduced. (SB 352, Sec. 19.20, p. 373)	($2,357,972)	R	($3,088,686)	
25 Close GPAC Prison Units The General Assembly has closed or converted 16 of the 30 prison units originally identified in the GPAC study as being costly and inefficient to operate. It is recommended that Davie Correctional Center, which cost $89.40 per day to operate in 1995-96 compared to the statewide average of $62 for medium security units, should be closed effective November 1, 1997. (SB 352, Sec. 19.4, p. 367)	($1,345,894) -58.00	R	($1,935,355) -58.00	R
26 Guilford Diagnostic Center Due to declining prison admissions,the General Assembly closed one inmate intake and diagnostic center in 1996-97 -- Southern Reception Center. The decline in admissions has continued and one additonal diagnostic center is recommended for closing.	($112,510) -5.00	R	($133,275) -5.00	R
27 Title VII Program -- Reserve Fund The General Assembly authorized a $5.5 million dollar reserve for payment to claimants as part of the settlement of the Title VII lawsuit. Since the settlement is not yet final, it now appears that it will be 1998-99 before all claims are received and paid. Therefore the amount needed to pay claims cannot be determined at this time. (SB 352, Sec. 19.18, p. 372)	($5,500,000)	NR		

28 Salary Reserve -- Further Reduction This additonal reduction would still leave Correction with approximately 25% of their salary reserve.	($872,000)	R	($872,000)	R
29 Reduce Reserves for Structured Sentencing Reduction of amount in reserves for new probation parole staff due to structured sentencing. The Governor recommended $9,549,573 in 1997-98 and $12,931,298 in 1998-99 to expand staff. The cost is reduced because of changes in the projected supervised population and to reflect a phase-in of the intermediate punishment officer reduced caseloads. Target statewide caseloads for intermediate officers will fall to 80 in 1997-8 and 70 in 1998-9. Funding will allow addition of 25 intensive teams, 145 officers, 21 clerks and 17 chief probation parole officers. Positions will be phased in between October 1, 1997 and January 1, 1998.	($1,483,406) ($211,453) -15.00	R NR	($2,728,420) ($213,618) -47.00	R NR
30 ECO, Inc. Aftercare Program Funds to establish a transitional residential program in Mecklenburg County for women leaving prison.The program will be run by Energy Committed to Offenders, Inc.	$100,000	NR		
31 Additional Road Squads Funding to add additional medium security inmate road squads at prisons recently completed or opening in 1997-98 -- Hyde and Warren -- as well as Wayne Corectional Center. These road squads will be assigned to work with the Department of Transportation to help maintain the state's highways. The recurring funds are for correctional officers to supervise these medium security inmates (Ratio of 1 officer for every four inmates). Positions are effective 11/1/97. (SB 352, Sec.19.16, p. 371)	$515,915 $400,000 27.00	R NR	$781,689 27.00	R
32 Women at Risk Program Funds for the Women at Risk Program based in Buncombe County to provide non-residential treatment and supervision for female probationers. The program has been supported with nonrecurring funds since 1994-5. (SB 352, Sec. 19.12, p. 370)	$125,000	R	$125,000	R
33 Additional Supervision for Sex Offenders Funds for 6 additional probation parole officers to allow closer supervision of sex offenders. Additional staff will allow some officers to carry lower caseloads. Positions begin December 1, 1997.	$150,843 $34,632 6.00	R NR	$258,588 6.00	R
34 County Jail Reimbursement -- State Misdemeanants County jails are required by statute to house state misdemeanants with sentences of 30 to 90 days. County jails are reimbursed at the rate of $14.50 a day for each inmate. Funds provided would enable the State to increase the payment from $14.50 to $18.00 a day, effective September 1, 1997. First year payments will be from funds available to the Department, with amount needed estimated at $1,587,419. (SB 352, Sec. 19.21, p. 373)			$1,912,553	R

35 Reserve for Enhanced Criminal Penalties

Reserve for funding additional prison beds, if needed, due to criminal penalty bills included in this budget. Bill effective dates are 12/1/97; any potential fiscal or bed impact would be in 1998-99. (SB 352, Sec. 19.25, p. 375)

$135,000 NR

Total Legislative Changes	**($43,795,970)**	**R**	**($56,728,224)**	**R**
	($22,088,435)	**NR**	**($720,442)**	**NR**
Total Position Changes	-129.00		-161.00	
Revised Budget	**$823,126,067**		**$867,817,472**	

Special Provisions:

1997 Session: Senate Bill 352

Department: Correction

Section: 19

Title: Reimburse Counties for Housing and Extraordinary Medical Costs for Inmates, Parolees, and Post-Release Supervisees Awaiting Transfer to State Prison System

Summary: Continues 1996 provision authorizing payment to counties from DOC available funds for the cost of housing state inmates who are backlogged in county jails. Changes in 1997: (1) authorizes payment for offenders whose parole or post release supervision is revoked; and (2) requires DOC to report to Governmental Operations prior to exceeding expenditure of $6.5 million in 1997-98 and $4 million in 1998-99.

Section: 19.1

Title: Inmate Housing Funds

Summary: Authorizes DOC to use available funds to pay for contracts to house state inmates out-of-state or in county jails if money appropriated in continuation budget for 1997-98 is insufficient. DOC cannot exceed total expenditure of $1 million in available funds without first reporting to Governmental Operations. First source of available funds is to be any prison reserves not needed due to delays in opening new prisons. DOC is also required to report quarterly to various legislative oversight committees on the status of these contracts.

Section: 19.2

Title: Exemption from Licensure and Certificate of Need

Summary: Continues 1996 provision that exempts DOC private substance abuse facilities from DHR licensure and certificate of need requirements since these facilities operate as minimum security prisons.

Section: 19.3

Title: Limit Use of Operational Funds

Summary: Continues provision from previous years that specifies that funds appropriated for operating prisons must be used for purposes set forth in budget by General Assembly. Also specifies that personnel for these facilities shall not be hired until 90 days before completion, except for certain management, security, and support positions.

Section: 19.4

Title: Use of Facilities Closed Under GPAC / Plan for Efficient Operation of Division of Prisons

Summary: Directs DOC to consult with the appropriate county or municipality or any involved private or non-profit firm about the potential of converting a prison unit due to be closed to other uses. Allows DOC, under existing law, to transfer or lease these units to any of these entities. Also exempts prison unit under lease as a county jail from DHR jail standards if standard exceeds those required of a state prison unit. Provision also requires various reports on lease, transfer, and conversion activities and requires DOC to prepare and present a long range plan for the closing, conversion or consolidation of prison units or diagnostic centers by April 1, 1998.

Section: 19.5

Title: Federal Grant Reporting

Summary: Continues provision that requires state Justice and Public Safety agencies to report to the appropriate committees on any federal grant funds received or pre-approved. Added language in 1997 that requires these agencies to identify agency or local programs that will be requesting state funding when federal grant expires.

Section: 19.6

Title: Harriet's House Funds / Funds Shall Not Revert

Summary: Specifies that funds appropriated to Harriet's House may be used for program operating costs, equipment purchase and rental of real property. Also specifies that funds appropriated for Harriet's House in FY 1996-97 shall not revert. Requires the program to report to Governmental Operations by December 1, 1997 and May 1, 1998 on the expenditure of state funds and the effectiveness of the program.

Section: 19.7

Title: Report on Summit House / Funds Shall Not Revert

Summary: Specifies that funds appropriated for Summit House in FY 1996-97 shall not revert. Requires the program to report to Governmental Operations by December 1,1997 and May 1,1998 on the expenditure of state funds and the effectiveness of the program. Also requires Summit House to report by December 1,1998 to Governmental Operations on possible expansion of the programs in Guilford and Mecklenburg Counties, on expansion to other communities, and on the status of the Wake County program.

Section: 19.8

Title: Modification of Funding Formula for the North Carolina State-County Criminal Justice Partnership Act

Summary: Allows funds carried over from the 1996-97 fiscal year to be used for implementation as well as discretionary grants. Also redefines eligible offenders to include parolees as well as probationers and offenders on post release supervision.

Section: 19.9

Title: Post-Release Supervision and Parole Commission / Report on Staffing Reorganization and Reduction

Summary: Requires the Post Release Supervision and Parole Commission to report to various legislative oversight committees on a staffing reorganization and reduction plan that includes a transition plan for a minimum 10% reduction in staff from 1997-98 to 1998-99.

Section: 19.10

Title: Federal Matching Funds

Summary: Allows funds appropriated for prison construction in the 1997-99 biennium to be used to match federal funds. Also authorizes use of these funds for prison-related construction if not needed or used as a federal match.

Section: 19.11

Title: IMPACT Defendants in DOC Facilities / Continue Bootcamp Aftercare Program

Summary: Authorizes the DOC to use up to $350,000 in funds available for 1997-98 to continue the pilot program providing treatment in the community for offenders completing the IMPACT Boot Camp program. Also removes the statutory language that specified that the Boot Camp Program was operated as a program for youthful offenders and updates the language to reflect that special conditions of probation may include a period of Post Boot Camp Supervision.

Section: 19.12

Title: Report on Women at Risk

Summary: Requires the Women at Risk program to report to Governmental Operations by December 1, 1997 and May 1, 1998 on the effectiveness of the program and the expenditure of state funds.

Section: 19.13

Title: Performance Audit of Division of Adult Probation and Parole

Summary: Requires the Office of the State Auditor to conduct a performance audit of the Division of Adult Probation and Parole and to report the results of the audit by June 1, 1998, to various legislative oversight committees.

Section: 19.14

Title: Working Hours of Employees of State Institutions

Summary: Technical change to repeal outdated G.S. 95-28 which set maximum work hours of institutional employees (DHR and DOC) and made it a criminal misdemeanor for a supervisor to authorize exceeding these limits.

Section: 19.15

Title: Transfer Rockingham Correctional Center

Summary: Directs the Department of Administration to initiate negotiations between Rockingham County and the Departments of Correction and Transportation. These negotiations are to result in an agreement on the lease or transfer and use of specified state property in the County, or other acceptable property, that meets the needs of all parties.

Section: 19.16

Title: Funding of Prison Road Squads

Summary: Requires that DOT reimburse DOC on a total cost basis, as specified in the General Statutes, for DOC's cost of providing inmate labor for Transportation road projects.

Section: 19.17

Title: Private Prison Expansion / Moratorium on Private Prisons for Out-of-State Inmates

Summary: Requires DOC to report to various legislative oversight committees by December 1, 1997 on the feasibility of expanding the two 500 bed private prisons currently under construction in North Carolina to 1,000 beds each. Also requires DOC and appropriate State departments to develop standards for housing out of state or local inmates by private prisons and restricts such housing practices until the General Assembly has acted upon the standards.

Section: 19.18

Title: Title VII Funds / Report

Summary: If the Title VII lawsuit is settled and claimants must be paid in 1997-98, DOC is authorized to use available funds for this purpose. Prior to final settlement, DOC must report on the proposed settlement to various legislative oversight committees.

Section: 19.19

Title: New Positions / Modular Units

Summary: Allows DOC to use available funds to purchase and install a new modular unit at Martin Correctional Center and to fund four temporary positions needed at Haywood and Henderson after new modulars are installed. DOC is to report to various legislative oversight committees on its progress in installing all modular units by March 1, 1998.

Section: 19.20

Title: Inmate Costs

Summary: DOC may use available funds for inmate food and medical costs if costs are anticipated to exceed the 1997-98 continuation budget and if actual inmate population exceeds projections. Prior to using available funds, DOC must report to various legislative oversight committees.

Section: 19.21

Title: Increase Reimbursement to Counties for State Inmates Housed in Local Confinement Facilities

Summary: Raises daily per diem reimbursement paid to counties for housing state inmates from $14.50 to $18.00, and authorizes DOC to use available funds to pay for the additional $3.50 a day.

Section: 19.22

Title: Use of Federal Prison Construction Grant Funds

Summary: Authorizes DOC to use federal prison construction grant funds for planning, design, and construction of specified facilities in North Carolina. Restricts amount of federal funds that can be used for certain projects until these funds have been used to complete the working drawings phase of planning and design of the Alexander and Scotland close custody prisons.

Section: 19.23

Title: Substance Abuse Funds

Summary: Authorizes the use of $527,806 in 1997-98 and $454,715 in 1998-99 from funds appropriated to DOC for private prison substance abuse beds to create a Reserve for Substance Abuse. In FY 1997-98, $60,000 of these funds will be used for an evaluation of the Department's substance abuse programs with the balance of funds each year to be used to continue the aftercare program for offenders completing the residential treatment program at DART-Cherry. The Secretary of DOC shall report by May 1, 1998 to various legislative oversight committees, on the use of funds from the reserve, the costs and benefits of the aftercare program, and the results of the evaluation of substance abuse programs.

Section: 19.24

Title: Report on DART / DWI Program at Cherry Hospital

Summary: Requires DOC to report to various legislative oversight committees by December 1, 1997 and May 1, 1998 on the DART-Cherry residential treatment program for DWI offenders. The report shall include details on the population served and on expenditures, proposed strategies for increasing utilization, and details of any planned revisions or expansions of the program.

Section: 19.25

Title: Increase Criminal Penalties

Summary: This provision makes the following modifications to the General Statutes on Criminal Penalties and appropriates $135,000 in 1998-99 for a reserve to fund additional prison costs associated with these modifications:

1. Increases the penalty for the sale of certain controlled substances.
2. Increases the penalty for certain embezzlement offenses.
3. Reclassifies the offense of accessory after the fact.
4. Increases the penalty for voluntary manslaughter to a Class D Felony.
5. Increases the penalty for certain offenses committed while incarcerated.
6. Adds to the list of aggravating factors injury to certain officials that was proximately caused by the offense.
7. Increases the penalty for establishment or operation of pyramid schemes to a Class H Felony.
8. Establishes the offenses of trespass to remove pine straw (Class 1 Misdemeanor) and theft of pine straw (Class H Felony).
9. Increases the penalty for falsely reporting a bomb to Class H Felony.
10. Adds to the list of aggravating factors that the offense was committed in association with a criminal gang.
11. Establishes the offense of using lead or aluminum lined objects to thwart anti shoplifting devices as a Class H Felony.
12. Increases the penalties for certain assaults on correctional personnel .
13. Lowers the threshold for definition of marijuana trafficking from 50 pounds to 10 pounds and increases the penalty for amounts between 50-100 pounds to a Class G Felony.

Section: 19.26

Title: Limit, Modify, and Enhance Attempting to Elude Arrest Statutues

Summary: This provision amends the General Statutes regarding Speeding to Elude Arrest, making it a Class H Felony if at least two aggravating factors are present (Class 1 Misdemeanor otherwise) and requiring license suspension or revocation, depending on the aggravating factors.

Section: 19.27

Title: Intimidation to Influence Legislator

Summary: This provision modifies the General Statutes to make it a Class F felony to threaten economically another person in order to attempt to influence a legislator.

Section: 19.28

Title: Direct Criminal Justice Education and Training Standards Commission to Revise Hiring and Record-Keeping Procedures for Employees of Department of Correction

Summary: Requires Criminal Justice Training and Standards Commission to reestablish hiring and record keeping procedures for certified Correction positions (correctional officers and probation and parole officers) by June 30, 1998.

Crime Control and Public Safety

Statutory Authority: Statutory Authority: General Statutes, Chapter 143B-475

The head of the Department is the Secretary who is appointed by the Governor and who sits on the Governor's Cabinet. The responsibility of the Department is to implement a statewide crime control program, to assist local law enforcement, and to prepare for and respond to natural and man-made disasters. The Highway Patrol which enforces the State's traffic laws is also part of this Department.

	GENERAL FUND			
	FY 97-98		**FY 98-99**	
Recommended Budget	**$33,548,678**		**$33,530,244**	
Legislative Changes				
36 Administration -- SOC-Expanded Definition Reduces funds for internship by $34,124 (Student Temporary Wages). Reduces salary reserves by $12,804. Eliminates $21,582 for Indirect Cost Receipts. All of these reductions were based on recommendations by the Span of Control Study.	($68,510)	R	($68,510)	R
37 Emergency Management -- SOC-Expanded Definition Reduce funding of Hazardous Materials Response Teams to local governments by $17,202 to amount actually needed ($382,798 remains in continuation budget).	($17,202)	R	($17,202)	R
38 Victim & Justice Services -- Span of Control Eliminate 1 supervisory position based on recommendations of the Span of Control Study.	($46,604) -1.00	R	($46,604) -1.00	R
39 Gov's Crime Commission -- SOC-Expanded Definition Reduce state agency matching funds for use by the Department of Crime Control and Public Safety or other state agencies to match Governor's Crime Commission Grants ($150,398 remains in continuation budget).	($43,797)	R	($43,797)	R
40 Crime Prevention -- Span of Control Eliminate 2 Community Development Specialists positions as recommended by the Span of Control Study.	($96,419) -2.00	R	($96,419) -2.00	R
41 Drug Enforcement Grants- State Agency Match Reduces funds by $70,398 for grant matching monies that other State departments and agencies use for Governor's Crime Commission grants relating to drug enforcement. ($80,000 remains in the continuation budget for the Department of Crime Control and Public Safety to use as their matching funds for grants.)	($70,398)	R	($70,398)	R

42 Additional Community Service Coordinators	$92,549	R	$158,665	R
Fund 5 additional community service work program coordinators to be allocated according to workload. All positions are effective 12/1/97.	$15,830	NR		
	5.00		5.00	
43 CJIN Hardware/Software	$0	R	$0	R
Provide $156,600 of recurring funds to lease equipment space and telephone lines at 30 new tower sites along the interstate highway system. Provide $2,250,000 of nonrecurring funds to establish Data Ready Base Stations, Base Station Antennas, and RF Transmission Facilities for 30 new tower sites along the interstate highway system. Also provide $1,700,000 in nonrecurrring funds for the purchase of 200 Mobile Data Computers for Highway Patrol vehicles. These computers will be added to patrol vehicles that are stationed along the interstate highway system. (All funds for these portions of the Criminal Justice Information Network project are provided by the Highway Fund.)	$0	NR	$0	NR
44 Emergency Management Personnel	$87,415	R	$149,851	R
Provides funding for 3 new positions within the Division of Emergency Management. These positions include one Planner I position, a Budget/Finance Officer position, and a Disaster Recovery Manager. Positions are effective December 1, 1997.	$27,000	NR		
	3.00		3.00	
45 Highway Patrol Helicopters	$0	R	$0	
Provide funds from the Highway Fund to move two State Highway Patrol Helicopters to Asheville and Kinston. Recurring funds for operation, maintenance, and flight time total $103,660.				
46 National Guard Maintenance Funds	$125,000	R	$125,000	R
Provide funds for repairs and maintenance of National Guard Armories. These funds will be used to address the National Guard's backlog of requests for repairs and maintenance of armories.				
47 National Guard Tuition Assistance	$100,000	R	$100,000	R
Funds to increase the amount and number of educational assistance benefits for members of the National Guard.				
48 Crimestoppers Program				
Non-recurring funds in the amount of $15,000 to fund Crimestoppers of Cumberland County, a local, non-profit organization.	$15,000	NR		
Total Legislative Changes	**$62,034**	R	**$190,586**	R
	$57,830	NR	**$0**	NR
Total Position Changes	5.00		5.00	
Revised Budget	**$33,668,542**		**$33,720,830**	

Special Provisions:

1997 Session: Senate Bill 352

Department: Crime Control and Public Safety

Section: 21

Title: Legislative Review of Drug Law Enforcement and Other Grants

Summary: Provides that State applications for drug law enforcement grants are subject to review by Governmental Operations when the General Assembly is not in session. Also designates Governmental Operations as the review agent for all State applications for grants when the General Assembly is not in session, unless a State statute provides a different forum for review.

Section: 21.1

Title: Victims Assistance Network funds

Summary: Authorizes the use of $150,000 each year of the biennium to support the Victims Assistance Network . The provision also specifies requirements on the use of these funds.

Section: 21.2

Title: Report on Community Service Workers

Summary: Requires the Department of Crime Control and Public Safety to report to Governmental Operations by March 1 and September 1 of each year on the number of community service workers who were available each month to perform repairs and maintenance at State parks.

Section: 21.3

Title: Report on Crime Victims Compensation Fund

Summary: Requires the Department of Crime Control & Public Safety to report to the Appropriations Committees and the Fiscal Research Division by March 15th each year on the status of the Crime Victims Compensation Fund. This report shall include details on receipts to the fund, administrative expenses, the amount of funds carried over each year and claims paid to victims in the prior fiscal year.

Section: 21.4

Title: Corrections and Crime Control Oversight Committee

Summary: This provision combines the current Crime Control Study Commission and Corrections Oversight Committee into the Joint Legislative Corrections and Crime Control Oversight Committee. The Committee is charged, on a continuing basis, to examine and make ongoing recommendations to the General Assembly on ways to improve the correctional and law enforcement systems of the State.

Judicial

Statutory Authority: General Statutes, Chapter 7A

The North Carolina Constitution establishes three branches of government to provide a system of checks and balances. The Judicial Department is the branch which operates the State's system of courts, consisting of District and Superior Courts at the trial level and the Court of Appeals and Supreme Court at the appeals level. The Administrative Officer of the Courts, who serves at the pleasure of the Chief Justice of the Supreme Court, manages the operations of the entire system.

	GENERAL FUND			
	FY 97-98		FY 98-99	
Recommended Budget	**$310,944,929**		**$316,264,917**	
Legislative Changes				
49 Salary Reserve Funds Reduce Department's available salary reserve funds - these funds are generated by filling positions at a salary less than the budgeted salary authorized by the General Assembly.	($1,800,000)	R	($1,800,000)	R
50 Wayne Dispute Settlement Center Funds Eliminate state funds for the Wayne Dispute Settlement Center since the Center discontinued operations on July 1, 1995.	($5,000)	R	($5,000)	R
51 Indigent Defense Funds Based on projections completed in September 1996, the Judicial Department anticipated needing an additional $6,073,533 in FY 1997-98 and $8,750,380 in FY 1998-99 for legal counsel of indigent defendants. These projections were updated in July 1997 and the Department determined expenditures in capital cases were lower than originally anticipated and that receipts from indigents were being collected at a higher rate. It is estimated that increases of $3,835,338 in FY 1997-98 and $5,703,138 in FY 1998-99 are more likely which allow for a reduction of $2,238,195 and $3,047,242 respectively.	($2,238,195)	R	($3,047,242)	R
52 Mecklenburg Drug Court Program Reduce the net State appropriation for this program by increasing receipts received from Mecklenburg County to reflect the 25% local match.	($13,394)	R	($13,394)	R
53 Drug Treatment Court Pilot Program Eliminate funding for the Program Administrator position in FY 1998-99 since the program sunsets on June 30, 1998.			($52,551) -1.00	R
54 Equipment Replacement Statewide funding to replace worn and outdated office equipment, computer equipment, and other related areas.	$319,236 $3,600,000	R NR	$319,236	R

55 Access to Civil Justice

Provide additional funds to the North Carolina Bar for representation of indigents in civil cases. (SB 352, Sec. 18.1, p. 346)

$1,000,000	NR	

56 Center for Death Penalty Litigation

Provide additional funds to the Center for Death Penalty Litigation who provides training, consultation, brief banking, and other assistance to attorneys representing indigent capital defendants. (SB 352, Sec. 18.1, p. 346)

$250,000	NR	

57 Reserve for Technology

Funds to establish a reserve for technology that includes funding for new automated systems (e.g. magistrate criminal information system); expansion of existing systems (e.g. district attorney/public defender automated case management system), new hardware/software, and new technology support personnel. Funds for personnel include funding for 5 Analyst Programmers, 5 LAN Support Specialists, 2 PC Support Specialists, 1 System Accountant, 1 Voice Data Specialist, and 1 Help Desk Specialist. All positions are effective 12/1/97. (SB 352, Sec. 18.10, p. 352)

$983,161	R	$1,437,176	R
$4,306,470	NR		
15.00		15.00	

58 Data Center Upgrades

Funds for additional frame relay lines which allow data to be transmitted more efficiently between the central criminal information system and offices statewide.

$125,000	R	$125,000	R

59 LAN Connectivity Funds

Provide funds to connect existing local area networks in Mecklenberg County to allow for sharing of information between court officials.

$50,000	NR

60 District Attorney Support Staff

Provide funds for 105 Assistants for Administrative and Victim and Witness Services for District Attorneys Offices statewide. Funding for 45 of these positions is placed in a reserve and shall be expended if the Crime Victims' Right Act is enacted during the 1997 Regular Session. Also provides funds for 3 investigator positions to be assigned to Districts 24, 27B, and 6B. All positions are effective 12/1/97. (SB 352, Sec. 18.7, p. 350 and Sec. 18.16, p.359)

$2,221,415	R	$3,551,439	R
$558,729	NR		
108.00		108.00	

61 Assistant District Attorneys

Provide funding for 54 additional Assistant District Attorney positions effective 12/1/97. (SB 352, Sec. 18.11, p. 352)

$2,069,172	R	$3,543,696	R
$53,460	NR		
54.00		54.00	

62 Clerks of Superior Court

Provide funding for 100 additional deputy clerk positions effective 12/1/97. The Department shall distribute deputy clerk positions equitably, with no county receiving more than two additional positions.

$1,482,300	R	$2,543,200	R
$110,900	NR		
100.00		100.00	

63 Magistrate Positions	$156,888	R	$261,064	R
Provide funds for 8 additional magistrate positions to be located in the following counties -- Edgecombe, Wayne, Wilson, Franklin, Durham, Columbus, Gaston, and Cumberland. All positions are effective 12/1/97. (SB 352, Sec. 18.13, p. 356)	$41,816 8.00	NR	 8.00	
64 Guardian Ad Litem Attorney and Training Manual	$39,703	R	$67,027	R
Provide funds to add one attorney who would serve as a central resource for Guardian Ad Litem contract attorneys. Most of the nonrecurring funds would be used to develop, publish, and distribute a Guardian Ad Litem abuse and neglect litigation manual for attorneys throughout the state and to conduct follow-up training. The attorney position is effective 12/1/97. This item was recommended by the Guardian Ad Litem Study Commission.	$19,924 1.00	NR	$11,725 1.00	NR
65 District Court Judges	$392,628	R	$658,014	R
Provide funds for 6 additional District Court Judges to be located in Districts 15B, 20, 22, 3B, 24, and 13. All positions are effective 12/1/97. (SB 352, Sec. 18.12, p. 353)	$55,350 6.00	NR	 6.00	
66 Criminal Case Docket Management	$322,774	R	$401,310	R
The District Attorney criminal case docket management program was funded as a pilot project in 2 districts in FY 1995-97. This program is designed to help reduce case backlog and to move cases more quickly through the court system. The FY 1997-99 funding makes the 2 pilot programs permanent (Cumberland -- District 12 and Bladen/Brunswick/Columbus -- District 13) and expands the program into eight additional districts. (SB 352, Sec. 18.9, p. 351)	$46,672 10.00	NR	 10.00	
67 Court Reporters in Superior Court	$206,216	R	$353,104	R
Provide funds to reestablish 8 vacant positions eliminated in 1995 to meet court reporting needs in superior court. All positions are effective 12/1/97.	 8.00		 8.00	
68 District Court Civil Case Management Pilot				
Provide funds to continue pilot programs in Districts 13, 18, and 30, which assist distict court judges with case management and setting of court calendars in civil cases. (SB 352, Sec. 18.23, p. 364)	$118,500 3.00	NR		
69 Custody Mediation Program	$225,000	R	$225,000	R
Provide funds to expand the custody mediation program to additional district court districts. The program would be operational in 25 of 39 districts.				
70 Transfer Indigent Defense Funds for Assistant PD's	$0	R	$0	R
Allows the Department to transfer up to $314,240 in FY 1997-98 and $524,384 in FY 1998-99 from the Indigent Persons' Attorney Fee Fund to fund 8 additional Assistant Public Defender positions. All positions are effective 12/1/97. (SB 352, Sec. 18.14, p. 358)	 8.00		 8.00	

71 Juvenile Court Counselors	$701,025	R	$1,200,100	R
Provide funds for additional intake, probation / aftercare, and intensive juvenile court counselors to assist in getting caseloads to a more manageable level. All positions are effective 12/1/97.	$32,875 25.00	NR	 25.00	
72 Community Penalties	$450,000	R	$450,000	R
Provide funds to expand the Community Penalties Program to 4 additional districts. This allows the program to extend statewide by the end of the biennium. Funds are also included to allow expansion of several existing programs based on workload. (SB 352, Sec. 18.4, p. 348)				
73 Arbitration Program	$99,232	R	$164,329	R
Provide funds to expand the superior court arbitration program to 5 additional districts. The program would be operational in 30 of 45 superior court districts.	$10,710 2.00	NR	 2.00	
74 Additional Supply Funds	$100,000	R	$100,000	R
Provide additional funds for general office supplies which would be distributed statewide based on need.				
75 Annual Recidivism Study	$4,000	R	$4,000	R
Provide funds for the Sentencing and Policy Advisory Commission to cover the operating expenses of researching and publishing an annual report on offender recidivism.				
76 Dispute Settlement Center Funds	$55,000	R	$55,000	R
Provides additional funds to the Mediation Center of the Southern Piedmont ($25,000) to allow for expansion to Lincoln and Cleveland Counties, as well as additional funds for the Rockingham Mediation Center ($5,000). Also provides $25,000 for a new center in Catawba County.				
77 Court of Appeals Staff / Business Court Assistant	$77,028	R	$130,119	R
Provide funds for one additional staff attorney and appellate clerk for the Court of Appeals. Also provides funds for a legal assistant to assist the Business Court Program. All positions are effective 12/1/97.	$17,620 3.00	NR	 3.00	
78 Judicial Assistant Position	$23,618	R	$39,500	R
Provide funds for one judicial assistant to assist judges located in Davidson County in District 22. The position is effective 12/1/97.	$6,296 1.00	NR	 1.00	
79 Project Challenge Funds				
Provide funds for Project Challenge Inc., a nonprofit organization which provides alternative dispositions and services to juveniles in Districts 24 who have been adjudicated delinquent or undisciplined. These funds will also allow for expansion into District 30. (SB 352, Sec. 18.20, p. 361)	$100,000	NR		
80 District Court Legal Assistant	$24,126	R	$31,879	R
Provide funds for a legal assistant position to be assigned to the Chief District Court Judge in District 9A. The position is effective 10/1/97.	$5,659 1.00	NR	 1.00	

81 Teen Court Funds	$83,660	R	$83,660	R
Provide recurring funds to establish teen court programs in Orange ($15,000), Columbus ($20,000), Brunswick ($20,000), Forsyth ($14,330), and Cabarrus ($14,330) Counties. Also provides $15,000 in nonrecurring funds in FY 1997-98 for programs in Wake and Durham Counties. Teen courts provide a peer review of juveniles who have committed non-violent misdemeanors and recommend different types of punishment, including community service and restitution. (SB 352, Sec. 18.24, p. 364)	$30,000	NR		
82 Bad Check Pilot Programs				
Provide funds for five positions to establish a bad check pilot program in Rockingham, Durham and Columbus Counties. These programs are designed to reduce the amount of time spent prosecuting these cases, and to assist worthless check victims in recovering restitution. (SB 352, Sec. 18.22, p. 363)	$150,000 5.00	NR		
83 Juvenile Assessment Project				
Provide funds to establish a juvenile assessment advisory board and center in District 12. The funds would be used to establish an advisory board who would make recommendations to the AOC on how to facilitate prevention and intervention services to at-risk juveniles. (SB 352, Sec. 18.21, p. 362)	$150,000	NR		
84 Adult / Juvenile Violent Offender Task Force				
Provide funds for the Adult / Juvenile Violent Offender Task Force located in District 10. These funds are used to prosecute serious violent offenders more quickly through the court system.	$50,000	NR		
Total Legislative Changes	**$6,104,593**	R	**$10,825,666**	R
	$10,764,981	NR	**$11,725**	NR
Total Position Changes	358.00		349.00	
Revised Budget	**$327,814,503**		**$327,102,308**	

Special Provisions:

1997 Session: Senate Bill 352

Department: Judicial

Section: 18

Title: Transfer of Equipment and Supplies

Summary: Continues language which allows the Department to allocate supply and equipment funds from a reserve account to individual programs based on need.

Section: 18.1

Title: N.C. State Bar Funds

Summary: This provision allows the State Bar to use up to $250,000 of their $1,250,000 continuation budget appropriation for the 1997-99 biennium, to contract with the Center for Death Penalty Litigation, which provides training and assistance to attorneys representing indigent capital defendants. Also allows the State Bar to use up to $250,000 in expansion funds for FY 1997-98 for same purpose.

Section: 18.2

Title: Indigent Persons' Attorney Fee Fund

Summary: Establishes method of allocation of indigent defense funds to judicial districts.

Section: 18.3

Title: Report on Dispute Settlement Centers

Summary: Continues annual reporting requirement for all Dispute Settlement Centers receiving State funds. This provision also implements a more graduated match requirement for centers in their first several years of operation. Specifically, it requires that 50% of the centers funding should come from non-state sources by the sixth year, rather than the second year of operation.

Section: 18.4

Title: Community Penalties Program

Summary: Authorizes that $4,355,382 be used each year to support community penalties programs. Continues language requiring the Judicial Department to report annually to the Appropriations Committees and to the Fiscal Research Division on the administrative expenditures of the program. Also continues language requiring quarterly reports to Governmental Operations on the elimination or reduction of funding for any programs.

Section: 18.5

Title: Drug Treatment Court Funds

Summary: Specifies that funds for the Drug Treatment Court pilot shall be used primarily for substance abuse treatment with $52,551 available to fund the program administrators position. Also allows $100,000 in funds that were not expended in 1996-97 to be used for nonrecurring program items in 1997-98.

Section: 18.6

Title: Make Sentencing Commission Permanent

Summary: Provides language which makes the Sentencing and Policy Advisory Commission a permanent entity in the Administrative Office of the Courts.

Section: 18.7

Title: Victims' Rights Amendment / Assistants for Administrative and Victim and Witness Services

Summary: This provision makes several modifications to existing law concerning the delivery of victim and witness services. The most significant changes are: (1) Combines legal assistant positions and victim / witness assistant positions into one position titled 'assistants for administrative and victim and witness services'; (2) Requires the AOC and Conference of District Attorneys to cross train existing legal assistants and victim / witness assistants by July 1, 1998; and, (3) Specifies that new assistants for administrative and victim and witness services positions shall be allocated based on district population and workload.

Section: 18.8

Title: Computer Training

Summary: Requires superior and districts courts judges to complete a computer training program before receiving a laptop computer.

Section: 18.9

Title: Criminal Case Management Funds

Summary: This provision requires that the new criminal case management programs shall be distributed in all areas throughout the State. Also requires the AOC to report to the Appropriations Committees by April 1, 1998, on the implementation and effectiveness of the programs.

Section: 18.10

Title: AOC Technology Task Force

Summary: Requires the AOC to establish a technology task force which would outline the most efficient and effective use of funds provided in the Reserve for Technology. The AOC is to report the task force's findings to various legislative oversight committees by November 1, 1997.

Section: 18.11

Title: Additional Assistant District Attorneys / Reeestablish Assistant District Attorney Positions in Districts 19B and 20

Summary: Specifies the districts where the 54 new assistant district attorney positions will be assigned. This provision adds one additional position in districts 3A, 8, 9, 9A, 13, 15B, 16A, 16B, 28, and 29; adds two positions in districts 3B, 4, 5, 14, 19B, 20, 21, 25, 27A, and 27B; adds three positions in districts 7, 11, 12, 22, and 26; adds four positions in district 18; and adds five positions in district 10.

Section: 18.12

Title: Additional District Court Judges

Summary: Specifies that the 6 additional district court judge positions shall be located in districts 3B, 13, 15B, 20, 22, and 24.

Section: 18.13

Title: Authorize Additional Magistrates

Summary: Authorizes a statutory increase in the maximum number of magistrate positions allowed in 8 counties. The maximum number is increased by one in the following counties: Edgecombe, Wilson, Wayne, Franklin, Cumberland, Durham, Alamance, and Gaston.

Section: 18.14

Title: Assistant Public Defenders

Summary: Allows AOC to allocate funds from the Indigent Persons' Attorney Fee Fund to establish eight additional assistant public defender positions effective December 1, 1997.

Section: 18.15

Title: Juvenile Recidivism Rates

Summary: Requires the AOC to report to Governmental Operations annually by December 31, on the recidivism rates of juveniles who would be adjudicated delinquent for Class A, B1, B2, C, D, or E felonies if committed by an adult.

Section: 18.16

Title: Additional Investigatorial Assistants

Summary: Specifies the districts where district attorney investigator positions are assigned. Also establishes an investigatorial assistant position in districts 6B, 24, and 27B.

Section: 18.17

Title: IRMC Review of Information Technology Plans of the AOC

Summary: Allows the Information Resource Management Commission to review and comment biennially on the technology plans of the Administrative Office of the Courts.

Section: 18.18

Title: Study Commission on the Allocation of Judicial Resources

Summary: Establishes a study commission to review workload and staffing formulas for judicial personnel. A final written report of the Commission's findings and recommendations shall be made to the 1999 Session of the General Assembly, with an interim report due to the 1998 Session.

Section: 18.19

Title: Guardian Ad Litem Attorney Billings

Summary: Requires attorneys providing services for the Guardian Ad Litem program to bill the AOC within 60 days of the end of each quarter in order to be reimbursed for those services.

Section: 18.20

Title: Project Challenge Report

Summary: Authorizes use of $100,000 in FY 1997-98 to support the operation of Project Challenge, a nonprofit organization which provides services to juveniles adjudicated delinquent or undisciplined in District 24. The AOC is to report quarterly to the JPS Appropriations Subcommittees on the operations and effectiveness of the program.

Section: 18.21

Title: Cumberland Juvenile Assessment Center

Summary: Authorizes use of $150,000 in FY 1997-98 to establish a Juvenile Assessment Center in Cumberland County. The funds are to be used to: (1) Establish an advisory board that would make recommendations to AOC and DHR on how to facilitate prevention and intervention services, and (2) To provide services to at-risk juveniles. The AOC and DHR are to report to the Appropriations Committees and Fiscal Research by May 1, 1998, on the implementation and effectiveness of the program.

Section: 18.22

Title: Bad Check Pilot Program Funds / Report

Summary: This provision authorizes the use of $150,000 in FY 1997-98 to establish bad check pilot programs in Columbus, Durham, and Rockingham Counties. Also requires individuals participating in the program to pay a fee of $50 to the clerk of court, which would be placed in a special revenue fund subject to appropriation by the General Assembly. The AOC is to report to the JPS Appropriations Subcommittees by May 1, 1998, on the implementation and effectiveness of the programs.

Section: 18.23

Title: District Court Civil Case Management

Summary: Requires AOC to report to the JPS Appropriations Subcommittees by May 1, 1998, on the effectiveness of the civil case management programs established in districts 13, 18, and 30.

Section: 18.24

Title: Establish Teen Courts in Orange, Columbus, Brunswick, Forsyth, and Cabarrus Counties and to Provide Additional Funding for the Teen Courts in Wake and Durham Counties

Summary: Authorizes the use of $113,660 in FY 1997-98 and $83,660 in FY 1998-99, to establish or provide additional funds for teen court programs in Orange, Columbus, Brunswick, Forsyth, Cabarrus, Wake, and Durham Counties. Requires the programs to report quarterly to the AOC on their operations and expenditures. Also requires the AOC to report to various legislative oversight committees by April 15, 1998, on the effectiveness of teen court programs.

Justice

Statutory Authority: General Statutes, Chapter 114

The head of the Department is the Attorney General who is elected for a four-year term and who, as an elected official, serves on the Council of State. The Department provides legal and law enforcement services to State agencies, local government, and the citizens of North Carolina.

	GENERAL FUND			
	FY 97-98		FY 98-99	
Recommended Budget	**$61,166,247**		**$63,233,877**	
Legislative Changes				
85 SBI - Vehicle Replacement Replace vehicles for the State Bureau of Investigation on a schedule of 80,000 miles for automobiles and 90,000 miles for trucks. 25 fewer vehicles will be replaced in FY 1997-98 and 11 fewer vehicles in FY 1998-99. The net reduction includes increasing maintenance expenses by $2,000 per automobile and $3,000 per truck, as well decreasing expected receipts due to the sale of fewer vehicles.	($317,500)	R	($78,000)	R
86 SBI Overtime Pay Adjustment Reduce funds used to pay overtime to State Bureau of Investigation sworn law enforcement officers. Priority for overtime pay will be given to field agents before supervisory agents. ($606,004 will remain in the continuation budget for overtime pay.) [SB 352, Sec 20.1, p.396]	($606,004)	R	($606,004)	R
87 Adjustment for Increased DCI Receipts - SBI Adjustment in the continuation budget of the State Bureau of Investigation due to an increase in the amount of receipts collected by the Division of Criminal Information. Since there has been an increase in the amount of Criminal Records Checks performed by the Division of Criminal Information, more reciepts will be realized than anticipated. (SB 352, Sec 20.15, p.404)	($200,000)	R	($200,000)	R
88 Structured Sentencing Statewide Reserve Reduce funds in the statewide reserve entitled Structured Sentencing. This reserve was intended to be labeled/named Criminal Justice Information Network Reserve. These funds were intended to initiate the operation of the Criminal Justice Information Network board and to begin the development of data sharing standards. Over $300,000 remains in the continuation budget for use by the Criminal Justice Information Network board for board expenses and the development of data sharing standards.	($400,000)	R	($400,000)	R

89 Criminal Justice Information Network

Continue funding of the Criminal Justice Information Network. These funds will be used to continue developing data sharing standards and to upgrade the Automatic Fingerprinting Identification System. (SB 352, Sec 20.13, p.403)

$1,000,000	NR	

90 General Administration Positions

Fund one Paralegal II as a research technician for the Legal Services Division and one Accounting Technician III in the Administrative Services Division. Both positions are effective 10/1/97.

$63,567	R	$84,756 R
$9,240	NR	
2.00		2.00

91 SBI--DCI Technology Improvements and Staff

Provide funds to establish five new positions, effective December 1, 1997, within the Division of Criminal Information of the State Bureau of Investigation. Positions funded will include two computer consultants, two fingerprint technicians, and one processing assistant. Provide $77,500 in nonrecurring funds to procure an uninterrupted power supply unit, and $50,000 to begin development of a disaster recovery plan for the Division's computer system.

$107,152	R	$183,688 R
$158,000	NR	
5.00		5.00

92 Reserve for Sex Offender Registry

Provide funds to develop various changes to the current Sex Offender Registration Program and associated automated files. Funds will allow for the hiring of consultants to develop the program as well as to provide for the purchase of computer hardware and software. This will allow the registry, including photographs of sex offenders, to be placed on the Internet. One clerical position is effective January 1, 1998.

$12,253	R	$24,506 R
$164,810	NR	
1.00		1.00

93 Sheriff's Standards Division Support Staff

Funds for an administrative assistant for the Sheriffs' Standards Division and Law Enforcement Liason Section to meet the statutory responsibilities of the Sheriffs' Education and Training Standards Division. Position begins December 1, 1997. Appropriation includes funds for computer equipment to allow automation of field testing in their training programs.

$22,076	R	$37,843 R
$23,500	NR	
1.00		1.00

94 DARE Expansion Funds

Provide funds to the State Bureau of Investigation to train additional local law enforcement officers to bring the Drug Abuse Resistance Education Program (DARE) into 7th and 9th grade classrooms.

$113,300	NR	

95 Training and Standards Attorney

Fund an Attorney II position effective July 1, 1997 to represent the Department of Correction on correctional officer certification issues before the Training and Standards Commission. Position has previously been funded by a contractual arrangement with the Department of Correction.

$58,116	R	$58,116 R
1.00		1.00

96 Consumer Protection Attorney	$51,637	R	$68,850	R
Fund an Attorney III position to handle antitrust cases in the Citizens' Rights Division, effective 10/1/97.	$6,000 1.00	NR	 1.00	
97 Legal Services --Information Systems				
Provide funds to complete the Department's transition to a local area network (LAN).Currently only 3 of the 5 Legal Services Divisions are connected.	$150,000	NR		
98 Capital Litigation Unit	$198,218	R	$264,290	R
Fund 2 Attorney IV positions and 1 Processing Assistant position in the Capital Litigation Unit of the Criminal Division, effective 10/1/97.	$15,060 3.00	NR	 3.00	
99 SBI Field Agents	$453,376	R	$777,072	R
Provide funds to hire 16 new field agents for the State Bureau of Investigation. Recurring funds in the first year are based on 12/1/97 hiring date.	$277,424 16.00	NR	 16.00	
100 SBI - Pay Equity	$2,700,000	R	$2,700,000	R
Funds to provide salary equity adjustments for sworn law enforcement officers in the State Bureau of Investigation. (SB 352, Sec 20.9, p.398)				
101 Western Justice Academy	$491,155	R		
Funds for personnel, operations, and start-up costs for the Western Justice Academy. These funds will allow the Western Justice Academy to begin operations in January 1998. Funds are already provided in the continuation budget for FY 1998-99. Classes will begin in July 1998.	$2,492,482 26.00	NR		
102 Standards for Telecommunicators	$77,135	R	$132,231	R
Funds for the Sheriffs' Education and Training Standards Commission to establish minimum employment, training and retention standards for telecommunicators. Three positions are created effective December 1, 1997; a processing assistant, a criminal justice instructor-coordinator, and a criminal justice research associate. [SB 352, Sec 20.11, p.399]	$24,500 3.00	NR	 3.00	
103 Accident Victim Identification Training				
Funds for the Justice Academy and the Criminal Justice Education and Standards Commission to develop a training curriculum for local law enforcement on the timely identification of accident victims and the facilitation of identification of potential organ donors. (SB 352, Sec 20.12, p.401)	$25,000	NR		
104 Safe Neighborhoods Initiative	$200,000	R	$218,180	R
Funds to continue the Safe Neighborhoods Initiative that assists communities with community policing, child ID projects and other crime prevention programs. The program is supported with federal funds through July 1997. These funds continue 4.5 of the 6 current positions at the discretion of the department.	4.50		4.50	

105 NC LEAF Funds				
Provide funding to the NC Legal Education Assistance Foundation to assist with loan repayment for public service attorneys. Funds flow through the Department of Justice to NC LEAF, a nonprofit organization.	$100,000	NR		
106 Training & Standards - Justice Academy (Salemburg)	$205,428	R	$266,447	R
Provide recurring funds to establish a program for the Certification and Training Section of the Criminal Justice Standards Division. This program will enable the Division to locate and interview applicants, certified officers, and witnesses involved in investigations of violations of training delivery and certification rules. Five positions are created effective December 1, 1997.	5.00		5.00	
Total Legislative Changes	**$3,116,609**	R	**$3,531,975**	R
	$4,559,316	NR		
Total Position Changes	68.50		42.50	
Revised Budget	**$68,842,172**		**$66,765,852**	

Special Provisions:

1997 Session: Senate Bill 352

Department: Justice

Section: 20

Title: Department of Justice Salary Adjustments

Summary: Authorizes the Department to use $93,453 for salary adjustments for attorneys based upon outstanding job performance.

Section: 20.1

Title: SBI Funds / Spending Priorities

Summary: Directs first priority for overtime payments to SBI agents in the Field Investigations Division, and second, to continue overtime payments to supervisory personnel receiving overtime payments as of June 30, 1997. Limits payments to a maximum of $5,200 annually per individual.

Section: 20.2

Title: SBI Use of Court-Ordered Reimbursement Funds

Summary: Allows the State Bureau of Investigation (SBI) to use funds available from court ordered reimbursements in undercover drug operations.

Section: 20.3

Title: Private Protective Services and Alarm Systems Licensing Board Pay for Use of State Facilities and Services

Summary: Clarifies that boards pay for use of physical facilities and services provided by the State Bureau of Investigation (Department of Justice).

Section: 20.4

Title: Limits on computer Service Upgrade

Summary: Requires that any proposed upgrade in mainframe computer systems that are funded from the continuation budget for JPS Agencies must be reported to various legislative oversight committees before the Department enters into any contractual agreement.

Section: 20.5

Title: Certain Litigation Expenses to be Paid By Clients

Summary: Continues provision which authorizes the Department to seek reimbursement for litigation and other costs attributed to work completed for client departments, agencies, or boards.

Section: 20.6

Title: Reimbursement for UNC Board of Governors Legal Representation

Summary: Continues provision which requires the Board of Governors to reimburse the Justice Department for two Attorney III positions for legal representation provided to the UNC System.

Section: 20.7

Title: Use of Seized and Forfeited Property Transferred to State Law Enforcement Agencies by the Federal Government

Summary: Specifies that Governmental Operations shall review and approve the use of federal funds received by the Department of Justice and the Department of Crime Control and Public Safety as a result of assisting in the enforcement of drug trafficking laws. The provision also allows the Department of Justice to use up to $25,000 to lease space for SBI training and up to $50,000 to lease space for storage of equipment and vehicles from available forfeiture funds in the 1997-98 fiscal year.

Section: 20.8

Title: Department of Justice Record Checks Funds and Reports

Summary: Allows the Division of Criminal Information to use the sum of up to $210,563 to create up to five positions to facilitate record checks for concealed weapons permits. The provision requires the SBI to reduce positions if the number of checks being completed are not equal to the formula of 1.5 positions for every 10,000 checks. The provision also requires the Department of Justice to report on the amount of receipts and the number of checks performed each year to the General Assembly.

Section: 20.9

Title: Salary Equity for SBI Law Enforcement

Summary: Provides $2,700,000 for salary adjustments for sworn law enforcement officers of the State Bureau of Investigation. Adjustments shall be based on factors, such as employee salary, position class title, position grade, and credible years of sworn service. No salary adjustment can be made that would result in an increase beyond the maximum salary set for an officer's pay grade. The SBI Director and Assistant Directors are not eligible for the salary adjustments. The provision also requires the Department to report to the House and Senate Appropriations Committees on any salary adjustments made within 30 days by the Director.

Section: 20.10

Title: Increase the Number of Fictitious Licenses and Registration Plates Authorized for Publicly Owned Motor Vehicles and Remove the Sunset on Prior Increase on Number of Plates

Summary: Increases maximum number of plates allowable under this section from 100 to 125. Also states that the Governmental Operations shall study the use of private, confidential, and fictitious license plates on State-owned vehicles and report their findings to the General Assembly.

Section: 20.11

Title: Sheriff Education and Training Standards commission to Establish Minimum Employment, Training, and Retention Standards for Telcommunicators

Summary: This provision requires the Sherriffs' Education and Training Standards Commission to establish minimum employment, training, and retention standards for telecommunicators. Funds in the amount of $101,635 in the 1997-98 fiscal year and $132,231 in the 1998-99 fiscal year are provided to create three new positions to develop and teach the curriculum. The provision also outlines the requirements for justice officers that may become telecommunicators.

Section: 20.12

Title: Department of Justice to Provide Training to State and Local Law Enforcement Officers in the Identification of Accident-Trauma Victims in Order to Facilitate Timely Identification of Potential Organ and Tissue Donors and to Provide for the Identification of Accident-Trauma Victims

Summary: Requires the Justice Academy and the Criminal Justice Education and Standards Commission to develop a training curriculum for local law enforcement on the timely identification of accident victims and the facilitation of identification of potential organ donors. The provision also outlines standards and procedures for identification and notification of next of kin for accident victims. $25,000 in non-recurring funds are provided for the development of this curriculum.

Section: 20.13

Title: Criminal Justice Information Network Report

Summary: Requires the Criminal Justice Information Network (CJIN) Board to report on the operations and budget of the Board. The Board is also to establish a long-term strategic plan and cost analysis for statewide implementation of CJIN. These reports and plans are to be presented to various legislative oversight committees and the Fiscal Research Division by November 1, 1997.

Section: 20.14

Title: Attorney General Opinion Required for All State Settlements

Summary: The Attorney General or a delegated subordinate shall review and prepare a written opinion on the terms and advisability of certain proposed agreements entered into by the State or a State department, agency, institution or officer. The provision affects agreements to settle or resolve litigation or potential litigation involving payment of at least $75,000 in public monies. The Attorney General shall report to Governmental Operations on all such agreements.

Section: 20.15

Title: Study Fee Adjustment for Criminal Records Checks

Summary: Requires the Office of State Budget and Management, in consultation with the Department of Justice, to study the feasibility of adjusting the fees charged for criminal records checks conducted by the Division of Criminal Information. The report shall be presented to the Appropriations Committees and the Fiscal Research Division by May 1, 1998.

Handout #2
10-21-97

DEPARTMENT OF CORRECTION

Alternatives to Out-of-State Housing of Inmates
(Sec. 20.11, Ch.18, Second 1996 Extra Session)
October 21, 1997

Out-of-State Housing of Inmates 10/20/97		
Location	**Contracted Beds**	**Inmate Count**
West Tennessee	331	331[1]
Total	480	331

Note: Jail backlog on October 20, 1997 was 760

[1] All inmates will be out of the West Tennessee facility by December 12, 1997. Return trips are scheduled for October 24, November 7, November 21 and December 12.

Handout # 3
10-21-97

DEPARTMENT OF CORRECTION

Alternatives to Out-of State Housing of Inmates
(Sec. 20.11, Chap. 18, Second 1996 Extra Session)
October 21, 1997

County Jail Housing of Inmates 10/20/97		
Location	**Contracted Beds**	**Inmate Count**
Burke/Catawba	88	82
Carteret	16	13
Dare	69	68
McDowell	28	21
Northhampton	40	40
Wilson - Med	40	31
Durham - Max	48	48
Total	329	303

Note: The jail backlog on October 20, 1997 was 760.

Handout #4
10-21-97

DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
Recommended Location of 21 New Modulars
October 21, 1997

Facility	Current Facility MOC	Anticipated Modular MOC	Revised Facility MOC
Durham	172	1 / 36	208
Orange	176	1 / 36	212
Davidson	244	1 / 36	280
Forsyth	202	1 / 36	238
Cabarrus	194	1 / 36	230
Catawba	184	1 / 36	220
Gaston	196	1 / 36	232
Rowan	276	1 / 36	312
Buncombe	130	1 / 36	166
Caldwell	182	1 / 36	218
Hyde*	0	2 / 72	72
Warren*	0	2 / 72	72
Raleigh CCW	144	1 / 36	180
McCain Hosp.	367	1 / 36	403
Nash*	82	1 / 36	118
Southern* (Montgomery)	136	1 / 36	172
Haywood	108	1 / 36	144
Henderson	98	1 / 36	134
Martin[1]	40	1 / 36	76
	2891	**21 / 756**	**3611**

* The population of these facilities reflects minimum custody population only.

[1] The Martin modular was apporved during the 1997 Session and is to be purchased with "funds available".

Handout #5
10-21-97

DEPARTMENT OF CORRECTION

A Report on GPAC Prison Consolidation Facilities

October 21, 1997

Remaining GPAC Minimum Security Prison Facilities		
Facility	**Standard Operating Capacity**	**Daily Cost Per Inmate Fiscal Year 1996-97**
Alamance Correctional Center	68	$ 50.04
Gates Correctional Center[1]	62	$ 59.40
Goldsboro Correctional Center	64	$ 39.10
Guilford Correctional Center	132	$ 62.07
Haywood Correctional Center[2]	56	$ 83.40
Henderson Correctional Center[3]	42	$ 74.94
Martin Correctional Center[4]	54	$ 70.91
Mecklenburg Correctional Center	76	$ 54.07
Sandy Ridge Correctional Center	66	$ 53.80
Stokes Correctional Center	68	$ 54.69
Total	**884**	n/a

NOTE: The average cost for a Minimum Security Facility in FY 1996-97 was $53.63. Costs include both direct and indirect costs associated with the operational of each unit in fiscal year 1996-97.

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1 Replaced an existing 22 bed modular unit with a 36 bed unit in Summer 1997 to bring SOC to 76.

2 Replaced a 22 bed modular unit that was closed in December 1996 with a 36 bed unit in Summer 1997 to bring SOC to 70.

3 Received a 36 bed modular unit in Summer 1997 to bring SOC to 76.

4 Closed a 24 bed modlular to drop SOC to 30.

Handout #6
10-21-97

DEPARTMENT OF CORRECTION – CAPITAL BUDGET

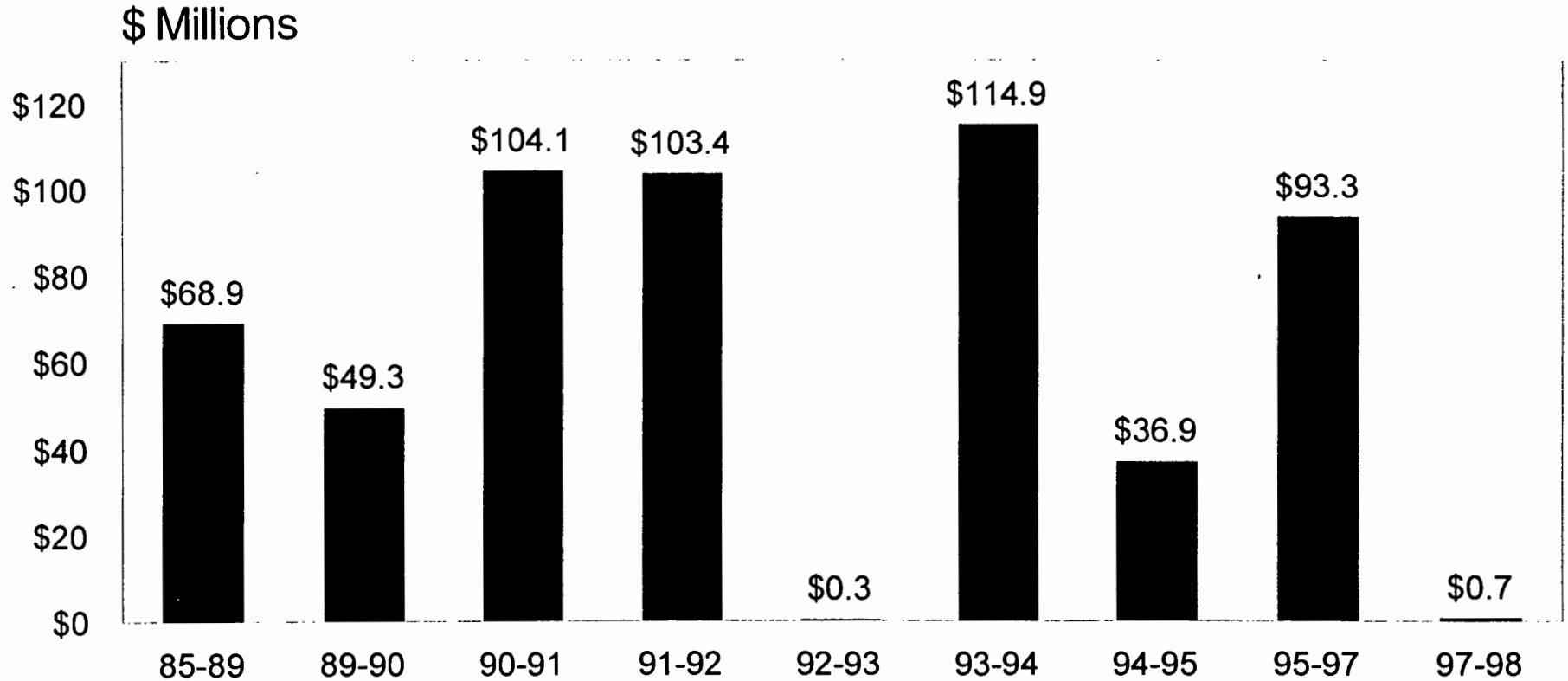
HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON

JUSTICE AND PUBLIC SAFETY

October 21, 1997

Department of Correction Capital Appropriations

Total FY 85-86 through 97-98 = $571.8 million*



*Capital funding for new or modified prison facilities; excludes debt service on bonds.

DEPARTMENT OF CORRECTION – CAPITAL APPROPRIATIONS BY GENERAL ASSEMBLY SINCE 1994-95*

1995 LONG SESSION

	# Beds	1995-96	1996-97
1. Funds for 2048 Beds			
a. Female Unit-Triad	104	-	$2,203,400
b. Female Boot Camp	60	$2,048,800	-
c. Western GPAC (Avery/Mitchell)	624	4,000,000	22,832,200
- Seg. Unit	40	(See $ Above)	
d. Expand New Polk - Dorm	104	7,759,100	-
- Seg.	144	(See $Above)	-
- Super Max	100	6,000,000	2,645,200
e. Expand Warren Corr. Center	168	9,718,200	-
f. Greene Seg. Unit	40	($ part of 1 e.)	-
g. Southern Piedmont Corr. Center	624	4,187,900	13,187,900
- Seg. Unit	40	(See $ Above)	
Subtotal	**2,048**	**33,714,000**	**40,868,700**
2. Electronic Intrusion System - NCCIW		813,700 NR	-
TOTAL		**$34,527,700 NR**	**$40,868,700 NR**

*** $477.8 Million in Capital appropriations from 1985-86 through 1994-95 (prior to 1995 long session). Excludes debt service on bonds and beds funded out of operating budget.**

1996 ~~LONG~~ Short SESSION

	# Beds	1995-96	1996-97
1. Southern Piedmont Completion (Beds in 1995 figures)	-	-	$9,000,000
2. Modular Prison Units (20)	720	-	5,000,000
3. Prison Unit Improvements (Polk; Western GPAC)	-	-	1,600,000
4. Planning and Design for New Facilities	-	-	2,350,000
			$17,950,000 NR

TOTAL CAPITAL FUNDING 1995-97 BIENNIUM: $93,346,400

1997 LONG SESSION**

	1997-98	1998-99
1. Planning and Design - Alexander Correctional Facility (Close Custody)	300,000	-
2. Multipurpose Building - Carteret Correctional Center	400,000	-
	700,000 NR	

**** $571.8 Million in Capital appropriations from 1985-86 through FY 1997-98. Excludes debt service funds and beds funded out of operating budget**

PRISON BEDS FUNDED BY NORTH CAROLINA GENERAL ASSEMBLY SINCE 1994 - CAPITAL AND OPERATING APPROPRIATIONS*

Beds Funded

1994 Crime Session **	3,218
1994 Short Session	0
1995 Long Session***	3,156
1996 Short Session (Modulars)	720
TOTAL	**7,094**

* Prison beds included are those beds funded by the General Assembly through: (1) Capital construction funding for permanent beds at new prisons or by conversions of existing prisons and (2) Operating funding for long-term purchase of permanent in-state beds from private vendors or permanent facility conversions to existing units. Prison bed count excludes purchase of out-of-state and jail beds; adding staff to allow supervision of more inmates or 1996 funding that was only for planning and design of new or modified prison units. Total does not include subtraction of beds lost due to closing or modification of prisons.

** Crime Session totals exclude DART probation treatment beds but includes 1000 beds funded with operating funds: 500 beds for private treatment prison beds and 500 permanent beds to be added through facility renovations.

*** 1995 bed numbers include construction funding and 1,000 beds to be leased from private vendors (Avery/Mitchell and Pamlico).

Prison Bed Capacity*

	Operating Capacity	Expanded Capacity
August, 1997	26,534	31,160
February, 1999 (Completes Funded Construction)	30,218	35,488

* Expanded capacity is number of beds allowed by court order - up to 130% of operating capacity - at designated prison units. Capacity as of 7/8/97

PRISON BEDS FUNDED BY NORTH CAROLINA GENERAL ASSEMBLY SINCE 1994 - CAPITAL AND OPERATING APPROPRIATIONS*

Session	Beds	Custody
1. Crime Session 1994**		
- Eastern Processing Center	584	Medium
- Western Boot Camp (Phase 2)	90	Minimum
- Piedmont CC Expansion	208	Medium
- Columbus CC Expansion	208	Medium
- Brown Creek CC Expansion	208	Medium
- Lumberton CC Expansion	208	Medium
- Wayne CC Expansion	208	Medium
- Marion CC Close Unit	192	Close
- Warren CC (Phase 1)	312	Medium
	2,218	
■ Private Treatment Units (Contract)	500	Minimum
■ Improvements to various units (Operating)	500	Mix
SUBTOTAL	3,218	
2. 1994 Short Session	0	-
3. 1995 Long Session		
- New Triad Female Unit	104	Minimum
- Female Boot Camp	60	Minimum
- Avery/Mitchell (Western GPAC)	624	Medium
- Albemarle (Southern GPAC)	624	Medium
- Polk Youth Expansion (Phase II)		
- Medium	104	Medium
- Minimum	144	Minimum
- Polk Super Max	100	maximum
- Warren CC (Phase II)	168	Medium
- Greene Segregation Unit	40	Segregation
- Avery/Mitchell Segregation Unit	40	Segregation
- Albemarle Segregation Unit	40	Segregation
- Modular Prison Units (3) (Operating)	108	
	2,156	
- Private Prisons Contract (Operating)	1,000	Medium
SUBTOTAL	3,156	

* Prison beds authorized for construction by General Assembly and permanent beds funded through operating funds including beds purchased in North Carolina through long-term leases from private providers; excludes beds purchased from out-of-state prisons and county jails.

** Crime Session total excludes 119 beds constructed at DART - Cherry for

Session	Beds	Custody
4. 1996 Short Session***		
- Modular Housing Units (20)****	720	Minimum
TOTAL BEDS FUNDED 1994-96	**7,094**	

*** General Assembly also authorized funds for planning and design only of 6 facilities and a total of 2,324 beds.

**** Assumes 36 beds as standard operating capacity per unit but may be 28 beds if construction bids are too high.

FRD 8/19/97

REV. 1. 10/16/97 (added 500 permanent beds funded in crime session as "system improvements" these were inadvertently left off original list).

Requested by: Senators Plyler, Perdue, Odom, Ballance, Rand, Cooper

CORRECTIONAL FACILITIES

Sec. 20.20. Of the funds authorized in this act for correctional facili... the sum of two million three hundred fifty thousand dollars ($2,350,000) shall be used for planning and design of facilities as follows:

Facility	Location	Number of Beds	Custody
Central Prison Diagnostic Center	Wake	196	Close
Warren Correctional Institution	Warren	168	Med./Close
Single Cell Facility	Metro Area	520	Close
208 Bed Dorm and Food Service Bldg. - NCCIW	Wake	-	-
Building to Centralize Personnel	Wake	-	-
Single Cell Facility	Scotland	712	Close
Single Cell Facility	Alexander	520	Close

PART 21. DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Requested by: Representatives Justus, Thompson, Senators Ballance, Parnell

EXTEND DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY STUDY COMMISSION

Sec. 21.1. (a) Section 20.4(d) of Chapter 324 of the 1995 Session Laws reads as rewritten:

"(d) The Study Commission shall make an interim report to the 1996 Regular Session of the 1995 General Assembly by May 1, 1996, and shall submit a final written report of its findings and recommendations to the ~~General Assembly by May 1, 1996.~~ 1997 General Assembly. All reports shall be filed with the Speaker of the House of Representatives and the President Pro Tempore of the Senate. Upon filing its final report, the Commission shall terminate."

(b) This section becomes effective April 30, 1996.

Requested by: Senators Ballance, Rand, Cooper, Representatives Justus, Thompson, Kiser

STUDY LAW ENFORCEMENT OFFICER COMPENSATION AND SALARY CONTINUATION FOR RESIDENTIAL FACILITY EMPLOYEES

Sec. 21.2. (a) The Office of State Personnel shall study:

(1) Employee classifications, salary schedules, pay equity, and pay inequities for all sworn law enforcement personnel certified by the North Carolina Criminal Justice Education and Training Standards Commission in every State law enforcement agency. The study shall consider appropriate factors related to the compensation of law enforcement personnel, including job specifications a... qualifications required by the Office of State Personnel, ...

~~and offenders who are appropriate for release from jail prior to trial under the supervision of a pretrial monitoring program.~~ as defined in G.S. 143B-273.4."

Requested by: Senator Gulley

POST-RELEASE SUPERVISION AND PAROLE COMMISSION/REPORT ON STAFFING REORGANIZATION AND REDUCTION

Section 19.9. The Post-Release Supervision and Parole Commission shall report to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections Oversight Committee by March 1, 1998, on a staffing reorganization and reduction plan. The report shall address the impact on Commission staffing of the declining parole workload, the automation of Commission functions, and the anticipated role of the Commission in Post-Release Supervision. The report shall include a transition plan for implementing staff reductions over the next five years, including a minimum of a ten percent (10%) reduction in the 1998-99 fiscal year over the 1997-98 fiscal year.

Requested by: Senator Gulley

FEDERAL MATCHING FUNDS

Section 19.10. Appropriations made for the 1997-99 biennium to the Office of State Construction of the Department of Administration for the planning and construction of new prison beds are to match federal funds available for prison construction. Appropriations not needed or used to match federal funds may be made available for construction of new prison beds, segregation units, support buildings and systems, and other needed facilities.

Requested by: Representatives Justus, Kiser, Thompson, Hill, Senators Gulley, Ballance, Rand

IMPACT DEFENDANTS IN DOC FACILITIES/CONTINUE IMPACT BOOT CAMP PROGRAM

Section 19.11. (a) G.S. 15A-1343(b1)(2a) reads as rewritten:

"(2a) Submit to a period of ~~imprisonment~~ confinement in a facility ~~for youthful offenders~~ operated by the Department of Correction for a minimum of 90 days or a maximum of 120 days under special probation, reference G.S. 15A-1351(a) or G.S. 15A-1344(e), and abide by all rules and regulations as provided in conjunction with the Intensive Motivational Program of Alternative Correctional Treatment (IMPACT), which provides an atmosphere for learning personal confidence, personal responsibility, self-respect, and respect for attitudes and value systems. This condition may also include a period of supervision through the Post-Boot Camp Probation Program."

(b) The Department of Correction may use up to the sum of three hundred fifty thousand dollars ($350,000) in funds available for the 1997-98 fiscal year to continue the pilot project established in subsection 19(b) of Chapter 24 of the Session Laws of the 1994 Extra Session to provide treatment for offenders completing the IMPACT boot camp program.

Requested by: Representatives Justus, Kiser, Thompson

REPORT ON WOMEN AT RISK

Section 19.12. Women at Risk shall report by December 1 and May 1 of each year to the Joint Legislative Commission on Governmental Operations on the expenditure of State funds and on the effectiveness of the program, including information on the number of clients served, the number of clients who have had

Corrections Oversight Committee, and the Chairs of the House and Senate Appropriations Committees.

Of the funds appropriated to the Department of Correction in this act, the sum of one million nine hundred twelve thousand five hundred fifty-three dollars ($1,912,553) for the 1998-99 fiscal year shall be used to maintain the per diem reimbursement to counties at eighteen dollars ($18.00) per day for State inmates serving sentences of 30 days or more in local confinement facilities.

(b) This section becomes effective September 1, 1997.

Requested by: Senator Gulley

USE OF FEDERAL PRISON CONSTRUCTION GRANT FUNDS

Section 19.22. The Department of Correction shall use federal grant funds received from the U.S. Justice Department as part of the Violent Offender Incarceration Program and the Truth-In-Sentencing Incentive Grant Program for the further planning and design and construction of the following State prison facilities, provided that the project meets the criteria of the federal grant program:

Facility	Location	Number of Beds	Custody
Central Prison Diagnostic Center	Wake	196	Close
Warren Correctional Institution	Warren	168	Med/Close
Improvements to NCCIW	Wake	208	Med/Close
Scotland Facility	Scotland	712	Close
Alexander Facility	Alexander	520	Close
Metro Facility	Charlotte Area	520	Close

No more than the sum of seventeen million five hundred thousand dollars ($17,500,000) in federal funds may be allocated to the Central Prison Diagnostic Center Project, the proposed revised Phase I of the Central Prison Master Plan, or the planning and design of the Warren, NCCIW, or Metro projects until federal funds have been allocated to complete the working drawings phase of planning and design for the Alexander and Scotland Close Custody Prison Facilities.

The Department of Correction shall report quarterly to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections Oversight Committee on the allocation of any federal funds received and of anticipated future federal grant funds.

Requested by: Senators Gulley, Ballance, Rand, Representatives Justus, Kiser, Thompson, Hill

SUBSTANCE ABUSE FUNDS

Section 19.23. (a) Of the funds appropriated in the continuation budget to the Department of Correction for the 1997-99 biennium for private prison substance abuse beds, the Department shall allocate the sum of five hundred twenty-seven thousand eight hundred six dollars ($527,806) for the 1997-98 fiscal year and the sum of four hundred fifty-four thousand seven hundred fifteen dollars ($454,715) for the 1998-99 fiscal year to a Reserve for Substance Abuse. For the 1997-98 fiscal year, the Department shall allocate up to the sum of four hundred sixty-seven thousand eight hundred six dollars ($467,806) to the DART/DWI aftercare program at Cherry Hospital and up to the sum of sixty thousand dollars ($60,000) for an evaluation of the Department's substance abuse programs. The evaluation study shall review and update findings from the study of Department of Correction substance

Handout #7
10-21-97

JUSTICE AND PUBLIC SAFETY APPROPRIATIONS SUBCOMMITTEE

REPORT ON $87.5 MILLION PRISON CONSTRUCTION PROGRAM, 1994 EXTRA SESSION PROJECTS AND 1995 PRISON PROJECTS

by Speros J. Fleggas, PE, Director
State Construction Office
October 21, 1997

Since the last report made to this committee, we have made continuing progress toward completion of the prison facilities under this construction program. Provided for your use with this report are seven tables which indicate the status and cost of the prison projects under the responsibility of the Department of Administration.

Table A indicates the status of projects funded from the $87.5 million bonds. All projects have been completed and turned over to the Department of Correction. We are still working on punch list items and making corrections on several projects. We are trying to wrap up loose ends on these projects with the Department of Correction.

Table B shows the status of the 1994 Extra Session prison projects. All of those are completed and turned over to the Department of Correction.

Table C indicates the current status of those projects funded in 1995. The projects shaded in gray are under construction with the contract completion dates shown in the right-hand column. There is a pre-final inspection scheduled for Warren Correctional Center - Phase II for October 23, 1997.

Table D is provided to you for information. Except for the Eastern and Western Modular Dormitory projects, all of the remaining project responsibilities will revert to the Department of Correction upon completion of the programming phases of these projects. The General Assembly appropriated $2.3 million to the Department of Administration to initiate the design of these facilities. In 1997, additional appropriations and special provisions dealing with the availability of federal funds shifted the responsibility for these projects to the Department of Correction. Existing design contracts will be closed out at the conclusion of programming and the balance of funds will be turned over to the Department of Correction. There will be no further reports made on these projects. The total funds listed in Table D are budgetary estimates of the cost of these facilities.

Table E is an accounting of the cost to build the projects funded from the Prison Bonds. Expenditures for those projects totaled $98,292,105. Money was added from various other sources listed to supplement the original bond allocation.

Table F is provided to merely reconcile the bond funds. A total of $91,250,020 in bond funds was obligated for the projects listed.

Table G is the accounting of the cost of the 1994 Extra Session prison projects. Warren Correctional Center includes appropriations from 1995 for Phase II construction. The bond funds for Eastern Processing Center are included in the total cost for this facility.

This constitutes the final report for the $87.5 million prison bond construction program and the 1994 Extra Session projects. To recap the program to date, we have constructed 6,589 beds at a cost of $170,332,233 or $25,850 per bed. We have constructed nearly 1,500,000 square feet of prison space at approximately $116 per square foot.

TABLE "A"

STATUS REPORT
1993 Prison Bond Projects
October 20, 1997

PROJECT	CUSTODIAL LEVEL	NO. OF BEDS	TOTAL FUNDS	BOND FUNDS	OTHER FUNDS	PROJECT STATUS	DATE
Eastern Processing Center - (Advanced Planning Only)	Medium	-	$900,000	$900,000	(none)	Advanced Planning Completed	12/10/93
Hyde Correctional Center	Medium	520	11,754,072	11,754,072	(none)	Construction Completed	11/21/96
Hyde Correctional Center Site Package	-	-	2,320,000	2,320,000	(none)	Construction Completed	7/27/94
Lumberton Correctional Center	Medium	104	1,398,498	1,398,498	(none)	Construction Completed	7/31/95
Harnett Correctional Institution	Medium	104	1,952,150	1,952,150	(none)	Construction Completed	5/4/95
N. C. Correctional Institution for Women	Medium	50	7,715,912	5,451,860	$2,264,052	Construction Completed	12/20/95
Morrison Youth Institution	Medium	208	6,459,739	4,469,261	1,990,478	Construction Completed	12/21/95
Fountain Correctional Center for Women	Minimum	100	1,613,324	1,613,324	(none)	Construction Completed	2/13/95
500-Bed Work Facilities - East	Minimum	500	7,752,915	7,752,915	(none)	Construction Completed	1/10/97
500-Bed Work Facilities - West	Minimum	500	7,952,915	7,952,915	(none)	Construction Completed	11/5/96
Boot Camp at Western Youth Institution - Phase 1	Minimum	90	1,063,148	1,063,148	(none)	Construction Completed	10/21/94
Franklin and Johnston Correctional Centers	Medium	208	3,023,485	3,023,485	(none)	Construction Completed	3/15/95

LEGEND:

PROJECT IN DESIGN

UNDER CONSTRUCTION

CONSTRUCTION COMPLETE

STATUS REPORT
1993 Prison Bond Projects
October 20, 1997

TABLE "A"

PROJECT	CUSTODIAL LEVEL	NO. OF BEDS	TOTAL FUNDS	BOND FUNDS	OTHER FUNDS	PROJECT STATUS	DATE
Davidson and Rowan Correctional Centers	Minimum	100	732,347	732,347	(none)	Construction Completed	11/8/94
Rutherford Correctional Center	Minimum	50	362,242	362,242	(none)	Construction Completed	11/8/94
Wilkes Correctional Center - Phase 1	Minimum	100	714,516	714,516	(none)	Construction Completed	11/28/94
Wilkes Correctional Center - Phase 2	Minimum	50	361,821	361,821	(none)	Construction Completed	3/7/95
Bladen Correctional Center	Minimum	100	697,357	697,357	(none)	Construction Completed	2/6/95
Carteret Correctional Center	Minimum	100	697,357	697,357	(none)	Construction Completed	1/24/95
Robeson Correctional Center	Minimum	50	404,206	404,206	(none)	Construction Completed	9/21/94
Greene Correctional Center	Minimum	50	335,000	335,000	(none)	Construction Completed	6/30/94
Sanford Correctional Center - Phase 2	Minimum	50	398,827	398,827	(none)	Construction Completed	2/9/95
Cherry Correctional Center	Minimum	100	680,609	680,609	(none)	Construction Completed	8/30/94
Wake Correctional Center	Minimum	100	702,658	702,658	(none)	Construction Completed	10/19/94
Sanford Correctional Center - Phase 1	Minimum	50	425,838	425,838	(none)	Construction Completed	9/20/94
Pasquotank Correctional Institution	Minimum	200	2,661,136	2,661,136	(none)	Construction Completed	7/22/95
Polk Youth Center Replacement-Phase 1	Medium	568	26,383,806	26,383,806	(none)	Construction Completed	1/2/97
	TOTALS:	4,052	$89,463,878	$85,209,348	$4,254,530		

TABLE "B"

STATUS REPORT
1994 Extra Session Prison Projects
October 20, 1997

PROJECT	CUSTODIAL LEVEL	NO. OF BEDS	FUNDS	PROJECT STATUS	DATE
Eastern Processing Center	Medium	584	20,070,878	Construction Completed	9/23/96
Eastern Processing Center Site Package	-	-	935,122	Construction Completed	9/22/94
Western Boot Camp - Phase 2	Minimum	90	1,100,000	Construction Completed	3/17/95
Expansion of Piedmont Correctional Institution	Medium	208	4,620,600	Construction Completed	6/5/95
Expansion of Columbus Correctional Center	Medium	208	3,957,100	Construction Completed	3/24/95
Expansion of Brown Creek Correctional Institution	Medium	208	3,957,000	Construction Completed	1/3/96
Expansion of Lumberton Correctional Center	Medium	208	3,504,000	Construction Completed	11/27/95
Expansion of Wayne Correctional Center	Medium	208	5,445,214	Construction Completed	4/26/95
Drug and Alcohol Recovery Treatment Center at Cherry	Minimum	119	1,425,000	"A" Building - Construction Completed	5/19/95
				O'Berry Bldg. - Construction Completed	5/19/95
Expansion of Marion Correctional Institution	Close	192	5,358,900	Construction Completed	6/20/96
Warren Correctional Center - Phase I	Medium	312	12,260,500	Construction Completed	1/23/97
	TOTALS:	2,337	$ 62,634,314		

LEGEND: PROJECT IN DESIGN

UNDER CONSTRUCTION

CONSTRUCTION COMPLETE

TABLE "C"

STATUS REPORT
1995 Prison Projects
October 20, 1997

PROJECT	CUSTODIAL LEVEL	NO. OF BEDS	TOTAL FUNDS	PROJECT STATUS	DATE
Female Facility - Triad Area	Minimum	104	$2,073,850	Construction Completed	4/28/97
Female Boot Camp - Hoffman	Minimum	60	1,939,045	Under Construction - Completion Date	11/14/97
Western Consolidation Unit	Medium	624	25,018,535	Grading - Ph. 1: Construction Completed	7/25/97
				Grading - Ph. 2: Under Const. -Compl. Date	10/31/97
				Building: Under Construction -Compl. Date	8/17/98
Southern Consolidation Unit	Medium	624	25,018,535	Under Construction - Completion Date	4/21/99
Expansion of Polk Youth Center - Phase II	Medium Close	104 144	7,234,630	Change Order to Ph. I - Const. Completed	8/12/97
Polk Youth Center - Supermax Facility	Maximum	100	8,136,940	Under Construction - Completion Date	3/8/98
Expansion of Warren Correctional Ctr - Phase II	Close	168	6,562,410	Change Order to Phase I - Compl. Date	11/28/97
Greene Segregation Unit	Segregated	40	2,584,475	Construction Completed	7/23/97
Electronic Intrusion System - NCCIW	Medium	-	813,700	Construction Completed	5/9/97
	TOTALS:	1968	$79,382,120		

LEGEND:

PROJECT IN DESIGN

UNDER CONSTRUCTION

CONSTRUCTION COMPLETE

TABLE "D"

STATUS REPORT
1996 Prison Projects
October 20, 1997

PROJECT	CUSTODIAL LEVEL	NO. OF BEDS	TOTAL FUNDS	PROJECT STATUS	DATE
Warren Correctional Center - Phase III	Medium	168	$14,093,915	Programming Complete; Project responsibility reverted to Dept. of Correction	4/25/97
NCCIW - Dorm and Food Service Bldg.	Medium	208	9,770,845	Programming Complete; Project responsibility reverted to Dept. of Correction	7/16/97
Brown Creek Correctional Inst. - Close Custody Inst.	Close	520	57,589,665	Programming Complete; Project responsibility reverted to Dept. of Correction	10/1/97
Central Prison Diagnostic Center	Maximum	196	17,455,965	Programming Complete; Project responsibility reverted to Dept. of Correction	9/30/97
Eastern Modular Dormitories	N/A	360	2,376,757	Bids Due	11/18/97
Alexander Correctional Center - Close Custody Inst.	Close	520	57,589,665	Programming in Progress	
Scotland Correctional Center - Close Custody Inst.	Close	712	66,983,740	Programming Complete; Project responsibility reverted to Dept. of Correction	10/8/97
Western Modular Dormitories	N/A	360	2,376,757	Bids Due	11/18/97
DOC Central Office Building	N/A	N/A	24,021,200	Programming in Progress	
	TOTALS:	3,044	$252,258,509		

LEGEND:

PROJECT IN DESIGN

UNDER CONSTRUCTION

CONSTRUCTION COMPLETE

FINAL REPORT OF COSTS
1993 Prison Bond Projects
October 20, 1997

TABLE "E"

PROJECT AND SCOPE OF WORK	CUSTODIAL LEVEL	NO. OF BEDS	INITIAL ALLOCATION	FINAL ALLOCATION	COST PER BED	TOTAL SQ. FT.	COST PER SQ. FT.
Eastern Processing Center - (Advanced planning only; see 1994 Extra Session Projects for scope.)	Medium	-	$900,000	$1,616,007	N/A	N/A	N/A
Lumberton Correctional Center - Construction of a 104-bed dormitory, and the related site work and utilities to the building.	Medium	104	$1,398,498	$1,353,628*	$13,016	16,380	$82.64
Harnett Correctional Institution - Construction of a 104-bed dormitory and a gatehouse, and related site work and utilities to both buildings.	Medium	104	$1,952,150	$1,556,200*	$14,963	17,578	$88.53
N. C. Correctional Institution for Women - Demolition of 7 structures, renovation of 6 structures, construction of 4 new structures, including a 50-bed dorm, an administration building, an intake building, and a program building, security fencing and lighting, steam distribution and primary power distribution.	Medium	50	$7,715,912	$7,673,150	N/A	63,487	N/A
Morrison Youth Institution - Construction of a new 208-bed dorm, a 20-bed close custody unit, roof replacement on 5 buildings, upgrades of various systems, security fencing and lighting; emergency generator.	Medium	208	$6,459,739	$6,319,948*	$30,384	39,455	$160.18
Fountain Correctional Center for Women - Construction of (2) 50-bed dorms, a food service building, and related site work and utilities to all buildings.	Minimum	100	$1,613,324	$1,309,689*	$13,097	16,352	$80.09
500-Bed Work Facilities - East - Construction of 5 buildings, including a 500-bed dorm, a 20-bed segregation building, a central complex building, an administration building, and an electrical building, and the related site work and utilities to all buildings.	Minimum	500	$7,752,915	$10,167,128	$20,334	95,000	$107.02
500-Bed Work Facilities - West - Construction of 6 buildings, including a 500-bed dorm, a 20-bed segregation building, a central complex building, an administration building, an electrical building, and a produce warehouse, and related site work and utilities to all buildings.	Minimum	500	$7,952,915	$10,369,673*	$20,739	95,000	$109.15
Boot Camp at Western Youth Institution - Phase 1 - Construction of a 90-bed dorm and a maintenance building, and the related site work and utilities to both buildings.	Minimum	90	$1,063,148	$901,023*	$10,011	13,860	$65.01

(*) Final Report has been received

FINAL REPORT OF COSTS
1993 Prison Bond Projects
October 20, 1997

TABLE "E"

PROJECT	CUSTODIAL LEVEL	NO. OF BEDS	INITIAL ALLOCATION	FINAL ALLOCATION	COST PER BED	TOTAL SQ. FT.	COST PER SQ. FT.
Franklin and Johnston Correctional Centers - Construction of a 104-bed dorm at each of these two sites, a guard tower at the Franklin Corr. Ctr., and the related site work and utilities to all buildings.	Medium	208	$3,023,485	$2,782,822*	$13,379	32,076	$86.76
Davidson and Rowan Correctional Centers - Construction of a 50-bed dorm at each of these two sites, and related site work and utilities to the building.	Minimum	100	$732,347	$736,360*	$7,364	10,682	$68.93
Rutherford Correctional Center - Construction of a 50-bed dorm, and related site work and utilities to the building.	Minimum	50	$362,242	$378,268*	$7,565	5,341	$70.82
Hyde Correctional Center; Hyde Site Package - Site Package: General grading, drainage and site work. Corr. Center: Construction of a 4-building complex, including a 520-bed dormitory, 1 administration building, 1 vocational building, 1 gatehouse, some site work, and utilities to all buildings, including an elevated water storage tank.	Medium	520	$14,074,072	$17,997,985	$34,612	125,838	$143.02
Wilkes Correctional Center - Phase 1 - Construction of (2) 50-bed dorms, and related site work and utilities to both buildings.	Minimum	100	$714,516	$719,630*	$7,196	10,682	$67.37
Wilkes Correctional Center - Phase 2 - Construction of a 50-bed dorm, and related site work and utilities to the building.	Minimum	50	$361,821	$340,045*	$6,801	5,341	$63.67
Bladen Correctional Center - Construction of (2) 50-bed dorms, and related site work and utilities to both buildings.	Minimum	100	$697,357	$694,766*	$6,948	10,732	$64.74
Carteret Correctional Center - Construction of (2) 50-bed dorms, and related site work and utilities to both buildings.	Minimum	100	$697,357	$690,971*	$6,910	10,732	$64.38
Robeson Correctional Center - Construction of a 50-bed dorm, and related site work and utilities to the building.	Minimum	50	$404,206	$394,182*	$7,884	5,366	$73.46
Greene Correctional Center - Construction of a 50-bed dorm, and related site work and utilities to the building.	Minimum	50	$335,000	$334,967*	$6,699	5,366	$62.42
Sanford Correctional Center - Phase 2 - Construction of a 50-bed dorm, and related site work and utilities to the building.	Minimum	50	$398,827	$391,845*	$7,837	5,441	$72.02

(*) Final Report has been received

FINAL REPORT OF COSTS
1993 Prison Bond Projects
October 20, 1997

TABLE "E"

PROJECT	CUSTODIAL LEVEL	NO. OF BEDS	INITIAL ALLOCATION	FINAL ALLOCATION	COST PER BED	TOTAL SQ. FT.	COST PER SQ. FT.
Cherry Correctional Center - Construction of (2) 50-bed dorms, and related site work and utilities to both buildings.	Minimum	100	$680,609	$690,217*	$6,902	10,684	$64.60
Wake Correctional Center - Construction of (2) 50-bed dorms, and related site work and utilities to both buildings.	Minimum	100	$702,658	$687,561*	$6,876	10,684	$64.35
Sanford Correctional Center - Phase 1 - Construction of a 50-bed dorm, and related site work and utilities to the building.	Minimum	50	$425,838	$418,643*	$8,373	5,342	$78.37
Pasquotank Correctional Institution - Construction of a 200-bed dorm and an administration building, with the required site work and utilities to both buildings.	Minimum	200	$2,661,136	$2,649,658*	$13,248	29,111	$91.02
Polk Youth Center Replacement - Construction of 7 buildings, including (3) 104-bed dorms, (2) 144-bed single-cell dorms, an administration building, an activity building, and a gatehouse, prqviding a total of 600 beds (including segregation beds), and the required site work and utilities to serve all buildings.	Medium	600	$26,383,806	$26,333,806*	$43,890	227,939	$115.53
OTHER BOND EXPENDITURES:	SUBTOTAL	4,084	$89,463,878	$97,508,172			
Marion Correctional Center (Reimbursement of advance)				$260,705			
Umstead Correctional Center (Expenses prior to cancellation of project)				$29,598			
Hyde - Reimburse OSBM				$349,489			
State Treasurer Sale Fee				$130,972			
Contingency Balance Remaining				$13,169			
			Subtotal:	$98,292,105			
LESS REPAIR AND RENOVATION FUNDS AND OTHER STATE APPROPRIATIONS INCLUDED IN ABOVE PROJECTS:				($7,042,105)			
	TOTALS:	4,084	$89,463,878	$91,250,000	(Revised Prison Bond Total)		

(*) Final Report has been received

TABLE

UTILIZATION OF PRISON BONDS BY FACILITY
Last Updated: 10/15/97

Contingency Remaining	$ 13,169.61
State Treasurer-Sale Fee	130,972.03
Eastern Processing Center	1,616,006.79
Hyde Correctional Center	17,361,976.06
Lumberton Correctional Center	1,353,627.68
Hamett Correctional Center	1,556,199.88
NCCIW	5,386,503.40
Morrison Youth Institute	4,381,469.96
Fountain Correctional Center	1,309,689.06
East Work Facility	9,281,937.17
West Work Facility	9,073,892.83
Western Boot Camp	901,023.01
Franklin Med Security Facility	1,424,815.15
Johnston Med Security Facility	1,358,007.00
Davidson Min Security Facilttity	371,202.77
Rowan Min Security Facility	365,157.71
Rutherford Min Security Facility	378,267.79
Wilkes Min Security Facility	1,059,675.04
Bladen Min Security Facility	694,765.89
Carteret Min Security Facility	690,971.23
Greene Min Security Facility	334,966.83
Robeson Min Security Facility	394,182.07
Sanford Min Security Facility	391,845.51
Cherry Min Security Facility	690,216.74
Wake Min Security Facility	687,560.74
Umstead Min Security Facility	29,597.94
Sanford Min Security Facility	418,642.68
Pasquotank Corr Inst	2,649,657.78
Polk Youth Center Replacement	26,333,806.00
Marion Correctional Ctr	260,705.00
Hyde-Reimburse OSBM	349,488.65
	$ 91,250,000.00

Dan River Work Farm
Tyrrell Work Farm

ORIGINAL CERTIFICATION	$ 87,500,000.00
93-94 REVISION #1	1,750,000.00
93-94 REVISION #2	2,000,000.00
	91,250,000.00

FINAL REPORT OF COSTS
1994 Extra Session Prison Projects
October 20, 1997

PROJECT AND SCOPE OF WORK	CUSTODIAL LEVEL	NO. OF BEDS	INITIAL ALLOCATION	FINAL ALLOCATION	COST PER BED	TOTAL SQ. FT.	COST PER SQ. FT.
Eastern Processing Center; Eastern Site Package - Site Package: General grading, drainage and site work. Proc. Center: Construction of 5 buildings, including 2 dorms with 208 beds each, 1 close custody building with 168 beds, 1 administration building, 1 gatehouse, and the necessary site work, fencing, lighting, roads, walks, and utilities to all buildings.	Medium	584	$21,006,000	$23,091,007*	$39,539	180,584	$127.87
Western Boot Camp - Phase 2 - Construction of a 90-bed dorm and a maintenance building, and the related site work and utilities to both buildings.	Minimum	90	$1,100,000	$653,682*	$7,263	12,022	$54.37
Expansion of Piedmont Correctional Institution - Construction of a 208-bed dorm, a program building, a guard tower, temporary facilities, and related site work and utilities to all buildings.	Medium	208	$4,620,600	$4,777,136*	$22,967	37,752	$126.54
Expansion of Columbus Correctional Center - Construction of a 208-bed dorm, a program building, site work and utilities required for both buildings.	Medium	208	$3,957,100	$3,887,283*	$18,689	37,707	$103.09
Expansion of Brown Creek Correctional Institution - Construction of a 208-bed dorm, a program building, site work and utilities required for both buildings.	Medium	208	$3,957,000	$4,171,836*	$20,057	37,754	$110.50
Expansion of Lumberton Correctional Center - Construction of (2) 104-bed dorms, and the related site work and utilities to both buildings.	Medium	208	$3,504,000	$3,122,106*	$15,010	32,762	$95.30
Expansion of Wayne Correctional Center - Construction of a 208-bed dorm and a food service building, and renovation of the existing kitchen and dining area; and the related site work and utilities to all buildings.	Medium	208	$5,445,200	$5,434,009*	$26,125	44,109	$123.19
Drug and Alcohol Recovery Treatment Ctr. at Cherry - Asbestos abatement in Building A; roof replacement on Building A and O'Berry Building; and complete renovation of the first floor of Building A, to provide a total of 119 beds.	Minimum	119	$1,425,000	$1,630,294*	$13,700	15,236	$107.00
Expansion of Marion Correctional Institution - Construction of an "H-Wing" close custody housing addition with 192 beds, fencing and paving.	Close	192	$5,358,900	$5,646,214*	$29,407	44,860	$125.86
Warren Correctional Center - Construction of 7 buildings, including 3 dorms with 104 beds each, 1 single-cell facility with 168 beds, 1 administration building, 1 vocational building and 1 gatehouse, and the related site work and utilities to all	Medium Close	312 168	$18,822,910	$19,626,561	$40,889	155,630	$126.11
(*) Final Report has been received	TOTALS:	2,505	$69,196,710	$72,040,128			

Handout #8
10-21-97

Alexander County Administrative Office

255 Liledoun Road, Taylorsville, NC 28681

Telephone 704-632-9332
Fax 704-632-0059

September 24, 1997

Mr. Lynn C. Phillips
Assistant Secretary
North Carolina Department of Correction
214 West Jones Street
P.O. Box 29540
Raleigh, North Carolina 27626-0540

Re: Alexander Correctional Institution

Dear Mr. Phillips:

At its meeting on September 22, 1997, the Alexander Board of County Commissioners voted by majority to discontinue efforts to purchase property options, and to not assist the location of a proposed new prison to Alexander County.

Will you please notify the appropriate officials regarding this decision.

Sincerely,

Charles S. Mashburn

Charles S. Mashburn
County Manager

Post-it® Fax Note 7671	Date 9-24-97	# of pages ▶ 1
To Lynn C. Phillips	From Charles Mashburn	
Co./Dept. NC Department of Correction	Co. Alexander County	
Phone #	Phone # (704) 632-9332	
Fax # (919) 715-0586	Fax # (704) 632-0059	

North Carolina Department of Correction
214 West Jones Street • P.O. Box 29540 • Raleigh, North Carolina 27626-0540

James B. Hunt Jr., Governor

Mack Jarvis, Secretary

September 25, 1997

Mr. Charles Mashburn, County Manager
Alexander County Administrative Office
255 Liledoun Road
Taylorsville, North Carolina 28681

Re: Alexander Correctional Institution

Dear Mr. Mashburn:

The Department of Correction acknowledges receipt of your faxed correspondence of September 24, 1997 that documents the vote of the Alexander County Board of Commissioners regarding the discontinuance of efforts to purchase property for this proposed institution.

The Department regrets that Alexander County is no longer interested in providing a site for this proposed facility. Alternative site considerations necessary for the Department to advance planning for this institution will begin immediately. Through the continued operation of the existing Alexander Correctional Center, the Department will continue to fulfill its public safety responsibilities to the County and be a good steward of state and local resources.

Please express our appreciation to all the County Commissioners who devoted their valuable time in an effort to balance departmental interests and the preferences of their constituencies. The Department is grateful for your assistance also and will respond to your request by notifying appropriate officials of this decision.

Thank you for your prompt notification of this decision by the Alexander County Board of Commissioners.

Sincerely,

Lynn C. Phillips
Assistant Secretary

LCP:tsr
File/02

c: Mack Jarvis
Dan Stieneke

VISITOR REGISTRATION SHEET

APPROPRIATIONS/Subcommittee on Justice & Public Safety **OCTOBER 21, 1997**

Name of Committee | Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
HAROLD WEBB	NC LEAF
John Madler	Sentencing Commission
Gray Hold	DOC
BILL DOGGIN	NCBA
B Tarleff	AOC
Dallas Tomeff	AOC
Chris Mankin	AOC
Jill S. Hurst	CCPS
Katrina Rankin	NCACC
David Ferrell	Hofe, McNamara, Caldwell etal
Jane O Gray	DOJ
Susan Robin	" "

SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY – INTERIM MEETING

Wednesday, October 22, 1997 9:00 A.M.
Central Prison Conference Room

AGENDA

1. **Call to Order**

Co-Chairmen: Senator Wib Gulley	Representative Larry Justus, Presiding
	Representative Gregg Thompson
Vice Chair: Senator Frank Ballance, Jr.	Representative Joe Kiser

2. Overview of Future DOC Capital Projects and Priorities

   Lynn Phillips, Assistant Director, Department of Correction

3. Overview of Federal Prison Grant Funding

   Gregg Stahl, Assistant Director, Department of Correction

4. Overview of Central Prison and Central Prison Revised Master Construction Plan.

   J. B. French, Warden

Lunch

5. **Tour** of Central Prison Areas affected by Master Plan

6. Review of DOC Long Range Capital Plan for Medical Facilities (if time available)

   Lynn Phillips, Assistant Director, Department of Correction

7. Committee Discussion/Other Business

8. Adjournment

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
INTERIM STUDY 1997-98

House Members Present: [9] Representatives Justus, Thompson, Kiser, McCrary, Hardy, Redwine, Sexton, Smith and Easterling

Senate Members Present: [4]

The Joint Appropriations Subcommittee on Justice and Public Safety met on Wednesday, October 22, 1997, at Central Prison. Representative Justus called the meeting to order at 9:12 AM. Representative Justus introduced Secretary Jarvis, Department of Corrections, to introduce staff members present. Secretary Jarvis introduced the following Department of Corrections personnel:
Joe Hamilton, Chief Deputy, Secretary of Corrections
Gregg Stahl, Deputy, Secretary of Corrections
Dan Stineke, Director, Division of Prisons
Buddy Humphrey, State Budget Office

Representative Justus asked that committee members introduce themselves. Representative Earle was introduced as a visitor to the committee. The legislative staff was introduced.

- **Overview of Federal Prison Grant Funding**

Gregg Stahl, Deputy Secretary of Corrections, proceeded with an overview of Federal Prison Grant Funding. Attachment 1 -- Violent Offender Incarceration and Truth in Sentencing Grants – was distributed. Gregg Stahl explained that in 1994, Congress passed the Violent Crime Control and Law Enforcement Act of 1994. The purposes of this legislation was to address the need for additional prison and jail capacity so violent offenders can be removed from the community and the public will know that enough beds are available so that violent offenders will serve all of their sentence as provided by structured sentencing.

States may qualify for one or both of the programs: Violent Offender Incarceration Incentive Grants and /or Truth in Sentencing Grants. States are required to have violent

offenders serve at least 85% of their sentence, showing that offenders have increased their time served. North Carolina has received the following funds from this program:
For fiscal year 96 $110,946,740 in federal funds
For fiscal year 97 $14,517,413 in federal funds

Indications are that this money will be greater when the fiscal year 98 budget is passed.

Representative Kiser asked if any strings are attached to this grant. Gregg Stahl replied that there is a 10% match and data must be provided annually on the grant.

Representative Justus recognized J.B. French, Warden of Central Prison.

Warden French proceeded with an

- **Overview of Central Prison and Central Prison Revised Master Construction Plan**

Warden French explained that Central Prison provides support for the entire division of prisons. Central Prison provides the only medical hospital for medium and closed custody inmates. Central Prison has a capacity of 947 inmates but today the population is 1289. As a result, bunks have been placed in day rooms. One hundred sixty-nine inmates are on death row (five of these are at Women's Prison). Warden French reported that Central Prison serves as the following:

1. Diagnostic Center
2. Death Row
3. Primary hospital for adult males
4. Inpatient mental health for males in the state corrections system
5. Houses Safe Keepers for counties

Warden French covered the items in the master construction plan. Representative Justus asked for the number of inmates that have aids. Warden French will provide the number of inmates. He was also requested to provide the number of HIV positive inmates. Senator Ballance stated that some of these HIV aids cases should be "exited." Representative Sexton added that he was surprised that they are not quarantined. Representative Kiser asked for a monthly report of total number of aids and HIV inmates for the last two years.

Representative Justus asked for the average length of time an inmate is on death row. Warden French said several inmates have been on death row 15-17 years; probably one half of inmates on death row now stay on death row 7-10 years.

Warden French proceeded with the three phase plan that would in Phase I construct 196 single cell maximum security cells for death row and an inmate facility for prisoners.

Phase I would cost 17.5 million dollars. Warden French added that he hopes this part of the plan can go out for bid in May and be completed in late 1999.

Representative Thompson asked if this is a capitol project priority of the governor. Secretary Jarvis replied that this is a priority of the governor.

Warden French proceeded with Phase II:

1. Relocate license tag plant and convert the old building to a warehouse.
2. Renovate the medical center, demolish the old hospital and renovate the food and kitchen area.
3. Renovate South parking lot, East parking lot and add a Sally port.

Representative Thompson stated that this plan appears to be focused on updating and modernizing the facility and not in increasing bed space. Representative McCrary added that this would enable the Department of Corrections to operate more efficiently.

Representative Thompson requested that the members of this committee be provided with copies of the charts that Warden French is using in his presentation. Senator East asked for the number of staff employed in the hospital at Central Prison. There are five full time physicians, sixty-four nurses, three full time psychologists and two full time dentists. The department of Corrections contracts for special clinics. Representative Esposito asked for the number of staff in the mental facility. There are three full time physicians and a nursing staff of fifty-four.

Warden French proceeded with Phase III.

1. Build a mental health center comprised of 200 cells.
2. Finish the corridor connection
3. Build a service center warehouse and elevators.

Warden French added that this is a ten year plan.

The committee recessed for lunch at Central Prison and a tour of Central Prison.

After lunch and the tour, Representative Justus called the committee meeting back to order. Lynn Phillips, Assistant Director, Department of Correction, was recognized to present an

- **Overview of Future DOC Capital Projects and Priorities**

Lynn Phillips presented the attachment entitled "Status Report -- 1996 Prison Projects." Representative Justus asked that future documents provided to this committee have the names of the counties involved placed on them.

Representative Justus announced that tomorrow this committee will visit Women's Prison. The buses will leave the Legislative Building at 8:30 A.M. The meeting was adjourned at 2:15 PM.

Larry Justus
Chairman

Carolyn Justus
Clerk

Attachments
1. Violent Offender Incarceration and Truth in Sentencing Grants
2. Status Report -- 1996 Prison Projects
3. Visitors Sheet

ATT. 1

VIOLENT OFFENDER INCARCERATION AND TRUTH IN SENTENCING GRANTS

In 1994 Congress enacted the Violent Crime Control and Law Enforcement Act of 1994, generally referred to as the Crime Act. One of its purposes is to address the need for additional prison and jail capacity so that violent offenders can be removed from the community and the public will know that these offenders are serving substantial portions of their sentences. States across the nation were facing the same kind of prison overcrowding crises that North Carolina experienced in the mid to late 1980s. Thus, one integral portion of the Crime Act was to "authorize" approximately $10 billion for the Violent Offender Incarceration and Truth in Sentencing (VOI/TIS) grants program from FY 96 through FY00. In reality, the appropriated amounts for each year's funding to the states will not approach the authorized amounts, yet the appropriated amounts are significant.

The primary purpose of the VOI/TIS is to provide funding to the states to build or expand correctional facilities to increase the bed capacity for the confinement of persons convicted of a Part I violent crime. This may include the building or expansion of temporary or permanent correctional facilities for the confinement of non-violent offenders for the purposes of freeing appropriate existing space for violent offenders.

States may qualify for one or both of the programs, Violent Offender Incarceration incentive grants and/or Truth in Sentencing. Within the VOI program there are three tiers of qualifications based on states requiring violent offenders to serve at least 85% of their sentence, showing that offenders have increased their time served, and states have increased the percentage of persons arrested for a Part I persons and has increased the average percent of time served. The single requirement of the TIS funding is to prove that offenders convicted of a part I violent crime serve not less than 85% of the sentence imposed. In FY 96 only ten states qualified for every available portion of the money, and North Carolina was among the ten.

- For FY 96 North Carolina received a total of $10,946,740 in federal funds
- For FY 97 North Carolina received a total of $14,517,413 in federal funds
- Total federal funds to date are $25,464,153.
- Funds are authorized through FY00
- Although there is not a final FY 98 budget passed, indications are that the total VOI/TIS appropriation will be somewhat larger than that in FY98.
- There is a 10% cash match on all of these funds
- Up to 3% of the funds may be used for administrative purposes

North Carolina has proven to be a national leader in qualifying and receiving these funds.

Oct 22.97 9:47 No.002 P.02 TEL:

In May of this year, a team from the Inspector's General's office of the US Dept of Justice spent two weeks in NC learning about our correctional reform efforts in order to use this state as a model for other states. NC recently received one of ten "Innovations in American Government" from the Ford foundation, together with an award for $100,000.

Oct 22'97 9:47 No.002 P.02
TEL:

TABLE "D"

STATUS REPORT
1996 Prison Projects
October 20, 1997

PROJECT	CUSTODIAL LEVEL	NO. OF BEDS	TOTAL FUNDS	PROJECT STATUS	DATE
Warren Correctional Center - Phase III	Medium	168	√$14,093,915	Programming Complete; Project responsibility reverted to Dept. of Correction	4/25/97
NCCIW - Dorm and Food Service Bldg.	Medium	208	√9,770,845	Programming Complete; Project responsibility reverted to Dept. of Correction	7/16/97
Brown Creek Correctional Inst. - Close Custody Inst.	Close	520	√57,589,665	Programming Complete; Project responsibility reverted to Dept. of Correction	10/1/97
Central Prison Diagnostic Center	Maximum	196	√17,455,965	Programming Complete; Project responsibility reverted to Dept. of Correction	9/30/97
Eastern Modular Dormitories	N/A	360	2,376,757	Bids Due	11/18/97
Alexander Correctional Center - Close Custody Inst.	Close	520	√57,589,665	Programming in Progress	
Scotland Correctional Center - Close Custody Inst.	Close	712	√66,983,740	Programming Complete; Project responsibility reverted to Dept. of Correction	10/8/97
Western Modular Dormitories	N/A	360	2,376,757	Bids Due	11/18/97
DOC Central Office Building	N/A	N/A	24,021,200	Programming in Progress	
	TOTALS:	3,044	$252,258,509		

2,324 (w/out mods)

LEGEND:

PROJECT IN DESIGN

UNDER CONSTRUCTION

CONSTRUCTION COMPLETE

ATT. 2

ATT. 3

VISITOR REGISTRATION SHEET

APPROPRIATIONS/Subcommittee on Justice & Public Safety OCTOBER 22, 1997

Name of Committee Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
JAMES FRENCH	DOC - Central PRISON
SHERWOOD McCABE	DOC - Central Prison
Daniel Stieneke	DOC -
Greg Starr	DOC
Joe Hamilton	DOC
Jim Mills	General Assembly
Randy Miller	General Assembly
Buddy Humphrey	State Budget
Charlie Perusse	Fiscal Research
ROBERT Bruce	OSBM
Mack Jarmi	St. D.O.C.

SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY – INTERIM MEETING

Thursday, October 23, 1997 9:00 A.M.

North Carolina Correctional Institution for Women

AGENDA

1. **Call to Order**

Co-Chairmen: Senator Wib Gulley	Representative Larry Justus, Presiding
	Representative Gregg Thompson
Vice Chair: Senator Frank Ballance, Jr.	Representative Joe Kiser

2. Overview of Consultant Study and Proposed Long Range Plan for DOC Prison Medical Facilities

   Lynn Phillips, Assistant Director, Department of Correction

3. Overview of NCCIW and Review of Capital Needs

   Dan Steineke, Director, Division of Prisons

   Carol Caldwell, Superintendent, NCCIW

4. **Tour** of NCCIW

5. Committee Discussion/Other Business

6. Adjournment

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
INTERIM STUDY 1997-98

House Members Present: [9] Representatives Justus, Thompson, Kiser, McCrary, Hardy, Redwine, Sexton, Smith and Easterling

Senate Members Present: [4]

The Joint Appropriations Subcommittee on Justice and Public Safety met at North Carolina Correctional Institution for Women in Raleigh on Thursday, October 23, 1997. Representative Kiser called the meeting to order at 9:07 A.M..

Representative Kiser introduced Lynn Phillips, Assistant Director, Department of Correction. Mr. Phillips presented an

- **Overview of Consultant Study and Proposed Long Range Plan for DOC Prison Medical Facilities**

Mr. Phillips distributed Attachment 1 -- North Carolina Department of Correction Health Care Plan -- prepared by CGA Consulting Services, Inc. Mr. Phillips covered the Executive Summary in Attachment 1. The General Findings are as follows:

- Establishing Preferred Provider contractual relationships with hospitals and other health care providers,
- Implementing Utilization Review procedures,
- Establishing clinical practice guidelines, reviewing patient management outcomes, and reviewing quality of care and efficiency of outcomes on a continuous basis, and
- Developing an automated information management system (OPUS) which will support system requirements by tracking individual health service requirements and outside health service costs.

Mr. Phillips stated that the new approach will have three regional medical facilities. Representative Kiser asked the number of staff necessary to provide security while an inmate is in a public medical facility. Mr. Phillips replied that having an inmate in a public hospital requires six officers and relief officers for a total of eight or nine officers.

Mr. Phillips covered the total health care expenditures found on page 10 of Attachment 1. The cost per inmate has dropped from $2,853.00 in 1994 to $2,722.00 in 1996. Representative Kiser asked if private medical care for inmates had been considered. Mr. Phillips replied that two contractual health care programs will be started this year.

Representative Kiser asked for extra ordinary medical costs. Jim Mills, Fiscal Staff, will provide this information

Secretary Jarvis, Department of Corrections, said that there are twenty-six vacancies in the nursing staff at this time. Representative Redwine asked if the Department of Corrections recruits nurses. Dan Stineke, Director or Prisons, said that recruiting is done.

Representative Kiser asked that the cost of the CGA Study be provided. Representative Justus asked for the turnover rate for physicians and nurses in the correctional system.

Representative Kiser recognized Dan Stineke, Director, Division of Prisons. Mr. Stineke reported Women's Prison is a flagship prison. In 1994 the population was 1200. In 1997 the population is over 2000.

Representative Kiser recognized Carol Caldwell, Superintendent, North Carolina Correctional Institution for Women, for her presentation.

- **Overview of NCCIW and Review of Capital Needs**

Ms. Caldwell operated this prison and simultaneously overseen the building projects. Attachment 2 was distributed to committee members. Ms. Caldwell reported that Women's Correctional Institution is composed of 196 acres of which 30 acres are inside the fence. The population of this facility has doubled in the last six years. When the infirmary was build in 1988, the total female population was 807 in the state; now the female population is over 2000. The typical female offender is incarcerated because of drugs or homicide and has a male codefendant. The female inmate is "much sicker" than the inmate of ten years ago. The MATCH Center allows for special visitation between mother and child. The MATCH Program is sponsored by the United Methodist Church and Church Women United.

Representative Kiser asked for the training programs provided to female inmates. Ms. Caldwell replied that this facility has training programs in dental lab, cosmetology, travel agency, food service, office technician and upholstery. Representative Justus asked why a higher percentage of female inmates are ill. Ms. Caldwell replied that the way of life and drugs has caused these problems.

The committee meeting recessed at 10:45 A.M. to tour the facility. The meeting was adjourned at 12:15 P.M.

Joe Kiser
Chairman

Carolyn Justus
Clerk

Attachments

1. NC Department of Correction
   Health Care Plan
2. NC Correctional Institution for Women
3. Map of facility
4. Visitors Sheet

ATT 1
10/23/97

NORTH CAROLINA
Department of Correction

HEALTH CARE PLAN

prepared by

CGA Consulting Services, Inc.

in association with

Odell Associates, Inc.

and

The Health Service Group

November 1996

CONTENTS

EXECUTIVE SUMMARY

PURPOSE and SCOPE of STUDY ES-1
GENERAL FINDINGS ES-1
SUMMARY of the STUDY'S RECOMMENDATIONS ES-3
- Administrative Structuring ES-3
- Regional Medical and Mental Health Centers ES-3
- Providing Acute Inpatient Medical Care ES-3
- Capital Development Plan ES-4

CONCLUSION ES-5

FINAL REPORT

INTRODUCTION 1
INMATE POPULATION GROWTH PROJECTIONS 2
THE CURRENT HEALTH CARE SYSTEM 3
THE CURRENT MEDICAL SERVICE SYSTEM and **FUTURE CAPACITY REQUIREMENTS** 5
THE CURRENT MENTAL HEALTH SERVICES SYSTEM and **FUTURE CAPACITY REQUIREMENTS** 8
THE CURRENT COST OF PRISON HEALTH CARE 10
MANAGING COSTS 12
PLANNING REQUIREMENTS 16
STUDY RECOMMENDATIONS 17
- Administrative Structuring 18
- Regional Medical and Mental Health Centers 20
- Providing Acute Inpatient Medical Care 23
- Capital Development Plan 25

EMERGING ISSUES in PRISON HEALTH CARE 31
CONCLUSION 33

APPENDICES

Appendix A
NCDOC Health Care Study Task Force A-1

Appendix B
NCDOC Health Care Study Expert Advisory Panel B-1

Appendix C
NCDOC Cost Savings Comparison C-1

Appendix D
NCDOC Capital Development Plan D-1

FINAL REPORT

FIGURES

- Figure 1 ***NCDOC Prison Facilities and Administrative Units*** 1
- Figure 2 ***NCDOC Inmate Population Forecast*** 3
- Figure 3 ***Health Service Section Central Management Structure*** 4
- Figure 4 ***Suggested Management Structure*** 19
- Figure 5 ***Eastern and Western Region Medical Centers*** 22
- Figure 6 ***Central Region Medical Center*** 23

TABLES

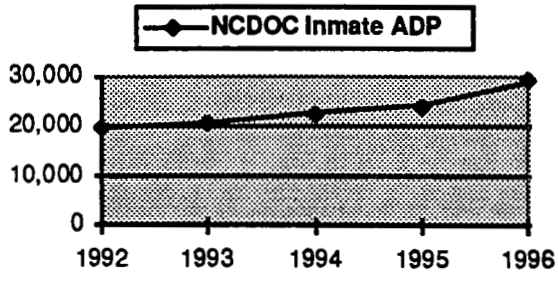
- Table 1 ***NCDOC Facilities*** 2
- Table 2 ***NCDOC Inpatient Medical Beds*** 6
- Table 3 ***NCDOC Mental Health Beds*** 9
- Table 4 ***NCDOC Total Health Care Expenditures*** 10
- Table 5 ***NCDOC Total Medical and Dental Care Expenditures*** 11
- Table 6 ***NCDOC Total Mental Health Expenditures*** 11
- Table 7 ***Regional Office Positions*** 20
- Table 8 ***Regional Medical Facility Health Services Positions*** 21
- Table 9 ***Regional Mental Health Center Positions*** 22
- Table 10 ***Cost of Purchasing Acute Care Beds*** 23
- Table 11 ***Proposed Acute Bed Development Plan*** 25
- Table 12 ***Capital Development Plan*** 28

EXECUTIVE SUMMARY

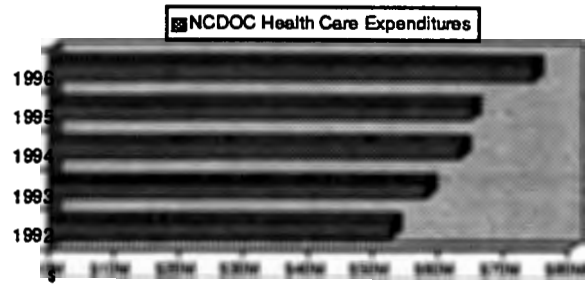
PURPOSE AND SCOPE OF STUDY

Providing efficient correctional health care services presents a continuing challenge to correctional administrators. When in a community, offenders engage in behavior that negatively impacts their physical and mental health. Substance abuse, poor hygiene, lack of precaution against infection, dietary deficits, exposure to resistant strains of tuberculosis, AIDS, and economic conditions deliver them to the correctional environment with health care needs that have been long neglected. When admitted to the correctional system, the prisoner population typically requires a higher demand for medical services than the community at large.

Over the past 5 years, North Carolina's inmate population has risen by almost 60%, from 19,500 for fiscal year 1991-1992 to 31,000 at mid year 1996.



During this same period, the Department's health service expenditures increased by 40%, from $53M to $74.5M. With national health service costs continuing to rise dramatically, policy makers are examining the balance between correctional system costs and the needs of other agencies for limited resources.



As prison health care spending is not likely to lessen in the near future, the North Carolina Department of Correction determined that it needed to examine the cost and reliability of its health service system and develop a plan for meeting current and future needs.

Working with the North Carolina Department of Correction Health Care Task Force, CGA Consulting Services, Inc. examined the prison system's current method of health service delivery, explored alternative delivery system models and developed a strategy for meeting current and projected health service needs.

GENERAL FINDINGS

To contain rising health care costs, the Department of Correction has implemented a number of managed care practices which are similar to those used by community health service organizations. Their basis for change was the identification of those health service behaviors and activities which generated unnecessary costs and the implementation of corrective action. These actions have included:

- Establishing Preferred Provider contractual relationships with hospitals and other health care providers,

- Implementing Utilization Review procedures,
- Establishing clinical practice guidelines, reviewing patient management outcomes, and reviewing quality of care and efficiency of outcomes on a continuous basis; and
- Developing an automated information management system (OPUS) which will support system requirements by tracking individual health service requirements and outside health service costs.

The study found, however, that the efficiency of the Department's health service program is negatively impacted by it's dependence on outside service providers for diagnostic and basic ambulatory procedures. In addition to the cost of purchasing these services, there are significant costs associated with transporting prisoners to outside service providers. For 1995, the average cost of a medical transport was estimated at $125 per occurrence. The Department's efficiency has also been reduced by it's limited ability to recruit and retain full-time physicians. This situation had previously been examined by the State Auditor. In a 1994 report it was recommended that there be less reliance on outside service providers and that full-time physicians replace 86 physicians then under contract for part-time service.

These three situations are significant factors in the Study Team's recommendation that the Department abandon it's centralized system in favor of regional health service delivery. The establishment of regional health service centers will enable the Department to provide more services within the prison system. Having appropriate health care facilities will enhance the Department's ability to attract qualified professional staff.

The study also identified serious deficiencies in the Department's health facility resources. Lack of appropriate facilities limits the ability of the Department to control costs. Because of the pressure to meet bed space requirements, health care facilities have not kept pace with operational needs. The need for additional inpatient beds and clinical spaces is now critical. The study found an immediate need for upwards of 75 additional inpatient medical beds. Adding to this problem is the fact that the physical structure of Central Prison Hospital can no longer can support an adequate level of care. Additionally, centralizing the delivery of medical services to Central Prison is no longer a suitable situation. After careful study it was determined that it cannot be renovated, reconstructed or expanded at reasonable cost.

While the study found that Central Prison Hospital needs to be abandoned as a medical service center, the study confirmed that McCain Hospital should continue to play a significant role in the delivery of medical care. McCain Hospital currently provides skilled nursing care and serves as the Department's geriatric center. It should be noted that this latter program is nationally recognized program. The study recommends that the McCain program be expanded.

The study found that there is also a serious deficiency in both the capacity and the quality of the facilities utilized by the Department's Mental Health Program. There is an immediate shortage of 30-40 inpatient beds. Adding to this deficiency is the fact that the beds which are available need replacement. Central Prison's Mental Health Facility, like its Hospital, has outlived its ability to provide efficient and effective care. Additionally, the system's other mental health beds are located in facilities which are not designed for this hard to manage population. The Department needs to immediately embark on the development of a new mental health facility.

SUMMARY OF THE STUDY'S RECOMMENDATIONS

The Study Team's recommendations are designed to provide an efficient and effective method for delivering health care services to the State's prison population. The recommendations were developed pursuant to a collaborative process which included a comprehensive examination of current processes by the consulting team, interactive work sessions with the Department's Health Service Task Force and discussion sessions with an Advisory Panel consisting of prominent members of the State's health service community.

The recommendations of the Plan are presented as four major categories:

- Administrative Structuring
- Regional Medical and Mental Health Centers
- Providing Acute Inpatient Medical Care
- Capital Development Plan

Administrative Structuring

The vertical organizational structure of the Health Service Section should be flattened, which will enhance administrative oversight and accountability in health service delivery by bringing administrative decision-making closer to medical service delivery. The proposed structure will be centrally directed. Health care delivery will operate within a fixed budget system designed to allocate health care resources efficiently.

Three geographically based health service regions are recommended. These would be located in western, central and eastern portions of the State. A Health Service Administrator in each region will report directly to the Department's Director of Health Services. Regional offices will be staffed to provide administrative and clinical support to health service staff at the institutional level. It is anticipated that many of these positions will result from redeployment of current staff. Line authority over unit health service staff will be coordinated by the Health Services Section.

Regional Medical and Mental Health Centers

To meet the expanding health care needs of 96 operating facilities, a full service medical and mental health center should be located in each region. These health care facilities would provide a comprehensive range of services including ambulatory, specialty, inpatient and emergency care for male and female inmates. However, medical and mental health beds for the female population should be provided separately at the women's correctional institutions or contracted facilities. The mental health facilities would be designed for acute and intermediate inpatient care.

Providing Acute Inpatient Medical Care

Primary and secondary levels of acute care should be provided at the proposed regional medical centers. Keeping this level of care in-house will result in substantial medical cost savings and far less disruption to security operations than supervising inmate patients in a community hospital situation. Acute care services which cannot be provided in-house (tertiary services), should be contracted to preferred provider facilities.

Capital Development Plan

In conjunction with the restructuring of the administrative/management system, the capital development plan presents a program for upgrading, replacing, and expanding the Department's health care facilities. The plan is comprehensive in scope. Key elements include the development of regional medical and mental health centers, the adding of new infirmary beds, providing special residential housing for those inmates who do not require full medical services but do require a more sheltered environment, and providing additional medical and mental health capacity for the rapidly expanding female inmate population. The capital plan is designed to be developed in stages. The phasing program is based on an examination of current and future requirements. Total costs for the project have been estimated at approximately $96M dollars at current costs.

A summary of the proposed capital program is presented below.

RECOMMENDED NCDOC CAPITAL DEVELOPMENT PLAN SUMMARY

HEALTH CARE FACILITY	NO. OF BEDS	DESIGN START-UP	EST. PROJECT COST IN 1996 $
Western Region			
1. Regional Medical Center	45	1997	$9,400,000
2. Infirmary Beds within Region	20	1997	$950,000
3. Regional Mental Health Facility	198	1998	$15,500,000
4. Regional Residential Care Facility	96	1998	$3,800,000
Central Region			
1. Regional Medical Center	90	1997	$17,100,000
2. Central Prison Infirmary	30	1997	$3,900,000
3. Dix Acute Care Unit (male/female)	15	na	na
4. Infirmary Beds within Region	20	1997	$800,000
5. Women's Mental Health Facility	24	1997	$2,200,000
6. Regional Mental Health Facility	198	1997	$15,500,000
7. McCain Hospital Residential Unit	48	1997	na
8. McCain Hospital Worker Dorm	36	1997	$300,000
Eastern Region			
1. Regional Medical Center	45	1997	$9,400,000
2. Infirmary Beds within Region	20	1998	$950,000
3. Regional Mental Health Facility	198	1999	$15,500,000
4. Fountain Residential Care Facility (female)	24	1997	$400,000
		TOTAL	**$96.0M***

*Applying a 3% annual inflation rate to the phased developed schedule results in an estimated cost of $103M.

CONCLUSION

In developing the health care service plan it became evident to the Study Team that the North Carolina Prison System presents unique challenges. The NCDOC operates a larger number of small prisons than is encountered in other correctional systems. The Department's health care facilities are not dispersed around the State and it's two primary health care facilities, Central Prison Hospital and Central Prison's mental health facility, require immediate replacement. Additionally, the Department must rely on "outside" providers for services which are generally provided in-house. It cannot be over-emphasized that these situations exist within a system which in recent years has seen it's inmate population grow faster than that of any other state.

This plan calls for a wholesale revamping of the manner in which health care services are delivered within the North Carolina prison system. Such changes are necessary if the Department is to contain the costs associated with providing required levels of health care. A driving force behind the recommendations is the need to provide health care services within a managed health care system. Although the proposal requires a significant expenditure of capital funds, this expenditure will be quickly offset by savings gained by more efficient operations.

FINAL REPORT

Due to the rising cost of health care and the increased service demands of an expanding prison population, the North Carolina Department of Correction (NCDOC) initiated a study of the inmate health service system. The study examined the current method of health service delivery, explored alternative delivery models, and developed a strategy for efficiently meeting current and projected health service needs. This report presents the findings of this study.

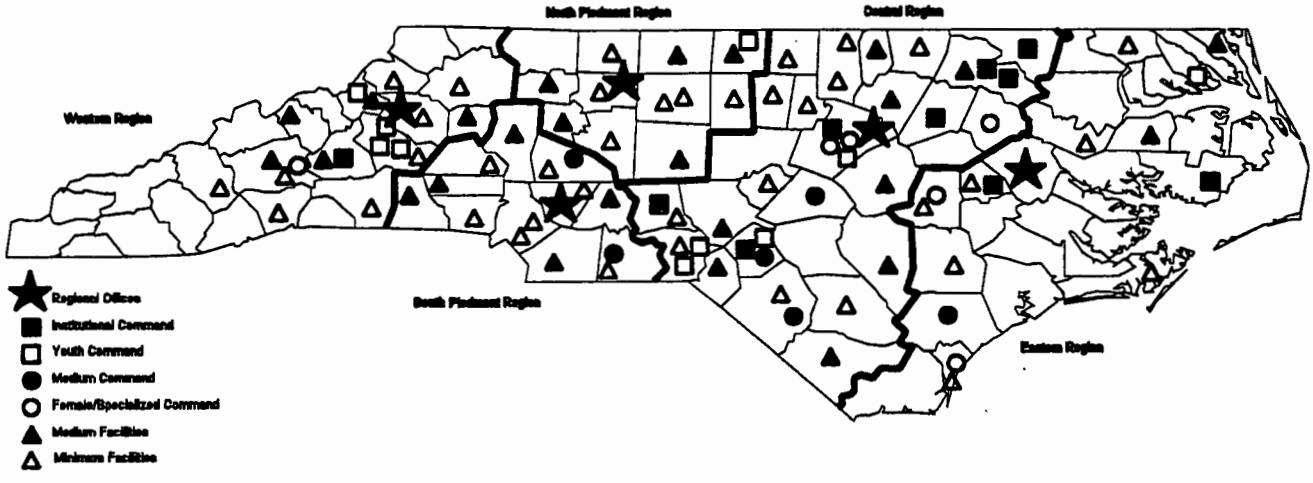
INTRODUCTION

The North Carolina Department of Correction oversees the administration and management of institutional and community correction services throughout the State. More than 31,000 inmates are currently committed by North Carolina courts to serve sentences in 96 separate institutions. To meet statewide requirements the Department is divided into four operations sections: Central Administration, Division of Prisons, Division of Adult Probation and Parole, and Correction Enterprise.[1]

Statewide support services including personnel, training, accounting, purchasing, internal auditing, research, and community and public relations are provided through Central Administration. The Division of Prisons oversees institutional operations through five (5) administrative sections: Institutional Command, Medium Institution Command, Special/Female Command, Youth Command and the Geographic Command. The Geographic Command manages 58 medium and minimum facilities sub-divided into five regional areas: Eastern Area, Central Area, North Piedmont Area, South Piedmont Area and the Western Area.

The map shown in Figure 1 illustrates the diversity of North Carolina's prison facilities and its administrative units.

Figure 1



[1] This health system study does not involve either the Division of Probation and Parole or the Correction Enterprise sections of the North Carolina Department of Correction.

A majority of the State's smaller prison facilities were built between the late 1920's and the early 1940's to support the State's highway maintenance program. As a division of the State Highway Department, correctional facilities were located where they could best provide inmate labor for the highway maintenance. Few new institutions were built during the 1950's, '60's and '70's. The only larger institutions to be constructed during this period were Western Youth, Piedmont Correctional and Central Prison. Capacity demands were met by expanding existing facilities. It was not until the mid 1980's that the construction of new facilities was resumed.

Of the 96 facilities currently being operated, more than half have Standard Operating Capacities (SOC's) of under 200 beds. These facilities hold minimum and medium custody inmates. The larger facilities generally house higher custody inmates. The average size of a facility is 320 beds. The mid year (1996) system-wide occupancy rate is 118% of the Standard Occupancy Capacity.

A breakdown of the Department's facilities by capacity is shown below in Table 1.

Table 1

NCDOC FACILITIES	
Standard Operating	**Number of Facilities**
100 or less	32
101-200	17
201-500	24
501 or more	23
Total	**96**

Although the Department has added approximately 19,000 beds over the last 10 years, it has not been able to keep up with capacity demands. Since 1992, North Carolina's inmate population has risen by 50%. For fiscal year 1995, the Department recorded a population increase of 25%, the largest increase in the nation according to the United States Department of Justice. As a result, with limited exception the Department has been unsuccessful in its attempt to shut down 30 older, smaller facilities which were recommended for closing by the Legislature's Government Performance Audit Committee (GPAC). The Audit Committee's report which was presented in October, 1992 highlighted the costly disadvantages of operating smaller institutions. The Department is currently developing its higher custody facilities at 700-800 beds, a size which permits greater staffing efficiencies.

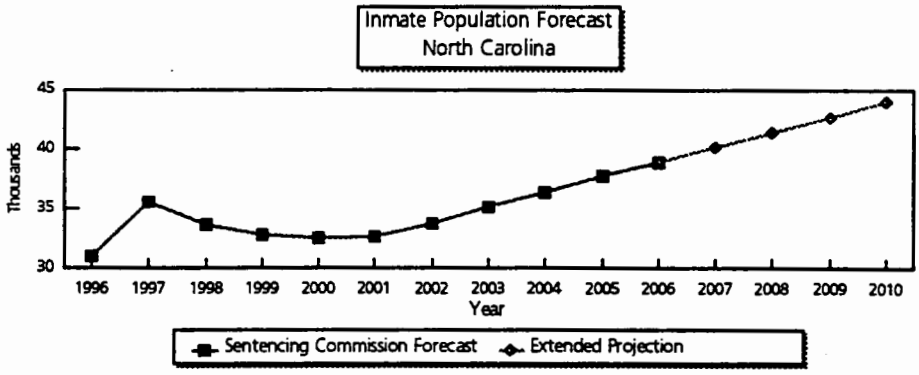
INMATE POPULATION GROWTH PROJECTIONS

The State Sentencing Commission provides growth projections for North Carolina's prison population. The Commission suggests that the population will rise to more than 35,500 by June 1997. Thereafter, the Commission forecasts a few years of downward movement, but by the year 2005 the population will climb to approximately 38,000 inmates.

In order to ensure that recommendations developed as part of this study meet the long term needs of the Department, the NCDOC Health Care Task Force asked that the Study Team longitudinally extend the Commission's projection. This resulted in a planning estimate of 45,000 inmates for the year 2010.

This growth trend is illustrated in Figure 2:

Figure 2



The Department is required to provide continuous care from admission to discharge including ambulatory, specialty care, inpatient care and emergency services. Health service requirements start with the completion of medical, dental and mental health appraisals for all inmates entering the system. The purpose of the health appraisals is to gather basic information about each new arrival to ensure continuity of care and the prevention of avoidable medical emergencies. In 1995, the Department recorded 25,000 admissions.

As the inmate population rises, so does the number of inmates requiring specialized medical and mental health care. In the medical care area this includes women with obstetrical and gynecological problems, the terminally ill, geriatric offenders and the physically handicapped, as well as patients with chronic illnesses and diseases including AIDS, tuberculosis, and hepatitis. In the mental health area, suicidal inmates, self-mutilators, substance abusers and sex offenders, and violent mentally ill inmates challenge the Department's resources. Additional resources are required for those who are developmentally disabled. As these inmates consume a disproportionate amount of health service resources, the need for effective management of health care services will become even more pronounced in the coming years.

THE CURRENT HEALTH CARE SYSTEM

The Department's institution health service program is managed by the Division of Prison's Health Services Section. To meet offender needs, health services are divided into a medical and a mental health component. The Division's Assistant Director for Health Services administers the health

service program and is authorized to issue policy directives on health care issues.[2]

The medical component's central management structure includes (6) sub-sections, each reporting directly to the Director of Health Services. Each sub-section has specific responsibilities relating to the system-wide provision of medical services. The sub-sections are:

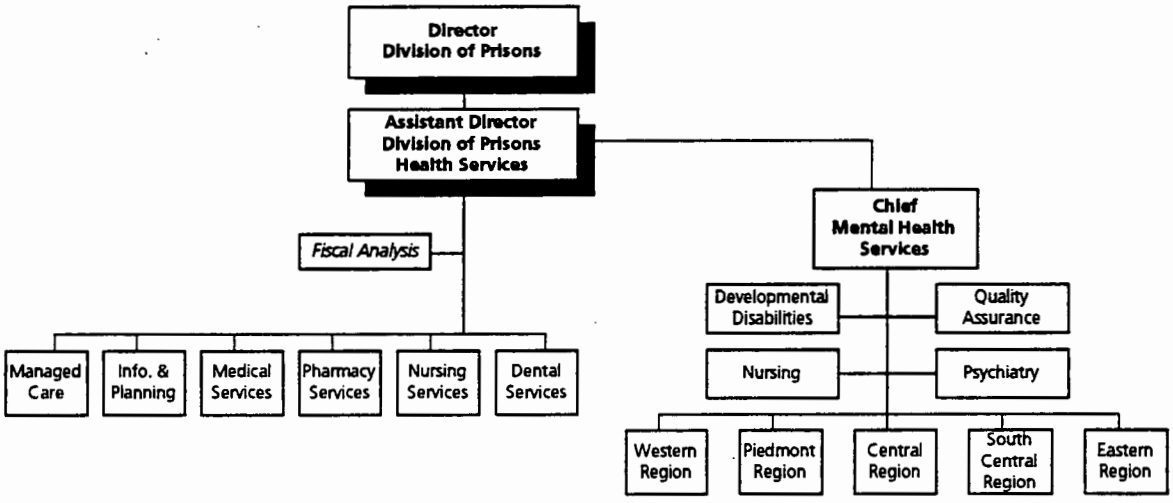
- Managed Care
- Health Information and Planning
- Pharmacy Services
- Nursing Administration
- Dental Services
- Medical Services

The mental health management component is under the direction of the Chief of Mental Health who reports directly to the Director of Health Services. Mental health services are decentralized to five geographic regions. The Coordinator of each region reports directly to the Chief of Mental Health Services. Central management functions of the mental health component include the following responsibilities:

- Quality Assurance
- Mental Health Nursing
- Psychiatric Services
- Information Management and Planning
- Implementing Appropriate Managed Care Procedures

The Health Service Section's central management structure is illustrated by Figure 3 below.

Figure 3



[2] This position is referenced as the Director of Health Services.

It is the responsibility of each facility director to provide an environment that ensures the appropriate delivery of health services. Each facility has a designated Health Authority who oversees the provision of direct health care services. When this authority is other than a physician, final medical judgment rests with a single designated physician. Matters involving medical, dental and mental health judgments are the sole province of licensed health care providers.

To meet the increasing workload of 31,000 offenders, the Department employs approximately 1,100 permanent and 460 contractual health service staff. If full time staff replace contract staff, more than 375 positions would be required. Contractual staff are generally used to augment full-time staff to provide health care services at more "remote" facilities where full time positions are not required and to provide scheduled specialty services.

THE CURRENT MEDICAL SERVICE SYSTEM AND FUTURE CAPACITY REQUIREMENTS

Each of the Department's 96 facilities provide sick call and have physician and nursing coverage. Facility size determines the level of staffing coverage. To help support nursing functions at the smaller facilities, nursing supervisors are assigned to each of the Geographic Command's five regional offices. At the larger facilities, on-site nursing supervisors report clinically, but not administratively, to the Director of Nursing which is a central management position. Dental clinics are provided at 31 of the 96 facilities.

Central Prison Hospital and McCain Hospital are the primary medical service centers for the male inmate population. The medical needs of higher custody inmates are handled through Central Prison while McCain serves the minimum custody population. Basic ambulatory care services and specialty care services are provided at each facility. Both medical facilities have ancillary/diagnostic capabilities including x-ray, laboratory, respiratory therapy and physical therapy.

Central Prison Hospital provides infirmary, skilled care, and lower level acute care inpatient beds. Speciality care and limited surgery is also performed at Central Prison. McCain Hospital's inpatient bed capacity consists of general infirmary and skilled care beds. It's skilled care functions include extended therapies, as well as assistance in performing basic functions such as washing, dressing, eating and ambulating. McCain Hospital is the Department's geriatric center.

The North Carolina Correctional Institution for Women (NCCIW) is the medical unit for the State's female prison population. Its medical services include clinical and general infirmary care. NCCIW has limited diagnostic capabilities and therefore, must contract many procedures to area service providers. The Department contracts with Dorothea Dix Hospital for acute inpatient housing and care.

The Department currently has 234 inpatient beds at 5 facilities. Each of these beds meets the minimum standards set forth by the National Commission on Correctional Health Care (NCCHC) for a prison infirmary. The NCCHC Standards require:

- a physician on-call 24 hours per day,
- daily supervision by a registered nurse,
- health personnel on duty 24 hours per day,
- patients within sight and hearing of a health staff member, and
- complete inpatient records including admission and discharge notes.

Table 2 shows the location and classification of the Department's inpatient medical beds.

Table 2

NCDOC INPATIENT MEDICAL BEDS	
Classification/Location	**Number of Beds**
Acute Care and Infirmary Beds	
• Central Prison Hospital	91
Sub-Total Beds	*91*
Skilled Care and Infirmary Beds	
• McCainHospital	92
Sub-Total Beds	*92*
Infirmary Beds	
• Piedmont Correctional Institution	14
• Western Youth Institution	8
• NCCIW (Female)	29
Sub-Total Beds	*51*
TOTAL BEDS	**234**

As previously noted, Central Prison Hospital provides lower levels of acute care. It's range of services is far narrower than what is ordinarily provided at community hospitals. The Department has 91 acute care beds, which is equal to 3 acute beds per 1,000 inmates. This ratio is similar to that of the State's community ratio. However, the Department's utilization rate is 97.5%, as opposed to a utilization rate of 55% throughout the State.[3] As a utilization rate of 85-90% is considered full occupancy, the Department's current utilization rate clearly suggests the need for additional acute care beds.[4]

[3] The 1996 State Medical Facilities Plan.

[4] The 1996 State Medical Facilities Plan suggests a "target occupancy" rate of 70% for a hospital service system. The Department believes it can operate efficiently with an 85% occupancy rate if other medical beds are available.

McCain's 92 skilled care beds also provides a 3 bed per 1,000 inmate ratio, and like the Department's acute care beds, they are operated at full capacity. For the community the ratio of skilled care beds to the general population is 5.7 beds per 1,000.[5] To provide a similar number of beds, the Department would need to almost double its current skilled bed capacity.

Infirmary beds similar to those found in correctional institutions do not exist in community settings, therefore, comparative data is not available. However, for reasons noted below, it is clear that there are too few infirmary beds for the number of inmates in the system.

The Department's combined total of 234 total medical beds provides a bed-to-inmate ratio of 7.5 beds per 1,000 population. While there is no defined standard for the number of medical beds necessary to a state-wide correctional system, a ratio of 10-12 beds per 1,000 inmate population is considered an appropriate planning norm.[6] The Study Team determined that there is an immediate need for 75 additional beds. This immediate need was determined through an assessment of bed utilization data and information gained from interviews with Department medical staff. The addition of these beds would result in a medical bed-to-inmate population ratio of 10 beds per 1,000 inmates which is at the low end of the above mentioned planning number.[7]

Using the same ratio of medical beds per inmate population for the planning horizon of 45,000 inmates by the year 2010 results in a medical bed requirement of 450-500 beds. It should be noted that community hospitals will continue to be utilized for surgery, higher levels of acute care and specialty services which cannot be efficiently provided in-house.

To permit the most efficient use of its inpatient beds, the Department will require other housing for those inmates who don't require 24 hour medical supervision but who do require monitoring and observation. Persons in this category include inmates who have difficulty ambulating, those convalescing from less serious medical conditions and those who may require frequent ambulatory services. These populations include geriatric inmates, hospice patients, pregnant inmates and diabetics under self-medications.[8]

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[5] The 1996 State Medical Facilities Plan.

[6] The Design Guide For Secure Adult Correctional Facilities published in 1983 by the American Correctional Association under a grant from the National Institute of Corrections suggested that a 500 bed facility would require 7 inpatient beds. Applying this figure on a system-wide basis and reducing it by a 20% classification factor results in a planning ratio of approximately 11 beds per 1,000 inmate population.

[7] B. Jaye Anno in Prison Health Care: Guidelines for the Management of an Adequate Delivery System, National Institute of Corrections, 1991, suggests the difficulty in establishing an official standard for the number of medical infirmary beds, "Part of the difference in DOC's estimates of the number of medical beds required in-house may be attributable to differences in patient needs, but some undoubtedly owing to differences in the definition and utilization of infirmary services." page 123.

[8] These beds are often referred to as "residential beds" and are included in an agency's general capacity count. They are not inpatient medical beds as defined by this study.

THE CURRENT MENTAL HEALTH SERVICE SYSTEM AND FUTURE CAPACITY REQUIREMENTS

To meet the mental health needs of its inmate population, the Department provides a full range of mental health services. These services include acute and intermediate inpatient treatment and transitional day treatment programs. There is also an extensive outpatient program which includes screening assessments, chemotherapy and other interventions and after-care planning. Each major institution and regional area operates an outpatient clinic consisting of psychological, social work and part-time psychiatric services. The Department also operates a transitional program for developmentally disabled prisoners and a sexual offender treatment program. Because the Department cannot access other State mental health resources, it is unable to use the resources of other state agencies in the treatment of its mentally ill and developmentally disabled population.

National studies of mental illness in state prisons report that 5 to 7 percent of prison inmates have serious psychiatric illness, and an additional 15 to 20 percent of inmates will require psychiatric services at some point during their incarceration. These figures do not include personality disorders and substance abusers for whom services are also required. Published surveys also estimate that approximately 2.5 percent of prison inmates are significantly developmentally disabled. [9] Approximately 14 percent of North Carolina's prison population receives mental health services.

To meet current demand, the Department allocates 530 beds for the housing of its "mental health" population. These beds are classified as acute care, intermediate care and transitional care beds as defined below:

- Acute Inpatient Mental Health Beds. Provides *acute* high management mental health treatment and stabilization. Nursing care is available 24 hours per day. Physician are on-site or on-call with a reasonable response time. Facilities and staffing must meet established State standards.

- Intermediate Inpatient Mental Beds. Provides mental health treatment for patients who have been stabilized but require on-going case management. Physicians are on-call and there is daily supervision by appropriately licensed personnel. Nursing care should be available 24 hours per day. These inmates are kept separated from the general population. Facilities and staffing must meet established State standards.

- Transition Beds. Provides housing for two separate day treatment programs. The mental health program provides services for inmates with severe and persistent mental illness but who do not require a hospital level of case management. The developmental disabled program is directed toward inmates with borderline intellectual functioning.

[9] See Anno, Prison Health Care, page 133, for a list of citations relating to the prevalence of mental illness and the number of developmentally disabled persons in prison populations.

The location and classification of the Department's mental health beds is shown in Table 3 below:

Table 3

NCDOC MENTAL HEALTH BEDS	
Classification/Location	**Number of Beds**
Acute Inpatient Mental Health Beds	
• Central Prison Mental Health Facility	144
• NCCIW (Female)	6
Sub-Total Beds	*150*
Intermediate In-Patient Mental Health Beds	
• Eastern Correctional Institution	48
• Foothills Correctional Institution	96
• Hoke Correctional Institution	72
• NCCIW (Female)	20
Sub-Total Beds	*236*
TOTAL IN-PATIENT BEDS	**386**
Transition Mental Health Beds	
• Brown Creek Correctional Institution	78
Sub-Total Beds	*78*
Transition Developmentally Disabled Beds	
• Pender Correctional Institution	66
• Foothills Correctional Institution	96
• Hoke Correctional Institution	72
• NCCIW (Female)	20
Sub-Total Beds	*236*
TOTAL IN-PATIENT BEDS	**386**

The Department's inpatient beds are currently utilized at a 97.5% occupancy rate. As with medical beds, a utilization rate of 85-90% is considered full occupancy. As a result, beds must be constantly turned over to meet demand. Since few of the chronically mentally ill do well in general population, moving this population too soon often precipitates acute episodes and initiates a "revolving door" treatment cycle.

An analysis of current use reveals an immediate shortage of 30-40 inpatient mental health beds. Development of these beds would result in a ratio of 14-15 beds per 1,000 inmate population. If the same bed ratio is applied for the planning horizon of 45,000 inmates by the year 2010, the Department will require 630-675 beds. As with the medical bed projection, the variance in the number of beds is based on the classification factors of security and gender as well as location.

There is also an immediate need to increase the capacity of the two transition bed programs by 15-20 beds. This would result in a ratio of approximately 5 beds per 1,000 inmate population. Using a similar ratio for the 45,000 inmate planning horizon results in the need for approximately 100 additional transitional beds by the year 2010.

THE CURRENT COST OF PRISON HEALTH CARE

For the 1996 fiscal year, total health care expenditures were $74.5M. Medical and dental services accounted for $61.5M and the mental health program had expenditures of $13M. This represents a 40% rise in health service expenditures since FY 1992, however during this same period there was a 50% rise in the inmate population.

Table 4 provides a composite of health care expenditures for fiscal years '92-'96.

Table 4

NCDOC TOTAL HEALTH CARE EXPENDITURES			
Fiscal Year	**Expenditures**	**Inmate ADP**	**Cost per Inmate**
1992	$52,818,890	19,574	$2,698
1993	$58,000,257	20,634	$2,811
1994	$63,365,490	22,209	$2,853
1995	$65,054,422	23,592	$2,757
1996*	$74,508,333	27,639	$2,722

*The total number of inmates under NCDOC control, which includes inmates held in local jails and under contract, is 31,000. These inmates are returned to the Department for high-level specialty care.

During the past four years, the Department has initiated several organizational and operational changes to improve health care and contain costs. One important example is the setting up of the Managed Care sub-section within the Health Services section. This provided the resources necessary for the development of an effective Utilization Review program and the use of Preferred Provider contracts. These two programs, described below, have positively impacted on the Department's health service expenditures.

- Utilization Review. Under this program institutional medical personnel must receive prior authorization before they can schedule inmates for "outside" medical services. This authorization is provided by Utilization Review staff who are knowledgeable of the Department's in-house capabilities and treatment protocols. This program also includes confirmation of outside hospitalization length of stays. Since initiation of the program there has been a reduction in the use of outside medical specialists on a per inmate basis and a 50% reduction in the average length of community hospital stays.

- Preferred Provider Contracts. This cost reduction program has the Department negotiating discounts or reduced rates with local hospitals and specialty care providers throughout the State. A major component of the program relates to documentation and prior authorization requirements which adhere to these contracts. Use of Preferred Provider contracts has resulted in savings of 25-50% in basic hospital charges.

As shown in Table 5, per inmate costs for medical and dental services have decreased by 11% since 1993, from $2,520 to $2,247 for fiscal year 1996. While it can be assumed that a portion of this decrease has resulted from the dynamic growth of the inmate population, the impact of these programs should not be discounted.[10] This is confirmed by comparing the decrease in per inmate costs for medical and dental services with those of the Mental Health component. The mental health system utilizes minimal outside service providers and therefore, makes only minimal use of Utilization Reviews and Preferred Provider contracts. As illustrated by Table 6, per inmate costs decreased by 1% as opposed to the 11% decline in medical and dental per inmate costs.

Table 5

NCDOC TOTAL MEDICAL AND DENTAL CARE EXPENDITURES			
Fiscal Year	Expenditures	Inmate ADP	Cost per Inmate
1992	$43,921,813	19,574	$2,244
1993	$51,992,820	20,634	$2,520
1994	$51,566,366	22,209	$2,320
1995	$52,747,892	23,592	$2,236
1996*	~$61,500,000	27,639	$2,247

*1996 does not include jail or out-of-state inmate count or costs. These inmates are returned to the Department for high-level specialty care.

Table 6

NCDOC TOTAL MENTAL HEALTH EXPENDITURES			
Fiscal Year	Expenditures	Inmate ADP	Cost per Inmate
1992	$8,897,077	19,574	$455
1993	$9,903,165	20,634	$480
1994	$11,372,668	22,209	$512
1995	$12,274,170	23,592	$520
1996*	$13,000,000	27,639	$475

*1996 does not include jail or out-of-state inmate count or costs. These inmates are returned to the Department for high-level specialty care.

[10] A 1990 study by the National Commission on Correctional Health Care (NCCHC) found that the average cost of health care per inmate more than doubled in a seven year period, generally increasing at a rate of 15 percent per year.

MANAGING COSTS

The Department of Correction is committed to gaining even better control of health care spending. To achieve this goal, the Department needs to:

- maximize in-house patient care,
- hire more full-time physicians in lieu of part-time contracted physicians,
- bring into operation its automated management information system (OPUS), and
- utilize managed care practices to the greatest extent possible.

These operational elements, when fully utilized, will provide the framework within which costs can be contained and health services properly managed.

1. Maximizing the Use of In-House Services

   One means of controlling expenditures is to purchase as few services as possible from community hospitals, clinics and independent professionals and firms. By assuming the responsibility for the organization, production and financing of medical services directly, the Department will gain control over a large proportion of the components of those services that affect their cost. Such control can be accomplished either through using Department staff or through carefully drawn contractual arrangements. In addition, it is generally less costly and far less disruptive to security to provide basic ambulatory and diagnostic services in-house, than to contract them out. Also, when prisoners are seen in-house, transport and extra security costs are avoided.[11] This is due to overhead costs associated with "outside" providers which are not necessary to a prison health service operation. Also, when prisoners are seen in-house, transport and extra security costs are avoided.

   In 1995, the Department utilized outside hospital services on more than 6,000 occasions and non-hospital diagnostic and clinical services on more than 10,500 occasions. The average cost for outside hospital services was $1,500 while non-hospital services averaged $248 per occasion. Transport and custody costs should be added to this figure. A survey of inmate transports for a three month period in 1995 suggested a transport/custody cost of $120 per trip. Thus, the total cost of an average non-hospital outside visit was $368.

   The Department is currently unable to track the cost of in-house individual procedures as general overhead and staff salaries account for the majority of medical costs. However, in a recently completed 6 month cost comparison study of x-ray services, the average cost of x-rays "taken and read" in-house at Central Prison Hospital was $4.50. During this same period, the average cost for similar x-ray services by outside service providers was $22.50.[12]

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[11] Health care staff at the Missouri Department of Corrections staff stated that the 40% reduction in the number of specialty clinic visits which occurred between 1992 and 1996 was a primary factor in their keeping costs under control. They estimated their average cost for an outside non-hospital service @ $225 exclusive of transport and custody. (February 14, 1996 interview with the Missouri Department of Corrections health service staff)

[12] Study conducted by the Health Service Section's Managed Care Unit.

Key elements of the concept of maximizing in-house services includes providing certain hospital procedures in-house that would otherwise be purchased from outside providers, and performing as many diagnostic procedures at correctional medical facilities as possible. Although the Department's preferred provider contracts result in reduced prices for purchased hospital services, it is still far less costly to provide basic hospital care in-house. [Note: Supporting references are provided in the "Study Recommendations" section of this report.]

Regarding diagnostics and outside ambulatory services, the decision as to which services should be performed in-house depends on the size of the demand for services, the cost of delivering them directly, and the alternative cost of purchasing them entirely from outside providers.

2. Hiring More Full-Time Physicians

In 1994, the State Auditor issued a Performance Audit Report which recommended that the Department replace the 86 physicians who were providing services under contract with 10 full- time positions. The study projected savings in excess of $1M. These full time physicians would be assigned to regions and visit facilities pursuant to set schedules.

The dramatic increase in the size of the inmate population in the two years since the publication of the report has heightened the requirement for more full time physicians. Unfortunately, the Department has been unable to recruit and retain physicians willing to serve on staff, however, it has been able to lessen the negative cost implications of using contract physicians by negotiating reduced prices from physicians throughout the State.

The use of full-time staff physicians can significantly reduce the number of inmate transports to outside service providers. These transports are often made during "non-business" hours, when medical services are only available at community hospitals. When physicians are employed full time, they can be part of a regionally based physician team with scheduled "on call" responsibilities.[13]

In addition to the savings noted above, employment of physicians on a full-time basis will enhance the ability of the Department to adopt formal standards of care, outcome measures and other aspects of a managed care system being defined by the Health Service Section. Contract physicians, who only provide part-time services for the Department, find it difficult to change their "patterns of practice." However, such changes may be necessary to enable the Department to control the utilization of health care services, a key issue in control prison health service costs.

[13] In the Texas Department of Corrections, staff physicians are "called in" to do procedures on an as needed basis. Prisoners are not generally brought to local hospitals. (April 3, 1996 telephone interview with Kleanthe Caruso, TDOC Nursing Supervisor.)

3. Develop an Automated Management Information System Capability

Effective health care management in a correctional environment requires automated cost and clinical data. Through a report structure, management can use this data to improve health care quality and service delivery, as well as monitor health service utilization and costs.

The Department is developing an information system with the capacity for integrated health service management. The system will operate through the Department's Offender Population Unified System (OPUS). When fully operational, it will allow health care providers access to a comprehensive inmate health record data set and clinical management information. Managers will have access to data for controlling costs and measuring the performance of the Department's health care delivery system, providing real-time data throughout the system.

The objective of the system is to produce an electronic inmate health record which will contain information on in-house medical, dental, and mental health outpatient services and both outpatient and inpatient medical services purchased from community providers. Statistical information required for the operation and management of health services will be derived from the computer-based files and a variety of routine and ad hoc reports.

The electronic medical record (EMR) generated for each inmate will be collected as part of the initial induction process and will be updated throughout his/her incarceration. The EMR should be comprehensive and flexible. The current OPUS system, as planned, can provide for literally hundreds of clinical and management reports. Included are reports on clinical services to patients, utilization management, and health services administration. These range from compilations of clinical activity by location, diagnostic related group (DRG) and procedure to workload and resource utilization reviews. All the data needed for effective management exists within the system.

To effectively use the OPUS data, critical indicators must be identified (both clinical performance and cost containment) within the generated material. Then, on a regular (at least monthly) basis, these indicators should be compared with benchmark data to yield early warnings of problem areas. These areas may then be addressed in a proactive manner. In addition, the variances between actual and benchmark/budgeted data should be used in the continual planning and budgeting cycle.

4. Implementing Managed Care Practices

Like all correctional systems, North Carolina is faced with a rising and aging prisoner population, the prevalence of infectious diseases, and a population which includes significant numbers of individuals who are substance abusers. As rising health care costs can only be contained by reducing the cost of health care services or by reducing services, there must be an integration of fiscal requirements and service delivery. This integration is generally defined as "managed care."

As previously noted, the Department has already implemented a Utilization Review and Preferred Provider program. These two practices are two key elements of the actions taken

by community based HMO's and preferred provider organizations to contain costs and change the "patterns of practice" of its medical providers. The Department must also identify those activities which generate unnecessary costs and implement corrective policies and measures as required. Accessibility to services and outcomes of care must be properly regulated. Concomitantly, while health care delivery can no longer be provided without regard for the "bottom line," the Department must continue to provide a level of care which meets national standards and conforms with legal and legislated mandates.

In order to move to a more efficient system the Department needs to adhere to the following managed care practices; which, although developed in the community, are appropriate for use in a correctional environment:

- Formalizing standards of care, outcome measures and clinical practice guidlines. Case management plans must be developed for situations requiring a continuum of care.

- Using services of a network of community hospitals, physicians and ancillary service providers who are willing to accept negotiated rates for the delivery of outside medical services. Reviewing all bills submitted by outside providers.

- Formalize Utilization Review procedures with emphasis on hospital pre-admission review, concurrent review of length of stay, second surgical opinions, catastrophic case management and retrospective review. The level of service to be approved should be based on case management guidelines.

- Adopting strategies to reduce the cost of pharmaceutical supplies.

- Reviewing invoices for correctness of charge and prior authorization for the level of service.

- Having the inmate patient share in the cost of his/her medical care by developing a co-payment program. [Note: The position of the National Commission on Correctional Health Care (NCCHC) regarding inmate co-payments is that access to health service care can never be denied due to a lack of personal funds.]

- Implementing health maintenance, disease prevention and health education programs.

- Developing a strategic planning capability that will anticipate and respond to changing conditions within the system.

Clearly, prison health care systems cannot be too closely patterned on community models. In the prison environment, there is often a need to subrogate non-critical medical needs to security requirements. There is also a major transport implication. It is estimated that in 1995, the Department's cost of transporting and guarding prisoners at "outside" medical facilities exceeded $4M.[14]

[14] See Interim Report #1, March 21, 1996.

PLANNING REQUIREMENTS

To provide the required level of correctional health services health services at the lowest cost requires proper health care facilities, the correct organizational structure, adequate staff levels, and the information necessary to make informed decisions. The Study Team's examination of the Department's health service system determined an immediate need to expand and enhance health care resources.

The findings identified below provide the basis for recommendations designed to improve the efficiency and effectiveness of the Department's health care delivery system:

- The current administrative structure of the Health Service Section must be restructured to improve management control. Realigning the administrative structure will improve the efficiency of service delivery to 31,000 inmates housed in more than 90 institutions.
- Medical and mental health resource centers should be decentralized to the western, central and eastern portions of the State.
- Primary and secondary level acute care for male inmates should be provided in-house.
- Acute care for female inmates should be contracted out (i.e. Dorothea Dix Hospital) as the number of female inmates requiring acute care is not large enough to support a separate in-house program.
- Central Prison Hospital and Central Prison's Mental Health Facility will not support the effective and efficient delivery of health care services in a system of 31,000 inmates. The physical plants of both facilities must be replaced.
- Facilities used in the provision of health care must be upgraded and expanded. New facilities should be designed to provide infirmary beds at a ratio of 10 beds per thousand inmate population, allowing the Department to meet program health needs.

Unless the Department reduces its costly reliance on outside service providers, prison health service costs will continue to be subjected to the same dramatic upward cost movements which are at work in the community. Their impacts, however, can be magnified in the prison situation due to the aging of this population, its higher rates of costly infectious disease including AIDs and Tuberculosis and the long term health costs associated with substance abuse. Additionally, the Department will continue to be plagued by the costs and operational disruptions caused by the large number of medical transports. To reduce costs, the Department must adopt managed care guidelines which include regulating the utilization of services, limiting patient choices and promoting healthier life styles among its "captive" population.

Additionally, as future facilities are planned by the Department, their role in health service delivery must be fully explored. For each new facility factors which need to be considered are:

- inpatient bed needs,
- ambulatory care clinic requirements,
- the level of diagnostic services,
- transportation factors, and
- whether the facility will house inmates with special needs.

STUDY RECOMMENDATIONS

The recommendations outlined in this report were developed in a collaborative study process between the Study Team and the Department of Correction's Health Care Task Force.[15] The recommendations incorporate information and concepts which were developed through the course of this project. Over a nine month study period the Department's Health Care Delivery System was thoroughly examined.

The Study Team's work plan included:

- intensive data gathering and analysis,
- on-site observations of health care delivery,
- observations of the physical structure of the health care facilities,
- review of literature relating to prison health care,
- review of internal health care documents and other agency studies,
- individual and group discussions with NCDOC health service staff,
- interviews with health care staff from other state correction systems, and
- discussions with companies engaged in the business of providing health care services to correctional agencies.

During regularly scheduled monthly meetings, the Study Team provided the Task Force with written reports. In interactive sessions, data was reviewed, operational issues were discussed and planning concepts were examined. Various alternative model delivery systems were explored and a prioritized range of options and strategies were presented. In each instance, cost and service delivery implications were fully explored.

Two formal sessions were also held with an Advisory Panel consisting of prominent members of the State's health service community.[16] During the first session, the Advisory Panel was presented with information explaining the dynamics of the current health care system and the initial planning concepts which were being developed. In the second session, planning recommendations were presented and discussed.

The planning proposal is represented in four broad-based recommendations which are defined as:

A. Administrative Structuring
B. Regional Medical and Mental Health Centers
C. Acute Inpatient Medical Care
D. Capital Development Plan

[15] See Appendix A for a listing of Task Force members.

[16] See Appendix B for a listing of Advisory Panel members.

A detailed narrative on each recommendation follows.

A. Administrative Structuring

The health care service system should be a centrally- directed, regionally-based system. There should be three (3) geographically- based health service regions. Assignments to a region would be based on the location of the facility. The regions would be located in the Western, Central, and Eastern portions of the State. Health service delivery for each area would be directed from a regional office. Health service staff would be managed by the Health Services Section.

To meet current and forecasted service requirements, the Health Services Section must be structured to maximize the efficiency of service delivery at current and future levels. The Study Team proposes to replace the current vertical organizational structure of the Health Services Section with a decentralized/horizontal management team which would result in a "flattening out" of the system. This restructuring will enhance administrative oversight and accountability in health service delivery by bringing administrative decision-making closer to the impact area.

Each region would be administered by a Regional Health Administrator who would report directly to the Health Services Director. The regions would have the facilities, organization, staff, and financial resources necessary for the provision of a comprehensive health service program. In order to minimize any unnecessary duplication of services, McCain Hospital would continue to provide inpatient medical and residential beds for the State-wide minimum custody population.

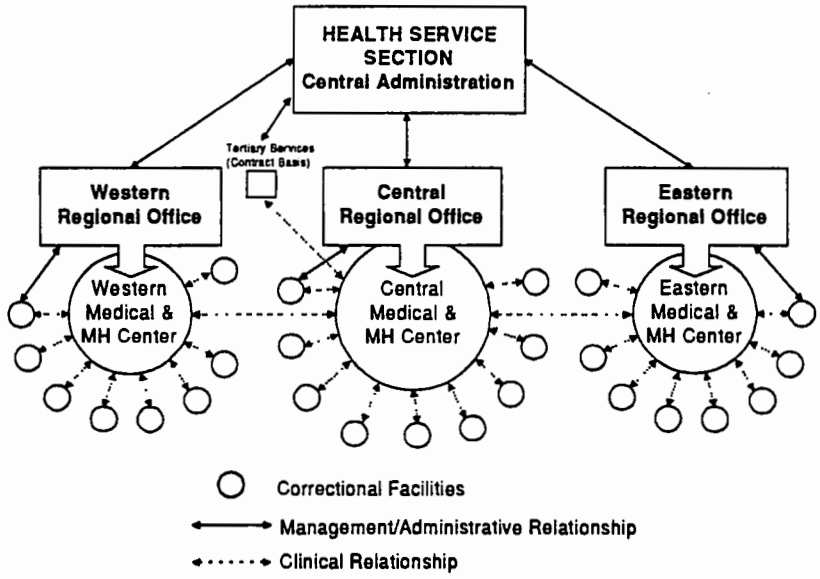
Within the proposed organizational structure, the Health Services Section's central administration would be responsible for the overall administration and coordination of the prison health service. A strong central administration will ensure that costs, accessibility, quality and outcomes of care are tightly regulated. Line authority over health services staff would be coordinated by Health Services.

A regional office would be responsible for the administration and management of each health service region. They would also provide the "central office" with the information necessary for budget formulation, system wide resource management and strategic planning. Regional staff would work directly with the facility administrators in coordinating health service activities with general institutional operations.

A direct management relationship would exist between Health Services Section's Central Administration and the three regional offices allowing immediate decision-making. At the regional level, management and clinical relationships would exist between the regional medical and mental health centers and facility-based health care providers. A clinical relationship would also exist between the Central Regional Medical Center and the Eastern and Western Centers as the Central Medical Center would have a higher level acute care capability. Each region would have a Medical Director who in addition to having day-to-day clinical responsibilities, would provide clinical direction to all physicians employed in the region.

These relationships are illustrated in the Figure 4.

Figure 4



This organizational structure will result in a collaborative delivery system which is centrally guided. Authority and responsibility for the direct provision of medical services will be handled by those closest to the situation. To contain costs, overall control will remain at the Central Office. This should lessen the amount of reactive decision-making and reduce conflicts over priorities and difficulties in establishing a uniform culture. A strong central administration can minimize the impact of these negative situations.

1. The Central Office Organization. The medical component of the Health Services Section includes six (6) sub-sections: Managed Care, Health Information and Planning, Pharmacy, Dental, Nursing, and Medical Services. The proposed organizational scheme would result in a redeployment of some functions and staff from the Central Office to the Regional Offices.

   The Health Services Section requires a centralized cost control and fiscal analysis capability. This will enable the Section to actively manage its budget within guidelines which have been set by the Department. When there is on-going, direct communication between the management team and fiscal management staff, financial decision-making improves. This financial management capability need not extend to the processing of accounts, as such procedures can be handled through the Department's current accounting structure. The Health Services Section, however, must be able to recognize and control costs and expenditures once the budget has been set and to make any necessary adjustments.

2. The Regional Office Organization. Each Regional Office will oversee clinical, staffing, and local fiscal matters relating to medical, dental, and mental health services in the three regions. The regional offices would serve as the administrative and management centers

of each region. Functions occurring at the regional level would include the coordination of special health care programs, invoice review, supply inventorying, utilization review, recruitment of health service staff, and staff scheduling. Regional office financial service staff will support institutional health service operations.

Table 7 illustrates the types of positions which would be assigned to a regional office. As shown, it is anticipated that the majority of the positions would be reallocations of current positions.

Table 7

REGIONAL OFFICE POSITIONS		
POSITION TITLE	**NEW POSITION**	**REALLOCATED POSITION**
Regional Health Service Administrator	✓	
Mental Health Coordinator		✓
Clerical Support Staff	✓	
Financial Services Staff	✓	
Personnel Services Staff	✓	
Regional Nursing Supervisor		✓
Dental Supervisor		✓
Utilization Review Nurse		✓
Special Service Nurses		✓

B. Regional Medical and Mental Health Centers

A full service medical center and mental health facility should be provided for each of the three (3) regions. The medical centers would provide a comprehensive range of medical services including ambulatory, specialty, inpatient, and emergency care for male and female inmates, however medical and mental health beds for the female population will be provided separately at correctional institutions or contracted facilities.

The need to move to a regional configuration results from the growth of the inmate population as well as the Department's lack of adequate health service facilities. Currently, there is an acute shortage of medical and mental health inpatient beds, as well as a lack of appropriate space and resources for clinical activities. It should be noted that in some instances the clinical spaces that are currently being used do not meet medical standards and/or cannot be efficiently staffed. These factors result in contracting out many services which in other correctional agencies are done in-house.

The Regional Medical Centers will be equipped to provide 24 hour primary care, diagnostics, and high level clinical care. The Regional Centers will not replace the medical resources currently provided at the various institutions, nor will they reduce the need to provide infirmaries at new facilities coming on-line. The Centers will, however, provide enhanced inpatient capacity and offer a diagnostic and treatment capability that is only currently available at Central Prison and McCain. It is anticipated that the Medical Director of each regional medical center will have primary clinical responsibility for the each region's medical service program.

Some of the factors supporting cost-efficiency through regional health service centers are:

- The Department must rely less on "outside" medical services. With some exceptions, it is less costly to deliver health care services in-house than to contract them out to hospitals, skilled care facilities and clinics. It should be noted that the Department is currently working to reduce the cost of outside services through preferred provider contracts and its Utilization Review program.

- Inmate transports must be reduced to lessen the hours spent guarding inmates receiving treatment at "outside" medical facilities.

- The health care system must improve levels of efficiency in the allocation of staff including replacing physicians on contract with full-time physicians.

- The inadequacy of its health care facilities must be overcome. Having access to appropriate facilities will assist the Department's effort to recruit and retain qualified health care professionals.

- Expansion of the correctional system statewide requires higher level medical beds in the Eastern, Western, and Central sections of the State.

The regional centers will require a joint security/health management. A significant difference between the management of these facilities and current operations at McCain or Central Prison Hospital is that health service staff will report through the proposed health service command structure with security staff in a support role.

Tables 8 and 9 illustrate the types of health service positions necessary for the operation of the regional medical and mental health centers. The Eastern and Western area medical centers would each house 45 inpatient beds, the Central Region facility is planned for 90 inpatient beds. The three regional mental health centers are planned at 198 beds. Not included are the administrative, support service and security staff who would be involved in the non-medical aspect of the operation. [Note: Actual staffing numbers cannot be determined until each Center's program is fully defined. If the facilities are co-located, there would be some sharing of administrative and support service staff.

Table 8

REGIONAL MEDICAL FACILITY HEALTH SERVICES POSITIONS	
• Facility Medical Director (physician)	• Staff Physicians
• Financial Service Staff	• X-ray Technicians
• Nursing Director	• Laboratory Staff
• Clerical Support Staff	• Pharmacy Staff
• Medical Records Staff	• Optometrist
• Registered Nursing Staff	• Physical Therapist
• Practical Nursing Staff	• Dental Unit Staff
• Nurses Aides	

Administrative officer →

Administrative Officer →

Table 9

REGIONAL MENTAL HEALTH CENTER POSITIONS	
• Psychiatric Clinic Director	• Financial Service Staff
• Psychological Program Manager	• Clerical Support Staff
• Clinical Psychologists	• Medical Records Staff
• Nursing Director	• Clinical Social Workers
• Psychiatric Nursing Staff	• Behavioral Specialists
• Rehabilitation Therapists	• Pharmacy Staff

In planning these facilities, the following site and design requirements should be considered to ensure that maximum efficiency is achieved:

- The regional centers should be located no further than two hours from facility being served.
- Centers should be designed to accommodate higher levels of security.
- Inmates accessing the centers from the "outside" should be kept separate from any host facility's population.
- Suitable waiting areas should be provided for inmates being brought in for day-treatment services.
- The facilities should be designed for future inpatient bed expansion.

Figures 5 and 6 present conceptual sketches of the regional health center concept.

Figure 5
Eastern and Western Regional Medical Centers

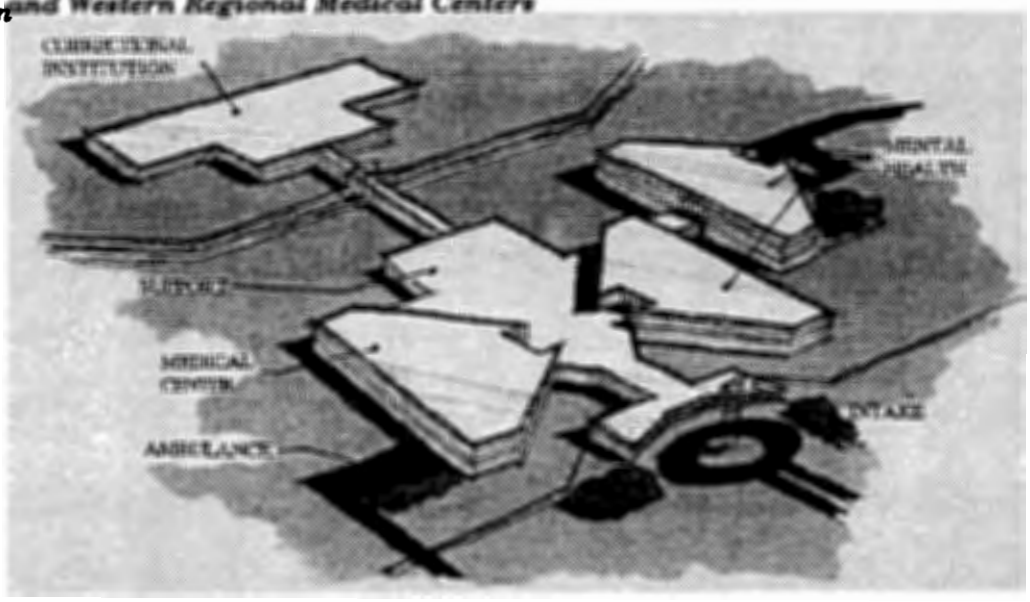
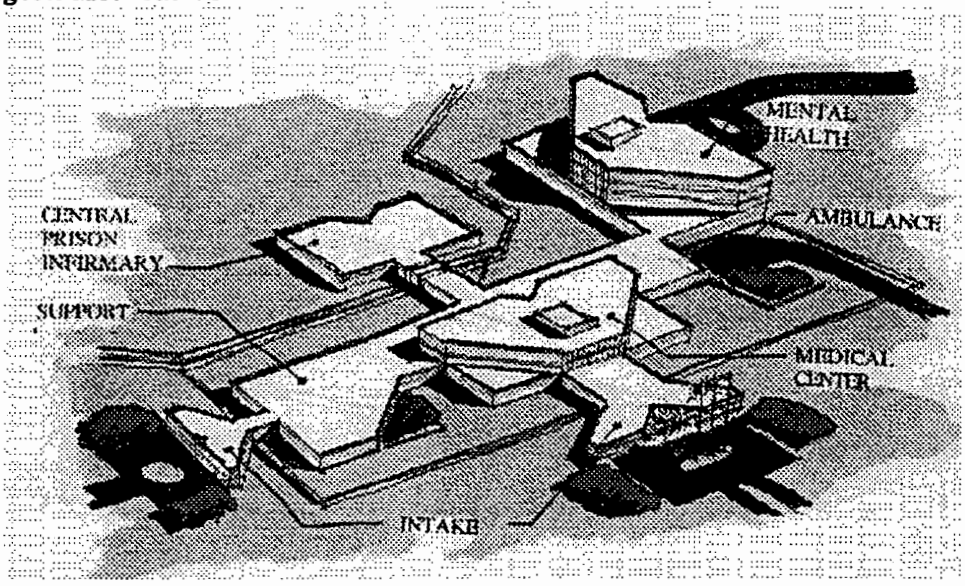


Figure 6
Central Region Medical Center



C. Providing Acute Inpatient Medical Care

The Department is required to provide inpatient acute care as health care demands and medical resources permit. Acute care beds are defined as beds used to care for patients whose severity of illness and/or intensity of nursing care needs meet or exceed pre-established acute care admission criteria of intensity and severity. The level of acute care to be provided will be less than that which is generally available in community hospitals, as it will not include tertiary care.

As has been previously noted, it is generally less costly to provide in-house medical services than to contract them out to community providers. This applies to lower levels of acute care, primary and secondary, as well as to ambulatory treatment. This was confirmed by the Study Team's survey of community-based hospitals around the State, as shown in Table 10.

Table 10

COST OF PURCHASING ACUTE CARE BEDS*			
	Raleigh Area	Eastern Area	Western Area
Base Bed Charge	$1150	$525	$630
Professional Services	$460	$210	$252
Hospital Ancillary Charges	$115	$60	$63
Security Staff	$19	$19	$19
TOTAL	**$1744**	**$813**	**$964**

*Specialty physician fees and speciality services are not included in this base bed charge. For planning purposes, professional fees are equal to 40% of the base charge and speciality services are averaged at 10%. Added to this cost is a per diem charge for security staff. For planning purposes, a total of 20 staff is assumed to be required to supervise 90 patients around the clock. This computes to an inmate per diem charge of $19 for 90 beds.

The survey revealed an average cost of $1,174 for basic services as opposed to an in-house cost at Central Prison Hospital of approximately $318.[17] This finding is similar to what was reported by the State of Florida. In 1995, the Florida Department of Corrections reported in-house costs at $300 per bed and contract out costs at $1,500 per bed for acute care.[18] The Study Team also assessed the cost implications of purchasing acute care beds from a new hospital facility that would be built for Dorothea Dix at the current per diem bed cost of $700.[19] Projecting the costs through the year 2010 reveals cost savings in excess of $27M for patient care costs when primary acute care is provided in-house as opposed to at community-based hospitals and a savings of approximately $14M when compared with contracting for beds with Dix Hospital.[20]

In addition to lowering costs there are significant advantages to providing acute care capability within the Department. In-house acute care units can be built and staffed to ensure maximum security, and they can be operated according to the Department's own admission and discharge criteria unencumbered by diagnostic-related groups (DRGs) and length of stay (LOS) restrictions that regulate admission and discharge in community hospitals.

There are clearly some obstacles to providing acute care within the Department. One consideration is the cost of providing proper facilities and equipment for an acute care operation; another is the difficulty correctional agencies often have recruiting and retaining health care staff. It is the opinion of the Department's Health Service Task Force that once appropriate facilities are available, they will not have difficulty in recruiting and retaining professional staff.

The Study Team proposes the development of 105 acute care beds. The Eastern and Western Regional Medical Centers would each have a 15 bed acute care unit. The Central Regional Medical Center would have 60 acute care beds and would serve as the Department's primary medical center. This Center would be staffed and equipped to manage primary and secondary levels of acute care. The Central Region's patient population would include referrals from the Eastern and Western Medical Centers as well as those inmates who are assigned to facilities in their own region. Acute care services for the female population will be provided by Dorothea Dix Hospital. Acute care services which cannot be provided in-house (tertiary services) would be contracted to "outside" preferred provider facilities.

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[17] This cost estimate was developed by the Study Team using 1995 expenditure figures for Central Prison Hospital which were provided by the Department's Controllers Office. The method used by the Study Team was presented to the NCDOC Health Service Task Force in Progress Report #4, June 11, 1996.

[18] Interview with John Burke, Chief, Health Service Administration, Florida Department of Corrections, June 3, 1996.

[19] This is a hypothetical situation as Dix does not currently have the ability to provide the necessary number of beds. Additionally, the $700 per bed cost does not include capitalization costs which would be required should a new facility at Dix be constructed.

[20] The cost savings comparison is presented in Appendix C.

A breakdown of the proposed acute bed development plan is provided in Table 11.

Table 11

PROPOSED ACUTE BED DEVELOPMENT PLAN		
Location	**Number of Beds**	**Classification**
Eastern Regional Medical Center	15	Primary Acute
Central Regional Medical Center	60	Primary and Secondary Acute
Dorothea Dix/Department Co-Project	15	Primary and Secondary Acute
Western Regional Medical Center	15	Primary Acute

D. Capital Development Plan

In conjunction with the restructuring of the administrative/management system and the development of regional centers, the Department should immediately embark on a program to upgrade, replace, and expand its health care facilities. This includes the abandonment of both Central Prison Hospital and the Central Prison Mental Health Facility. While the plan as outlined requires a significant expenditure of capital funds, the impact of the capital spending is far less than the costs associated with inefficient operations. Over a 20-30 year period the capital costs would represent only 5-10% of the total investment.

The Department's medical program is severely hindered by a lack of suitable inpatient capacity, limited clinical spaces, and insufficient diagnostic capability. As already stated in this report, there is too great a reliance on outside service providers which is both inefficient and highly disruptive to day-to-day operations. The current program of transporting inmates to Central Prison for health care purposes creates a significant strain on the operations of this high security prison, while providing such treatment through outside service providers is too costly. Regarding mental health services, the Department needs to initiate the development of a new inpatient mental health facility as the converted beds at Eastern, Foothills, and Hoke Correctional Institutions do not provide suitable mental health housing. The 216 beds at these three facilities would revert back to general housing.

The current overtaxing of health service resources also severely impacts the resource capability of the dental service program. At a minimum, the dental program must include intake screening and provide appropriate levels of basic, specialty, and emergency care. Dental care is an area where significant savings can result from early detection and correction of dental problems. In order to reduce transport requirements, all but the smallest facilities should have in-house capability.

The Capital Development Plan is presented in three sections identified as: 1) Facility Development Requirements; 2) Phasing the Development Plan; and 3) Replacement of Central Prison's Health Service Facilities.

1. **Facility Development Requirements**. In-house access to proper health service facilities will dramatically enhance the correctional health service system's efficiency and effectiveness. There will be a more effective use of medical staff, a reduced level of medical

transports, and lower costs associated with the guarding of prisoners in outside medical facilities. Inmates will also be able to return sooner from community-based hospital facilities. Cadre staff from an adjoining or nearby lower security institution would be used for housekeeping, food, laundry, supply distribution and other support services.

a. Eastern and Western Regional Medical Centers

These facilities will handle the primary care needs of the inmates in each of their regions. Both facilities will have a 15 bed acute care unit and a 30 bed infirmary. Associated with each facility would be an administrative area that provides administrative services to the Regional Medical Center as well as support services for the medical staff located within the region. Each facility will also have the necessary diagnostic, clinical and ancillary treatment areas, be equipped for minor day surgery, and will be designed to permit future expansion.

The Eastern Regional Medical Center might be located at the Eastern Processing Center in Vanceboro. The Western Regional Medical Center should be located in the Morganton area, near the Foothills Correctional Institution. Although a temporary site may be available at Broughton, it is critical that the regional center be located near a Department facility to enable it to be supported efficiently.

b. Central Regional Medical Center

The Central Region Medical Center will have a greater bed capacity than either the Eastern or Western Region Medical Center. This facility will be able to handle primary and secondary levels of acute care and will have lower level surgical capability. It is recommended that this facility adjoin Central Prison, but be outside the prison's security zone. This center will have two primary/secondary acute care units and a 30 bed infirmary. It will have a larger diagnostic and ambulatory services unit and have primary and secondary level surgery facilities. This facility may be attached to the region's mental health facility.

c. Central Prison Infirmary

The Central Prison infirmary will have a capacity of 30 beds and will exclusively serve the Central Prison inmate population. The clinical and diagnostic components of this facility will be programmed to meet the majority of its population's requirements, thereby minimizing the movement requirements of this high custody population.

d. Twenty Bed Infirmary Units

Within each region a 20 bed infirmary unit will be placed at a major correctional institution. Each infirmary would have individual and multi-person medical cells, and appropriate nursing and support functions. These infirmaries are necessary to reduce the amount of regional transports and to meet system-wide capacity requirements.

e. Female Acute Care Unit

Acute medical care is currently provided at Dorothea Dix Hospital in Raleigh. The Study Team has been informed that the long-term plans for this facility call for the construction of a new hospital. The Study Team recommends that the new facility include a secure wing for female acute care as well as the medical and mental health needs of the safekeeper population.

No specific program or budget has been established for this project as it is envisioned as part of the larger Dorothea Dix replacement facility. If it is not possible to have a long term solution to provide acute care for the female population at Dorothea Dix Hospital, it would be necessary to modify the design of the Central Region Medical Center to provide a 15 bed female acute care unit.

f. Nursing Care Facilities

Skilled nursing care beds are currently provided at McCain Hospital. The construction of a 30 bed worker cadre dorm will "free up" an additional 30 bed medical wing. Future capacity requirements will be met by further expansion at McCain or by developing a skilled care capability at a regional center.

No specific program or budget is proposed for these facilities as it appears the current needs can be met through renovation projects at McCain Hospital.

g. The Regional Mental Health Facilities

Three regional mental health facilities are proposed at 198 beds each. Each of these facilities should be located adjoining or near the Regional Medical Centers as the mental health population is a higher user of medical care. Each facility will have two 24 bed acute inpatient units located around a central nursing station, dayroom, support and treatment spaces. These facilities will also be configured with 30 bed units consisting of single and multi-occupancy patient cells. Each facility will have physicians offices, conference areas, a medical library and other support functions.

h. The Women's Mental Health Center

The mental health facility at NCCIW will be expanded by 24 beds. The expansion will consist of a single housing unit and required support and program spaces.

i. Residential Care Facilities

The Study Team identified a need for residential care facilities to lower the demand on medical facilities. These facilities will serve inmates who are in a recuperative period from an illness or injury or who are in a long-term treatment condition. These inmates do not require continuous nursing care, however, full-time nursing coverage is required. The units will be configured for 24 bed wards, each with a nursing station. [Note: These beds are included in the Department's SOC.]

The Study Team recommends the development of a 96 bed unit in the Western Region and 48 beds at McCain. The McCain facility will initially serve the Central and Eastern regions. A 24 bed residential unit will be provided for the female inmate poulation at Foutain Correctional Center.

j. Sick Call Facilities

Sick call facilities are provided at all existing institutions. These units should be upgraded as required. All future facilities should include clinical areas as outlined in the Department's standard designs.

k. Dental Facilities

The Study Team identified the need for additional dental units to serve the growing inmate population. The situation with dental units is very similar to that of the sick call units, in that many of the older facilities have little or no dental capability. All new facilities should include adequate dental units. [Note: The Department has embarked on a program of adding modular dental units to some of the older facilities. The Study Team recommends the continuation of this practice.]

Table 12 illustrates the above-mentioned program. The cost estimates, which do not include site acquisition, assume that the new facilities will be located on an existing or new correctional campus, and that utilities will be available. Primary security, food service, laundry, central plant, stores, etc. will be provided by the main facility. Site and utilities will be provided. The estimate includes fixed equipment but excludes furnishings and movable equipment. Contingencies and inflation are included per State budgeting standards.

Table 12

CAPITAL DEVELOPMENT PLAN

HEALTH FACILITY	ESTIMATED CAPITAL COST	COMMENTS
Western Region		
1.0 Regional Medical Center *15 Primary Acute Beds* *30 Infirmary Beds*	$9.4M 47,000 SF	Diagnostic and Ambulatory services. Minor day surgery. Intake Area. Supports Regional Mental Health Facility. Single and quad cells.
2.0 Regional Residential Beds *96 Beds*	$3.8M 25,000 SF	Medium Custody beds. Requires 24 hr. on-site nursing.
3.0 Infirmary Beds Within Region *20 Beds*	$.95M 5,700 SF	1 Infirmary at a new facility under construction.
4.0 Regional Mental Health Facility *198 Beds*	$15.5M $89,100 SF	Provides intermediate and acute mental health beds. Centers supported by Regional Medical Center. Single and double cells. *Construction of this facility will return 162+ medium custody beds to general population use. This will result in an off-setting of approximately $7.5M in construction costs.
Central Region		
1.0 Regional Medical Center *60 Primary and Secondary Acute Beds* *30 Infirmary Beds*	$17.1M 86,100 SF	Diagnostic and Ambulatory services. Surgical capability. Large Intake Area. Replaces Central Prison Hospital. Could be constructed in 2 phases.

Table 12

CAPITAL DEVELOPMENT PLAN

	HEALTH FACILITY	ESTIMATED CAPITAL COST	COMMENTS
2.0	Central Prison Infirmary *30 Beds*	$3.9M 19,600 SF	Diagnostic and Ambulatory services. Serves Central Prison population. Supports Central Prison Mental Health Unit.
3.	Dix Acute Care Unit *15 Primary and Secondary Acute Beds*	TBD-Department	Initially to serve Male population until new Central Prison Facility available. Serves Female population, long-term. Co-operated with Dix Hospital.
4.	McCain Hospital Residential Unit *48 Beds*	TBD-Department	Renovation of existing space.
5.	McCain Hospital Inmate Worker Dorm *36 Beds*	$300,000 (Department $)	Frees a 30-bed wing for medical bed use.
6.	Infirmary Beds Within Region *20 Beds*	$.95M 5,700 SF	1 Infirmary at a new facility under construction.
7.0	Regional Mental Health Facility *198 Beds*	$15.5M 89,100 SF	Replaces current Central Prison Mental Health Unit. Supported by Regional Medical Center. Located adjoining Central Prison.
8.0	Female Mental Health Unit *24 Beds*	$2.2M 12,400 SF	Serves Female population. Medium Custody. Expansion of NCCIW Mental Health Program.
Eastern Region			
1.0	Regional Medical Center *15 Primary Acute Beds* *30 Infirmary Beds*	$9.4M 47,000 SF	Diagnostic and Ambulatory services. Minor day surgery. Large Intake Area. Supports Regional Mental Health Facility. May be located at Eastern Processing Center. Single and quad cells.
2.0	Fountain Residential Care Beds *24 Beds*	$.4M (renovation)	Serves Female population. Requires 24-hr. on-site nursing.
3.0	Infirmary Beds Within Region *20 Beds*	$.95M 5,700 SF	1 Infirmary at a new facility under construction.
4.0	Regional Mental Health Facility *198 Beds*	$15.5M 89,100 SF	Supported by Regional Medical Center.

2. **Phasing the Development Plan**. The Study Team proposes phasing the facility development program to provide a balanced implementation across the three regions while addressing the most urgent needs. The Development Plan assumes that renovation projects at existing facilities will bring sick call and dental units up to required standards.

   a. Western Region

   The first phase of the project is to initiate development of the Western Regional Medical Center and add an additional 20 infirmary beds at one location to the region. These actions, when completed, will reduce the pressure at Central Prison, lower transportation costs, and reduce the need for contracted health care. These projects should start design in 1997 and construction in 1998. The second phase should include development of the Regional Mental Health Facility and a regional residential care facility.

   b. Central Region

   The Central region has the greatest quantity of health care facilities and those most in need of improvement. Replacement of Central Prison Hospital, development of the female mental health beds at NCCIW, and development of the McCain residential unit are priorities. The second phase of the program will include replacement of the Central Prison Mental Health facility with a new Regional Mental Health Center.

   The design of a new Regional Medical Center should be started in 1997. The Center can be developed in two phases. If this occurs, the first phase will include support and clinical facilities as well as 60 acute care beds. The second phase will add the 30 infirmary beds. Concurrently, the region's 20 bed infirmary should be brought "on-line." Temporary acute beds may need to be contracted until the first phase of program is completed.

   During this first phase, residential beds should also be provided at McCain Hospital. This can be accomplished by adding a modular dorm for it's inmate worker cadre, thereby freeing-up a wing of the facility for medical use.

   c. Eastern Region

   This region's first priority is the development of the Regional Medical Center which may be located at the Eastern Processing Center. This project will reduce pressure on Central Prison Hospital, lower transportation costs and reduce the need for contracted medical care. This development phase should also include the development of a 20 bed infirmary unit and the 24 bed residential unit to be located at Fountain Correctional Center. The second phase will consist of the development of the Regional Mental Health facility.

Appendix D presents a chart which illustrates the sequence for design and construction of the projects, the number of beds in each, the budgeted project cost, and projected costs based on a 3% annual inflation rate.

3. **Replacement of Central Prison Hospital and Mental Health Facility**. Central Prison's Hospital and Mental Health facility are the primary locations of medical and mental health services for the male inmate population. Bringing inmates to Central Prison for health care purposes creates a significant strain on the operations of this high security prison. Additionally, the physical structure of both facilities presents serious obstacles to the provision of health services. Neither facility can be renovated or reconstructed at a reasonable cost.

   The following is an assessment of each of these structures:

   a. Central Prison Hospital
   The building is a four-story structure built within the secure perimeter on Central Prison. Designed by the Highway Department and built by prison labor in the mid-1960's, the building appears to be structurally sound, but in all other ways is suffering serious deficiencies and deterioration. The building was not designed with air conditioning, it not insulated and has single industrial glazing. A few window-type air conditioning units have been added in specialty rooms, e.g. the operating room. Heating is provided by in-floor heating pipes with little control. There is no smoke alarm or sprinkler system. There is no emergency power. The plumbing systems of the building have failed to the extent of no longer being able to be repaired. The floor-to-floor height is also very restricted, prohibiting renovation with new mechanical systems. The layout of the building is a long central corridor, one room deep on each side. This presents serious problems to the operation of effective or efficient nursing units or clinical facilities.

   b. Central Prison Mental Health Facility
   The Mental Health Facility consists of two buildings built in the late 1970's. This facility is connected to the Central Prison Hospital by a corridor system. It is similar to the hospital in the general layout of the buildings. They are linear buildings with a central corridor. This works well on the lower floors which are primarily offices and counseling rooms. The upper floors are the inmate areas and are divided into two housing wings with a central control station and supporting nursing station. The construction of the building is better than the hospital and is better maintained. It also suffers from limited floor-to-floor height and outdated mechanical systems. Upgrading to current standards is possible but difficult and would require the relocation of the mental health inmates during renovation.

EMERGING ISSUES IN PRISON HEALTH CARE

Planning for prison health care delivery systems will be impacted more by advances in information technology than advances in medical technology. The focus will be on developing new management information systems (MIS). Information systems will be clinically driven by content, or at least will be adequate to meet clinical demands. Automated patient records will be comprehensive, accessible and on flexible systems that allow interface with other providers. Advanced information

technologies will combine with telemedicine to change the way health service providers make clinical decisions. Specialized consultation will be more readily available in the managed care environment.

In the area of technology, telemedicine appears to be the one area that correctional health care administrators perceive as having a significant impact over the next 10-15 years on health service delivery. The American Correctional Association's Task Force on Health Care in Corrections has stated that, "...although it is too early to make a critical determination as to the cost effectiveness of telemedicine programs in correctional systems... preliminary information suggests that telemedicine programs are proving to be an efficient use of limited medical resources providing improved necessary access to quality health care providers."[21] The general comment is that as improvements are made in the ease of transmission and as the price of transmissions comes down, there will be significant increases in the use of telemedicine. Prison health service professionals see telemedicine, when in full operation, as a means of holding physician's sick call. There will also be widespread use of this technology for specialized consultations. It should be noted that the North Carolina Department of Correction is currently using telemedicine for consults between staff of Central Prison Hospital and the East Carolina Univeristy Medical School.

In developing the plan, the Study Team and the Health Service Task Force considered the degree to which long-term planning strategy should be based on general trends and conditions, as opposed to current clinical requirements. The consensus is that planning strategies should be based on general trends. Requirements and treatment regimens relating to HIV infection and Tuberculosis provide clear examples of why planning should look at general trends. While the number of HIV positive inmates has been steadily increasing, they are not progressing as they once did to terminal stages of the disease. Similarly, the clinical impact of tuberculosis in correctional facilities has been less dramatic than originally anticipated.

The "graying" of prisoner populations is an example of the importance of looking at general trends. In North Carolina, the size of the older inmate population (55 years or older) increased from 858 inmates in 1991 to 1,295 at the end of 1995, [22] a growth rate which mimicked general inmate population growth. This population, however, has a dramatic impact on the use of medical resources and, therefore, the Study Team took these numbers into consideration in developing bed space needs through the year 2010.[23]

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[21] American Correctional Association. *Public Policy on Correctional Health Care,* June 1996.

[22] Figures provided by the NCDOC Office of Planning and Research.

[23] It is anticipated that by the year 2030 the United States will have twice as many senior citizens as it does today. In addition to this "graying" of the population, the health care industry is predicting that heart disease can reach epidemic proportions in the twenty-first century. The impact of this situation will be even greater on prison populations than on the general public due to the generally less healthy life styles that prisoners have led prior to their incarcerations.

CONCLUSION

Efficient delivery of health care services within a state correctional system is complex at best. When in a community, offenders engage in behavior that negatively impacts their physical and mental health. Substance abuse, poor hygiene, lack of precaution against infection, dietary deficits, exposure to resistant strains of tuberculosis, AIDS, and economic conditions deliver them to the correctional environment with health care needs that have been long neglected. For these reasons, the prisoner population has a higher demand for medical services than the community at large.

The North Carolina Department of Correction has seen a more than 50% increase in inmate population since the start of the decade, resulting in increased health service requirements. The health care plan presented in this document is designed to provide the Department of Correction with a planning direction for meeting current health service requirements, as well as those of a 15 year planning horizon.

The Department is committed to operating a health care program that integrates cost efficiencies with high quality care. To achieve this goal, the Department is moving toward a managed care system which is based on containing the cost and utilization of health care.

To maximize efficiency, the Study Team recommends that health services be managed pursuant to a system which integrates decentralized service delivery with a horizontal management structure. Under this concept, the State will be divided into three (3) regions. Anchoring each region will be a regional medical and mental health center. These facilities will reduce transport and custody costs and lessen dramatically the need to contract with outside providers for the provision of primary levels of medical care, as well as lower levels of acute care.

The capital development program is essential to the Department's ability to meet clinical needs, control costs and ensure program effectiveness. It's current health service facilities do not provide adequate inpatient and clinical capacity. Additionally, Central Prison Hospital, the Department's primary medical facility, is inappropriate for continued use as a health service facility. Also of major impact is the lack of sufficient in-house health service resources in the eastern and western regions of the State. This results in a costly reliance on outside service providers and lengthy transports.

APPENDICES

NCDOC Health Care Study Task Force		
Name	**Title**	**Organization**
Gary Kugler, Chairman	Health Information and Planning Manager	DOP Health Services
W.L. "Kip" Kautzky	Assistant Secretary for Construction	Department of Corrections
H.A. Rosefield	Director, Health Services	DOP Health Services
Alan Harrop	Director, Mental Health	DOP Health Services
Mary Beck	Director of Planning	UNC Hospitals
Sally Johnson, M.D.	Medical Director	Butner Federal Prison
John R. Brown	Director, Nursing	DOP Health Services
Mohammed Baloch, M.D.	Medical Director	Central Prison Hospital
Spencer Wolfe	Manager, KRCH Services	DOP Central Engineering
Frank Proctor	Research Analyst	DOP Research and Planning
Linda Young	Financial Analyst	DOP Health Services
Saundra Davis	Nurse Supervisor	DOP Health Services

NCDOC Health Care Study Expert Advisory Panel	
Name	**Organization**
Dean William Campbell	UNC School of Pharmacy
Dean Mary Champagne	Duke University School of Nursing
Eugene Cochrane	The Duke Endowment
Dr. Seymor Halleck	Department of Psychiatry, UNC School of Medicine
Dr. Tom Irons	ECU School of Medicine
Dean Percy Luney, Jr.	NCCU Law School
Dr. W. Kaye McDonald	NCCU Department of Nursing
Dr. J. Dale Simmons	NC Department of Environment, Health and Natural Resources, Division of Health Promotion
Dean John Stamm	UNC School of Dentistry

NORTH CAROLINA DEPARTMENT OF CORRECTIONS
COST SAVINGS COMPARISON
2000-2010

Year	Scenario 1. Outside Hospital Costs(1)	Scenario 2. Dix Hospital Costs	(1-2) Savings	Scenario 3. In-House Costs	(1-3) Savings
2000	$ 2,970,000	$ 1,970,000	$1,000,000	$ 1,000,000	$1,970,000
2001	$ 3,100,000	$ 2,000,000	$1,100,000	$ 1,030,000	$2,100,000
2002	$ 3,200,000	$ 2,200,000	$1,000,000	$ 1,090,000	$2,100,000
2003	$ 3,300,000	$ 2,200,000	$1,000,000	$ 1,110,000	$2,200,000
2004	$ 3,400,000	$ 2,340,000	$1,100,000	$ 1,200,000	$2,200,000
2005	$ 3,780,000	$ 2,500,000	$1,300,000	$ 1,300,000	$2,500,000
2006	$ 3,800,000	$ 2,600,000	$1,300,000	$ 1,300,000	$2,500,000
2007	$ 4,200,000	$ 2,800,000	$1,400,000	$ 1,400,000	$2,800,000
2008	$ 4,200,000	$ 2,800,000	$1,400,000	$ 1,400,000	$2,800,000
2009	$ 4,400,000	$ 2,900,000	$1,500,000	$ 1,500,000	$2,900,000
2010	$ 4,600,000	$ 3,000,000	$1,600,000	$ 1,500,000	$3,100,000
TOTAL	**$40,950,000**	**$27,310,000**	**$13,700,000**	**$13,830,000**	**$27,170,000**

(1)-total projected admissions minus tertiary admissions

Source Documents:

1. North Carolina Department of Correction, Health Services for Inmates, Performance Audit Report, Office of The State Auditor, State of North Carolina, December 1994.
2. North Carolina Department of Correction, System-Wide Health Care Study, Discussion Materials, CGA Consulting Services, Inc./O'dell Associates, February 28, 1996.
3. North Carolina Department of Correction, System-Wide Health Care Study, Study Recommendations, CGA Consulting Services, Inc./O'dell Associates, Inc., Draft Report, August 5, 1996.
4. 1994-95 Report on DOP Health Care Costs, North Carolina Department of Correction-Division of Prisons, Memorandum, November 22, 1995.
5. Exploding Acute Hospital Activity, North Carolina Department of Correction, Memorandum, May 21, 1996.

Assumptions:

1. Calculated the admissions rate per 1,000 inmates (based upon the inmate population projections through 2010) as of 1996 and assumed the rate would stay constant through 2010.
2. Determine the current length of stay (LOS) per acute care hospital admission and assumed that the LOS would reduce to 3.5 days per outside admission and hold at this level for the time period 2000 to 2010.
3. Multiplied the number of projected inmates by the number of days of hospitalization for the inmate population and reduced these days by 15% (Tertiary care that will continue to occur at outside hospitals).
4. For Scenario 1., I calculated the average charge per day per admission for 1996 and inflated the figure forward for 2000 to 2010 and multiplied by the number of projected days of hospitalization. This equals the cost savings projection per year by not using outside hospitals.
5. For Scenario 2., assumptions 1 through 3 were applied to the current Dix hospital per diem of $700/day inflated forward for 2000 through 2010. Then applied the same multiplication as above.
6. For Scenario 3., same steps as scenarios 1. & 2. But used $352/day inflated through 2010.

NC DOC CAPITAL DEVELOPMENT PLAN

Project costs adjusted for inflation at 3% per year after 1996.

HEALTH FACILITY	1996 PROJECT COST	1997	1998	1999	2000	2001	2002
WESTERN REGION							
MEDICAL CARE							
1 Regional Medical Center		DESIGN					
45 beds	$9,400,000	$940,000	CONSTRUCTION $9,024,000	CONSTRUCTION	CONSTRUCTION		
2 Infirmary Beds Within Region		DESIGN					
20 beds	$950,000	$95,000	CONSTRUCTION $912,000	CONSTRUCTION			
MENTAL HEALTH CARE							
3 Regional Mental Health Facility			DESIGN				
198 beds	$15,500,000		$1,550,000	CONSTRUCTION $15,345,000	CONSTRUCTION	CONSTRUCTION	
RESIDENTIAL CARE							
4 Regional Residential Care Facility			DESIGN				
98 beds	$3,800,000		$380,000	CONSTRUCTION $3,762,000	CONSTRUCTION		
CENTRAL REGION							
MEDICAL CARE							
1 Regional Medical Center		DESIGN $1,360,000	PHASE1 (60 BED	DESIGN	PHASE 2 (30 BEDS)		
90 beds	$17,100,000	CONSTRUCTION $12,648,000	CONSTRUCTION	CONSTRUCTION $350,000	CONSTRUCTION $3,920,000	CONSTRUCTION	CONSTRUCTION
		TEMPORARY BEDS REQUIRED					
2 Central Prison Infirmary		DESIGN $390,000					
30 beds	$3,900,000	CONSTRUCTION $3,627,000	CONSTRUCTION				
3 Dix Acute Care Unit					NEW for female and safekeeper use.		
(male/female) 15 beds	n.a.						
4 Infirmary Beds Within Region		DESIGN					
20 beds	$800,000	CONSTRUCTION $800,000	CONSTRUCTION				
MENTAL HEALTH CARE							
5 Womens Mental Health Facility		DESIGN					
24 beds	$2,200,000	$220,000	CONSTRUCTION $2,112,000	CONSTRUCTION			
6 Regional Mental Health Facility		DESIGN					
198 beds	$15,500,000	$1,550,000	CONSTRUCTION $14,880,000	CONSTRUCTION	CONSTRUCTION		
RESIDENTIAL CARE							
7 Mc Cain Hospital Residential Unit		RENOVATION	RENOVATION				
48 beds	n.a.	FUNDED FROM MAINTENANCE BUDGETS					
6 McCain Hospital Worker Dorm							
36 beds	$300,000	CONSTRUCTION $309,000	CONSTRUCTION				
EASTERN REGION							
MEDICAL CARE							
1 Regional Medical Center		DESIGN					
45 beds	$9,400,000	$940,000	CONSTRUCTION $9,024,000	CONSTRUCTION	CONSTRUCTION		
2 Infirmary Beds Within Region			DESIGN				
20 beds	$950,000		$95,000	CONSTRUCTION $940,500	CONSTRUCTION		
MENTAL HEALTH CARE							
3 Regional Mental Health Facility				DESIGN			
198 beds	$15,500,000			$1,550,000	CONSTRUCTION $15,810,000	CONSTRUCTION	CONSTRUCTION
RESIDENTIAL CARE							
4 Fountain Residential Care Facility		DESIGN					
(female) 24 beds	$400,000	$50,000	CONSTRUCTION $374,000	CONSTRUCTION			

SUMMARY	1996 cost	1997	1998	1999	2000	2001	total w/ inflation
TOTAL	$95,700,000	$22,929,000	$38,351,000	$21,947,500	$19,730,000	$0	$102,957,500

The Prison MATCH goal is...
to provide programming to inmate mothers and their children which will maintain and stengthen family relationships during the forced separation.

THE PROGRAMMING ...

is for selected mothers at NCCIW who want to become a part of the MATCH program and agree to complete an 8 week series of parenting course work. They also enroll in a variety of elective courses dealing with more issues which influence their parenting style.

The courses included in the MATCH curriculum are:

- ***Our Parenting Inheritance***
- ***Family Basics***
- ***The Basic Needs of Children***
- ***Developing Children***
- ***Exploring Alternatives and Choices***
- ***Co-Parenting***
- ***Positive Communication***

Elective courses are developed and provided by community groups with particular areas of expertise. These include (but not limited to):

- ***Stopping the Cycle*** **(Substance Abuse Prevention for Children)**
- ***STEP*** **(Systematic Training for Effective Parenting)**
- ***Mothers with AIDS***
- ***Alternatives to Spanking***
- ***The Gift of Life and Love*** **(Prenatal and Infant Care)**
- ***Boundary Issues in Parenting*** **(for moms who have been abused)**

SPECIAL VISITS...

are allowed for mothers who have completed the classes and their children in the MATCH Visitation Center at N. C. Correctional Institution for Women (NCCIW). The home-like atmosphere of the Center is created through the use of brightly colored pictures of animals and lots of toys and books. There is a nursery and small kitchen where moms can make cookies and snacks for their children when they come for a visit.

I would like to participate in the Prison MATCH program by:

- ☐ ☐ **volunteering in the center as needed**
- ☐ ☐ **providing transportation for children to visit mother**
- ☐ ☐ **collecting supplies needed in the Center**
- ☐ **making a contribution of $ _____.**

Prison MATCH of N.C., Inc., PO Box 14469
Raleigh, NC 27620-4469 phone 919/828-4767

- ☐ **Please send information about the Prison MATCH Center**
- ☐ ☐ **Add me to your mailing list**
- ☐ ☐ **I would like a program on Prison MATCH for _____**

NAME _____ **PHONE** _____
ADDRESS _____ **ZIP** _____

Thank you for your interest and support!

Mail contributions to: Mabel Topping, Treasurer, 1201 Berry Ridge Road, Charlotte, NC 28270

In North Carolina...

approximately 2000 children endure daily the greatest trauma a child can suffer – the loss of his or her mother. Although the mothers of these children are alive, they live in prison.

Prison MATCH recognizes...

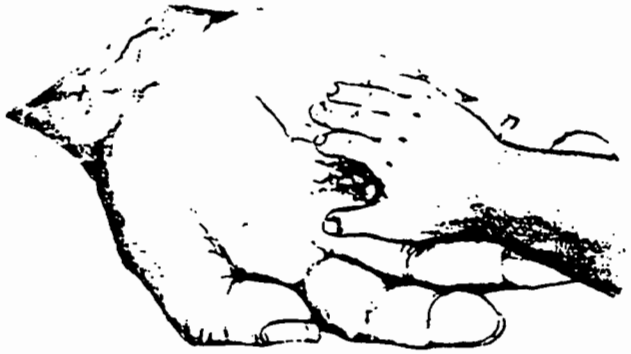
the importance of the mother-child relationship in the psychological development of each child. This relationship has been shown to greatly influence how a child views himself, his relationship to others, and his perceptions of the world.

The Children ...

committed no crime, but have been "sentenced" to life without their mother. A survey conducted by MATCH in 1994 showed that 50% of the inmate mothers sampled had less than 2 visits with their children in a period of one year. A year is a lifetime to a young child.

The Mothers...

are concerned about the care and safety of their children. MATCH enables ongoing contact of mothers and children while also providing courses to improve their parenting skills and personal development.



Prison MATCH ...

(Mothers And Their CHildren) of North Carolina, Inc., is an interfaith organization created to address the needs of the children of incarcerated mothers. MATCH is a private, non-profit organization governed by a Board of Directors.

The Board of Directors ...

is comprised of community representatives from throughout the state who volunteer their time and expertise to guide MATCH's policies and programs.

Robbie W. Barrett, President
Doris Odom, Vice President
Dori Thurman, Secretary
Mabel Topping, Treasurer

Norma Aaron	Fran Baggs
Eunice Bland	David Donovan
Irma Duke	Bea Holt
Katrina Jones	Kim Keyse
Barbara Mitchell	Jeanne Rouse
Carolyn Russell	Vernice Whyms

Doris Yeattes

Ex-officio Members: Nancy Moody, Executive Director; Jennie Lancaster; Carol Caldwell; Pat Vincitorio; Cynthia Butler; Marilyn Gasswint

All Children need their mothers

Prison

A772

ATT2

North Carolina Correctional Institution for Women

1034 Bragg Street Raleigh, North Carolina 27610

Carol Caldwell, Warden

NORTH CAROLINA DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
NORTH CAROLINA CORRECTIONAL INSTITUTION FOR WOMEN

The North Carolina Correctional Institution for Women is a close/medium custody facility with a standard operating capacity of 754 inmates and a maximum operating capacity of 1213 inmates. Present inmate population stands at approximately 1100.

The inmate population consists of all custody and security levels including death row, maximum, close, medium, minimum, and safekeepers. The youngest offender is 14 years old and the oldest offender is 78 years old. NCCIW is the central facility for the incarcerated female offender population and provides the primary Medical, Mental Health, and Substance Abuse (DART) services; provides for the female offender transfer and jail population movement system; and provides the segregation housing in the Female Command. NCCIW operates the major Diagnostic Center for the command and is responsible for processing all female felon offenders into the prison system. The mission includes providing custody and security, 24 hour in-patient and out-patient treatment services, and extensive rehabilitative program opportunities to the inmate population. The institution is operated under unit management. The average daily cost per inmate for fiscal year 96-97 is $72.69 or $26,532.00 annually.

Specialized and expanding programs include Dental Lab (making of dentures, partials, etc. for DOP Dental Services); Mental Health In-patient Treatment and Day Treatment; MOTHEREAD and Baby Ready Literacy Programs; Social Work component; MATCH (Mothers and their Children) parenting and visitation programs; U. S. Department of Labor Apprenticeship Programs; and Travel and Tourism Program for the State of North Carolina providing toll-free telephone lines and bulk mailing for the Department of Commerce. The majority of inmates participate in either Institutional Work Projects; Educational Programs with full academic range and numerous comprehensive vocational training programs and courses; and/or major Enterprise Operations of sewing plant and reupholstery plant.

The master construction and renovation plan for NCCIW has completed 25 major projects over the past three years. Current projects underway are the chase road, sewer line replacement, and central sidewalk for inmate traffic. Proposed construction projects include new Kitchen and Dining Hall, 208 Bed Unit, and expansion of medical and Mental Health facilities. Also under consideration is a review of expansion alternatives at NCCIW for and with Travel and Tourism and DOT Rail Division for inquiry services and information mailings.

Growth of Inmate Population at NCCIW:

'91 - '92	537	6-30-95	799
'92 - '93	641	6-30-96	1,062
'93 - '94	677	6-30-97	1,147

PROPOSED CONSTRUCTION

KITCHEN AND DINING HALL
208 BED UNIT
EXPANSION OF MEDICAL AND MENTAL HEALTH FACILITIES

NCCIW's original Kitchen/Dining Hall was built in 1942 and was 7,563 square feet. With growth in population, new food preparation area was added on and went into operation in November, 1991. This area added 5,404 square feet to feed maximum population of 700 inmates. In 1997, with an inmate population of 1100, we continue to use original dining room to feed the inmate population. Current meal count each month is approximately 113,400 meals prepared. We have maximized the dining room area and can provide 272 seats.

The Infirmary was built in 1988 and is 14,212 square feet. The total Female Command population that it was scheduled to serve at that time was 807.

The Mental Health Building was built in 1991 and is 17,822 square feet. The total Female Command population that was scheduled to serve at that time was 1046.

NOTE: The total Female Command population being served on June 9, 1997 was 2028.

North Carolina Department of Correction
Division of Prisons
831 West Morgan Street • P.O. Box 29540 • Raleigh, North Carolina 27626-0540

James B. Hunt Jr., Governor | Daniel L. Stieneke, Director of Prisons | Mack Jarvis, Secretary

MEMORANDUM

DATE: September 15, 1997

NCCIW
SEP 22 1997
WARDEN

TO: Theodis Beck, Deputy Secretary
Secretary's Office

FROM: Dan Stieneke, Director
Division of Prisons

RE: **Emergency Operating Deficiencies**

Currently there are four (4) Institutions within the Division of Prisons experiencing operating deficiencies considered emergencies. The facilities and documentation of the emergency status are listed below.

NORTH CAROLINA CORRECTIONAL INSTITUTION FOR WOMEN: The population at this facility has increased by appropriately 83% since June of 1992. It is currently operating up to 160% of standard operating capacity which is doubled the expansion allowed at any other facility in the Division of Prisons. Inmates are doubled celled in the long-term housing dorms and sleeping in dayrooms in both segregation and regular housing dormitories. This has resulted in severe overcrowding as well as a tremendous over-load on support facilities.

The most severe impact has been on food service. The original Food Service Building was built in 1942 and expanded in November 1991. The addition expanded the design capacity to 700 inmates. Currently they are in excess of 1,200 inmates resulting in 103,000 meals per month. This requires a 24 hour operation of the dining hall resulting in no time for equipment maintenance and repair and an increase in staff coverage.

The Institution is currently has a class action law suit filed that includes medical, overcrowding and inadequate support facilities as the major issues. The Institution has also recently been the target of negative news publicity concerning the inadequacy of food service and medical support.

A new Food Service Facility and a 208 Bed Dormitory were originally included in the federally funded 'violent offender incarceration/truth in sentencing grant program'. However all indications are that these projects will not meet the criteria of this program. It is therefore requested that the 208 Bed Dormitory and Food Service Facility be declared an emergency and funded from funds available from the Office of State Budget. This request is deemed vital to maintain safe operational integrity and limiting the potential liability at this facility.

NCCIW Health Services

Medical, dental and mental health services are provided for the female inmate population at NCCIW. There is twenty-four hour nursing care provided for the population seven days a week. A variety of health care employees work at NCCIW, providing various services to include inpatient care, outpatient and clinic. Additional services include laboratory, x-ray and pharmacy. Health services at NCCIW are accredited with the National Commission on Correctional Health Care.

The inpatient area of the infirmary has a twenty-eight bed capacity. The level of care for the inpatient inmate is equivalent to that of a skilled nursing facility, with twenty-four hour nursing coverage.

Outpatient services include emergency and urgent care for the inmate population. Sick call, medication administration and processing of new admissions are also accomplished in the outpatient area. Twenty-four nursing coverage is provided in this area as well.

The medical clinic offers a multitude of specialty services which include GYN, Podiatry, Cardiology, Surgery, Orthopedics, Optometry, HIV, Chronic Disease, Ultrasound and Prenatal clinics. These services are provided at varying times throughout the month for the entire female inmate population incarcerated in North Carolina.

All pregnant inmates are maintained at NCCIW until release or until their child is born at a community hospital. Once the baby is born, NCCIW social workers coordinate placement of the child with the inmate's family or if necessary, a social services agency. After routine post partum clearance, the inmate maybe transferred to another facility if her custody status warrants.

Dental services at our facility are provided by qualified dentists and dental assistants. This staff provides dental examinations, extractions, front and back fillings and tooth replacement with dentures. Emergency services are available along with the routine dental care.

Mental health services are provided for the female inmate within the Mental Health Unit at NCCIW. The unit offers inpatient and outpatient services to include groups, clinics and day treatment. The inpatient area has a twenty-six bed capacity. The staff includes psychologists, rehabilitation therapists and twenty-four hour nursing coverage to address the mental health needs of this population.

NCCIW
MENTAL HEALTH SERVICES

The Organization of services resembles what would be provided at a community mental health center. These services can be described as inpatient hospital, day treatment/partial hospitalization; and, outpatient services.

INPATIENT UNIT
Acute unit:
The inpatient acute mental health unit at NCCIW comprises 6 acute cells with secure doors, each of which has a small trap for access when the door is closed, and a window with protective wire mesh and glass door capable of being opened from the outside. The acute unit by necessity houses those patients who present a danger to themselves or others. Length of stay averages between 10 and 14 days.

Chronic unit: The unit has seven additional rooms for individual housing and two ward rooms; each ward room can house up to five patients. Total unit capacity, including transition space, is 26 patients. However, demands for acute treatment space in 1996 have necessitated employment of all transitional space and some use of individual chronic space. Chronic patient space is 18 beds, 10 single cells and 8 wards.

DAY TREATMENT: Patients are seen five days a week, Monday - Friday.
Treatment consists of medications, one to one therapy and a structured milieu.

- The therapeutic benefits are as follows:
- Builds social skills, self esteem, self confidence, leisure skills,
- Improves interpersonal skills, cognitive skills, coping skills,
- Provides opportunities for self expression, creativity, support and encouragement, and social stimulation.
- Encourages appropriate behaviors, self awareness, self-help, and personal responsibility.
- Alleviates tension, anxiety, moods of depression.
- Promotes healthy lifestyles. Alleviates tension, anxiety, moods of depression.
- Promotes healthy lifestyles.

OUTPATIENT SERVICES: Individual and group therapies, psychiatric treatments, and crisis/emergency treatments along with diagnostic evaluations are provided. Thirty hours/week of psychiatric clinics and 2 FTE psychologists provide these services. Case Management for mentally retarded inmates is provided by a half time social worker.

ATTENTION ALL INMATES

IMPORTANT INFORMATION ABOUT YOUR HEALTH CARE VISIT

* Beginning June 1, 1997, a North Carolina Division of Prisons Administrative Policy will begin that allows for health care fees to be collected from inmates in the form of co-payments. Inmate initiated visits are subject to the co-payment for services rendered.

You will always have access to health care whether or not you have the money to pay the co-payment. There will be no difference between inmates who pay and who do not pay with regard to access, scheduling or level of health care. The co-payment fee will be charged to your trust account. Your account balance will never fall below $2.00 in order to satisfy a co-payment charge. If there is not enough money in your account to pay the co-payment, the debt remains as a lien on your account and is subtracted as money is deposited. The Division will never subtract more than half (50%) of any deposit made to your Trust Fund account to pay what you owe in co-payment charges.

Any inmate wishing to submit a "Sick Call Appointment Request" (DC-602) must use the new form revised 3/97. All information must be completed on the form along with your signature.

YOU *WILL* BE CHARGED A $3.00 CO-PAYMENT FOR HEALTH CARE FOR THE FOLLOWING:

- routine visits you initiate to any health care provider
- routine requests made for you by non-medical staff, your family or your attorney

YOU WILL BE CHARGED A *$5.00* CO-PAYMENT FOR:

- visits you initiate *outside* the normal sick call by appointment system
- self-declared emergencies that are not true emergencies

YOU *WILL NOT* BE CHARGED FOR :

- processing center screening and evaluation
- a defined, true emergency-life or limb threatening
- infirmary or hospital admissions
- prescribed medicines, lab tests and x-rays
- vaccinations (such as flu and hepatitis)
- referrals to specialty clinics
- a defined chronic disease (such as high blood pressure, diabetes, HIV and TB)
- follow-up health care services scheduled by a health care provider
- health care services necessary to comply with State law and Departmental regulations
- pregnancy related services
- health education

* Delayed implementation date to August 1, 1997

YOU WILL NOT BE DENIED HEALTH CARE IF YOU DO NOT HAVE ENOUGH MONEY IN YOUR TRUST ACCOUNT TO PAY THE FEE

FACT SHEET
NC DIVISION OF TRAVEL, FILM AND SPORTS DEVELOPMENT
INQUIRY PROGRAM
NC CORRECTIONAL INSTITUTION FOR WOMEN--RALEIGH, NC

* North Carolina has a toll-free travel information line: 1-800-VISIT NC.

* The travel inquiry program moved to the N.C. Correctional Institution for Women from the N.C. Travel and Tourism Division's downtown office in December 1989.

* Callers to 1-800 VISIT NC talk to inmates who serve as operators.

* Inmates/operators are trained for one month on North Carolina history, geography, historic and scenic attractions, hospitality and computer operations.

* Thirty-two inmates currently work in the program. The operators work in six hours shifts and are paid $1/day. The packagers work a six hour morning shift and are paid the same. Two travel and tourism employees supervise the center.

* The toll-free line operates 24 hours a day, 7 days a week. Live operators answer calls from 8 am until 8 pm and our voice mail answers from 8 pm - 8 am.

* Callers' name, addresses, and special information requests are entered into a computer.

* In 1987, inmates began assembling a standard travel information kit (consolidated travel guide, map and events book) which is mailed by Travel and Tourism from the prison. Packages may also be supplemented with other information if requested by the caller.

* In 1990, operators answered 156,883 calls and mailed 243,112 packages of information.

* In 1992, operators answered 251,233 calls and mailed 300,658 packages of information.

* In 1993, operators answered 261,102 calls and mailed 318,492 packages of information.

* In 1994, operators answered 256,965 calls and mailed 318,612 packages of information.

* In 1995, operators answered 284,767 calls and mailed 243,918 packages of information.

* In 1996, operators answered 304, 874 calls and packagers mailed 369,123 packages of information

* In 1994, travelers revenues totaled $8.5 billion in North Carolina, making the travel industry the second largest in the state after manufacturing.

* In 1995, travelers spent $9.2 billion in North Carolina, making travel second only to manufacturing.

10/97

NEWS & RECORD

The Business Weekly

Week of Sept. 12, 1994

LOOK FOR THESE STORIES INSIDE:

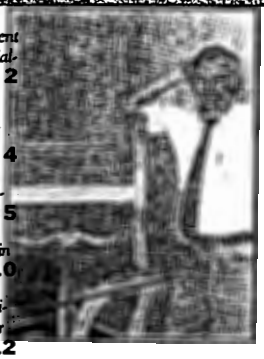
BANKING: *Two partners start investment banking firm in Greensboro that will specialize in mergers and acquisitions.* 2

TRADE: *An executive with Halstead tours South Africa during a recent trade mission.* 4

STREET TALK: *Triad airport sets passenger boarding records.* 5

CALENDAR: *Learn what's happening in the business community this week.* 10

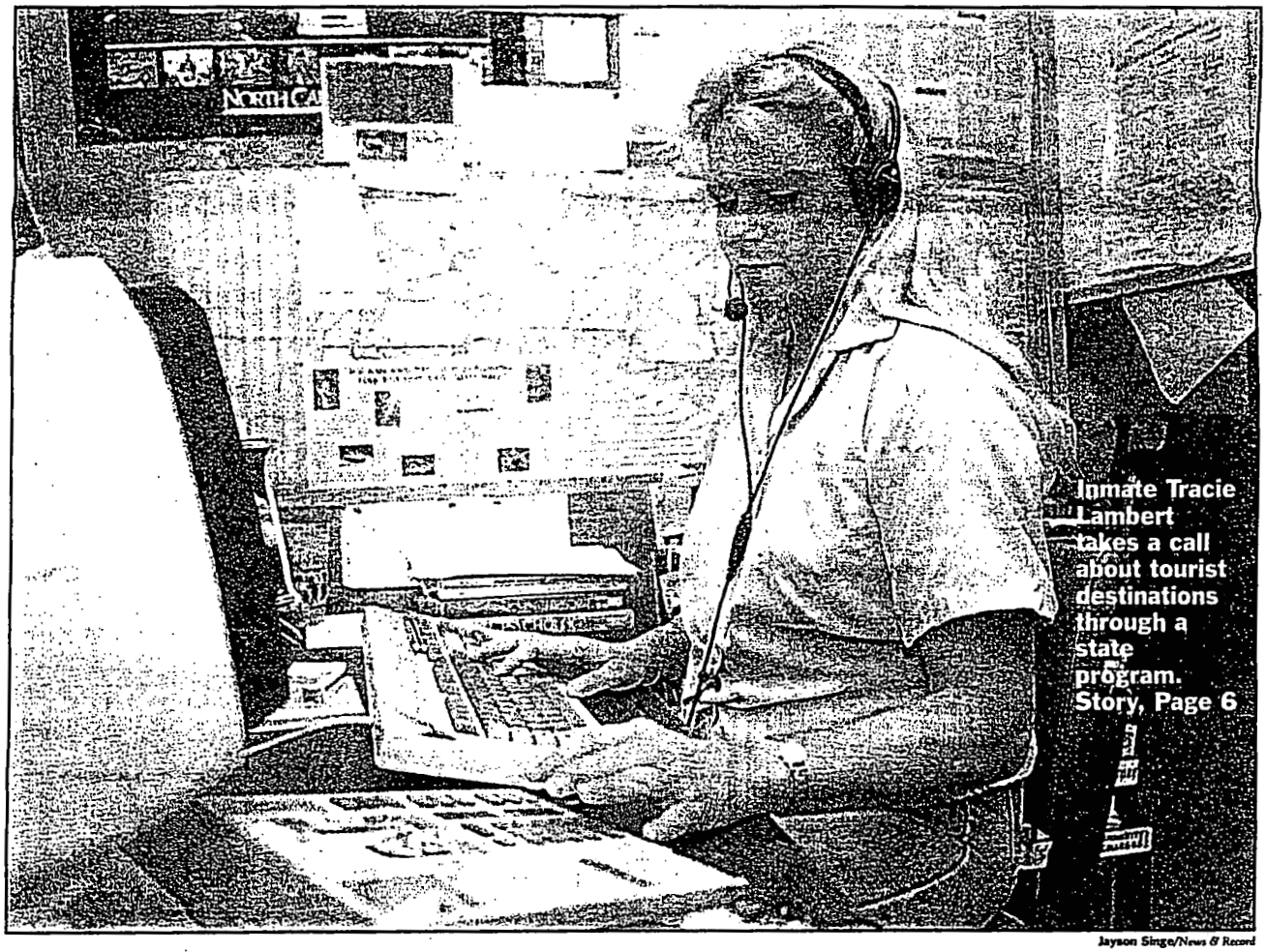
FURNITURE: *One of the leading furniture dealers in the Southeast opens another showroom.* 12



International connection

Alberto Chiaro and his wife, Monika, truly bring an international flavor to their furniture business. 3

IN PRISON / *And working like a travel agent*



Inmate Tracie Lambert takes a call about tourist destinations through a state program. Story, Page 6

Jayson Singe/*News & Record*

THE LATEST ECONOMIC STATISTICS, FORECASTS AND TRENDS/PAGE 8

News & Record, Monday, September 12, 1994

"When I'm here, I don't feel like I'm in prison. It's like

Sherry Bright, N.C. inmate

IN PRISON / *And working*

Inmates help promote state by fielding calls

A state program in which women inmates answer questions about tourist destinations has attracted national attention.

BY MARK FOLK
Staff Writer

RALEIGH — Sherry Bright is on the telephone with a woman from Miami who is interested in traveling to the Cherokee area in the North Carolina mountains.

The woman is asking questions about what the area offers for families. Bright tells the woman about the Cherokee Indian Reservation and Santa Land, a park with a petting zoo and toy shop. She talks a little about nearby Maggie Valley and then describes popular hiking trails and white-water rafting spots.

She answers a few more questions and then takes the woman's name and address to mail her a package of tourist information. Bright moves quickly to the next call and talks to a man about the Outer Banks.

Bright works like a travel agent in overdrive. Her knowledge of the state's travel spots is extensive. Yet, Bright has seen very little of the state, other than what's visible through bars and barbed-wire fences.

Bright is serving a life sentence at the Correctional Institution for Women in Raleigh after she was convicted in 1985 of committing a sex offense against a child. She was arrested in Durham, shortly after moving from Iowa.

She and 23 other inmates at the maximum-security prison answer phones and stuff packets of information to send to potential tourists as part of a special program run by the state's Department of Commerce and Department of Correction.

"When I'm here, I don't feel like I'm in prison," said Bright, taking a short break from the phones. "It's like a real job."

The inmates work in a small room in a building within the prison's gates, near the cafeteria and just 50 yards from the shadows of death row.

Last year, the inmates answered 260,000 toll-free calls and mailed 318,000 information packets. Requests for information this year are running about two percent higher than last.

The calls are generated by national television and print advertisements. Of its $7 million marketing budget this year, the Commerce Department's Travel and Tourism Division will spend about $3.5 million in advertising.

The phone number listed in the ads, 800-VISIT-NC, rings directly to inmates in the program. The inmates mail information packages within 24 hours of a request. Before the inmates took over the duties from a civilian staff six years ago, mailings often lagged a week behind requests.

That proved costly for the state, which earned an estimated $8 billion from visitors in 1993. Tourism is the state's number two industry, behind manufacturing.

"It's an extremely competitive marketplace today. Nothing could be worse than people requesting information and then getting it late or not at all," said Richard Tremmell, director of the state's tourism division.

North Carolina is one of a half dozen states that offer such inmate programs. Other states include California, Idaho, Montana, New Jersey and New Mexico.

But few states have received the amount of positive publicity that North Carolina has. Last month, the program was featured on "TV Nation," NBC's offbeat news and entertainment show. The New York Times has written about it. And several local and national radio shows have featured it.

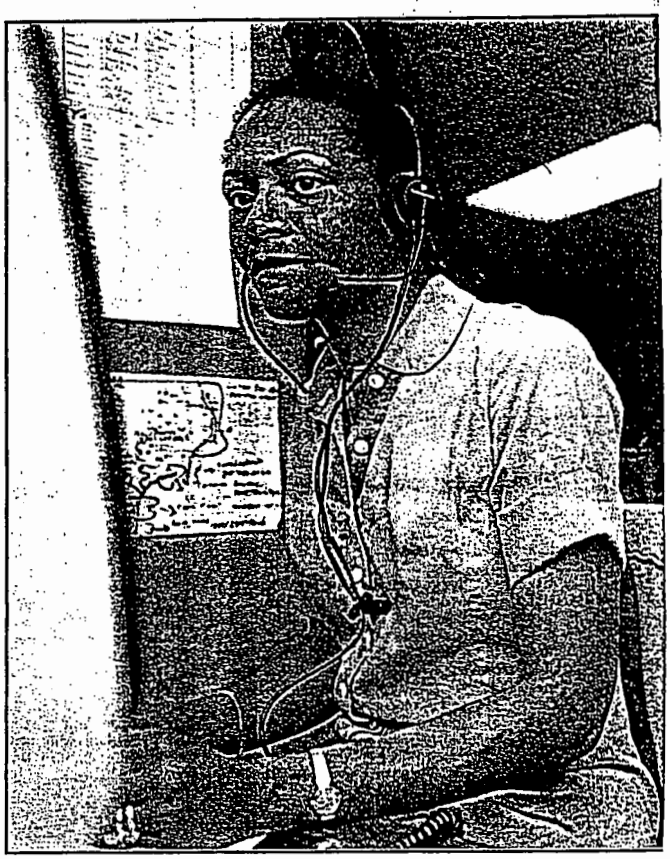
The publicity often generates a rush of phone calls, said Christine Mackey, spokesperson for the tourism division.

"They (inmates manning the phones) get calls from people wanting to talk to someone who was featured," Mackey said. "Someone once even called me and asked what I was in for after I was on a show."

Tourism and prison officials say the program is a win-win situation for both the prison system and state. They say it:

Jayson Singe/*News & Record*

Pamphlets of the state's tourist attractions sit in a rack beside the desk of one of the inmates.



- Gives prisoners a chance to be productive and provides them the incentive to do well. "The inmates have a chance to being closer to the real world," said Janet Bullock, assistant superintendent for programs at the 700-inmate prison. "Plus, they get an education without being mandated to go to school."
- Saves the state money. Last year, $250,000 was saved in salaries and benefits, said Tom Harper, one of two full-time tourism employees who supervise the prison program.

The program, which pays the inmates $1 a day, has saved nearly $1 million in salaries and benefits since it began.

The initiative started in 1988 as a pilot program to assist tourist officials in mailing information packets. "With the number of inquiries we were getting, we just couldn't keep up," Harper said.

To reduce the work load, certain inmates at the women's prison and the men's Central

Please see **INMATES**, *Page* 9

News & Record, Monday, September 12, 1994

INMATES

Continued from page 6

Prison in Raleigh were asked to stuff envelopes. Though the women liked and enjoyed the work, the men didn't do as well, Harper said. "I might have had two guys who wanted to work out of 12." The male inmates were dropped from the program in 1989.

At that time, the women inmates were given the additional duty of actually taking the telephone calls from prospective tourists. The civilian staff of five permanent tourism employees were reassigned and 10 temporary workers were let go.

The women inmates take phone calls in morning and afternoon shifts. Requirements to participant are stringent.

Officials look for inmates who have good speaking skills, read on at least an 8th-grade level, have no prison infractions — such as fighting — for at least 90 days and are sentenced for 15 years or more.

"We look for long-timers," Harper said. "It takes at least a year to train them and for them to get really good. If they are not here very long, it's not worth hiring them."

Participants are trained in phone etiquette and learn about the state and its tourist attractions through seminars, videos and publications. They work with experienced operators their first two weeks.

Relatively few problems have been reported. Officials have dismissed only one inmate from the program since it began after she was caught receiving personal calls on the toll-free number.

However, there have been problems with similar programs nationally. In California, for example, an inmate received an additional two-year sentence for running up thousands of dollars in bills for purchases made with stolen credit-card numbers.

Bright, who also serves as a trainer for new inmates in North Carolina's program, warns her trainees about taking personal calls or soliciting money over the phone. She was asked to help train after answering phones for the past two years.

"I like to travel and I am an outdoors person, so this program is perfect for me," she said.

Often, callers will ask Bright where her office is located. "I just say Raleigh and quickly move on." Or they will say at the end of the conversation that they will see her when they're in town. "If only they knew," she said.

Many people who do find out are curious to know more. Several viewers who watched the recent "TV Nation" report called the toll-free number to speak to inmates who were on the show. Inmate Tracie Lambert didn't take any of the calls but she did get a letter from a Tennessee man.

"He told me that he thought I was doing a good job and that I was attractive," said Lambert, who is doing a life sentence for first-degree murder.

Bright doesn't mind the publicity that the program generates, but she said it would be nice if the inmate

> **"We know it is working, based on the number of visitors who have called us and said, 'I called the 800 number and they referred me to you.'"**
>
> *Gayle Murphy, Greensboro visitors bureau spokesperson on state prison program*

telephone operators were paid more and had additional space to work.

"We are making money for the state, so it should work both ways," Bright said.

Under state law, inmates in the program cannot earn more than $1 a day. However, there has been talk of trying to amend that law and pay the inmates more.

Bright thinks they deserve it, especially because of how much they are required to know. She stays informed of state events and attractions by reading state travel stories in newspapers and magazines. And each week, tourist officials from around the state or officials from different associations such as the N.C. Association of Festivals talk to the inmates about their areas and upcoming events.

Bright also has valuable information at her fingertips.

Travel brochures sit in a rack beside her desk. Information about travel destinations and phone numbers for the Charlotte Hornets and other sports teams are taped to her walls. A map of North Carolina is tacked nearby.

Bright said most of the callers ask questions about North Carolina's mountains and beaches. She does get some calls about Greensboro and the Triad, mostly from families.

"I tell them about Celebration Station and Emerald Pointe and of course, the Asheboro Zoo," Bright said.

Bright said she has learned about the Triad through Greensboro Area Convention and Visitors Bureau officials, who meet with the inmates every six months.

They show videos about the area and update them on events at such attractions as the Greensboro Coliseum.

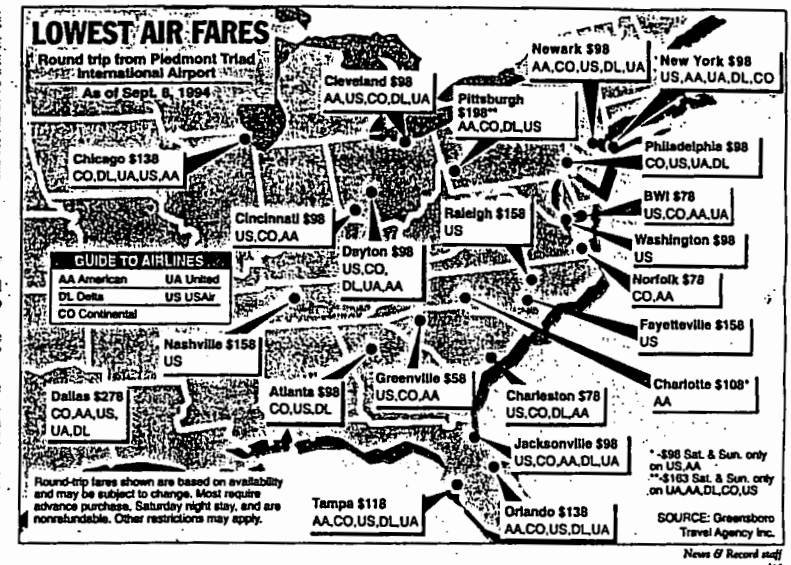
"We know it is working, based on the number of visitors who have called us and said, 'I called the 800 number and they referred me to you,'" said Gayle Murphy, spokesperson for the Greensboro visitors bureau.

Murphy has visited the program several times. She said it has helped both the state and the women. "It's a wonderful education for them. They are great telemarketers and will be able to get good jobs when they get out."

If Bright, 36, is ever paroled, one of the first things she plans to do is visit some of the places she's given advice on.

She's not sure, however, where she will go first, though it most likely will be the mountains.

She said: "I can just imagine breathing the mountain air. Or taking a picnic and going hiking. That would be nice."



News & Record staff

An Overview of the N.C.C.I.W. School

The North Carolina Correctional Institution for Women's school program is divided into two areas, academic and vocational. The academic school consists of educational programs that range from Adult Basic Education to college degree programs. Vocational training is provided in nine areas : Office Technology, Culinary Arts, Cosmetology, Manicuring, Dental Lab, Upholstery, Travel Agency Operations, Small Business Development, and Horticulture.

The academic school attempts to meet the needs of our students through program offerings at a variety of levels. The Adult Basic Education (ABE) program is designed to provide basic skills education to students below the eighth grade level. A full-time school program is offered with volunteer tutors being used to supplement instruction.

The G.E.D. program is designed to prepare students with an eighth grade or higher achievement level to take and pass the G.E.D. test. Full and part-time programs are offered to the population. The part-time program allows students assigned to other areas the opportunity to participate in educational programs in their spare time.

College classes are offered to those students who meet the eligibility requirements.

The vocational programs at N.C.C.I.W. are sponsored through three North Carolina Community Colleges : Durham Technical Community College, Johnston Community College, and Wake Technical Community College.

Durham Technical Community College offers a nine month program in Dental Lab Technology. This program trains students to produce full and partial dentures. In addition to the educational benefits to the students, denture production that this program offers is a great benefit to the Department of Correction.

Johnston Community College sponsors a 1200-hour program in Cosmetology. Graduates of this program are eligible to take the N.C. cosmetology exam to become a licensed beautician.

Johnston Community College also sponsors a 320-hour program in Manicuring which provides training to students to become a licensed manicurists.

Wake Technical Community College offers six vocational programs : Culinary Arts, Office Technology, Travel Agency Operations, Upholstery, Horticulture, and Small Business Development.

Culinary Arts is a 360- hour program designed to teach fundamentals of quantity cooking and baking. Students in this class also get practical experience in the institutional kitchen.

Office Technology is a one-year course that provides students the skills necessary to manage a modern office. This program has been upgraded to include computer skills and use of

equipment such as fax machines, dictaphones, and copiers.

The Travel Agency Operation class is a 15-week program designed to prepare students to work as travel agents, receptionists, and marketing representatives.

Upholstery is a 6-month course that trains students to renovate furniture. This course involves color coordination as well as the refurbishing process.

Horticulture is a 3-month program that offers students the opportunity to learn the art of growing flowers, trees, grass, and shrubs. It also provides classroom work as well as practical experience in a greenhouse.

Small Business Development is a 15-week program that is designed to introduce the idea of entrepreneurship to the inmate population. Upon completion of this course, students will have developed a business plan that is ready for implementation.

Students taking certain vocational courses may participate in the apprenticeship program sponsored by the North Carolina Department of Labor. This 6000-hour program will equip students for future profitable employment in skill trades when they are released.

Crime Analysis by Gender
Resident Prison Population: December 1996

Crime Categories	Male #	Male %	Rank	Female #	Famale %	Rank
Murder/Manslaughter	3952	13.6	4	255	13.5	2
Assault	2026	7.0	6	140	7.3	7
Sexual Offenses	3315	11.4	5	30	1.6	11
Kidnapping	455	1.6	10	15	0.8	12
Robbery	4322	14.9	3	158	8.4	5
Burglary/B & E	4666	16.0	1	117	6.2	8
Larceny	1887	6.5	7	178	9.4	3
Fraud	451	1.5	11	147	7.7	6
Forgery	408	1.4	12	172	9.1	4
Drugs	4427	15.2	2	473	24.9	1
DWI/Traffic Violation	1334	4.6	9	100	5.3	10
Other (Burnings, Worthless Check, Other Property, Other Public Order, Other Offense Against Person, Auto Theft, Not Reported/Undefined)	1798	6.23	8	113	6.2	8

Compiled by: Mental Health Services

THE PRISON MATCH PROGRAM
(The Children's Visitation Center)

MATCH - Mothers And Their CHildren

The purpose of Prison MATCH (Mothers And Their CHildren) of North Carolina, an inter-faith program, shall be to provide mothers who are incarcerated and their children with the support and resources necessary to maintain and strengthen family relationships and to help break the cycle of incarceration with these at-risk families.

Almost seven years ago, the North Carolina Conference of the Methodist Women in conjunction with North Carolina Correctional Institution for Women and the Department of Correction voted to adopt this project.

The Children's Visitation Center is part of the Operations Building at the North Carolina Correctional Institution for Women in Raleigh. The Center is constructed in compliance with the Department of Correction's building/safety concerns and codes. The building is approximately 1,200 square feet plus space for a small playground.

Program and Staff

Nancy Moody is the current Director of the MATCH Program. The Department of Correction assigns one full time inmate job position to MATCH.

Board of Directors

The MATCH program is financed and administered by a Board of Directors who is composed of community volunteer, correctional personnel and representatives appointed by each "founding organization" on the Board. Other members of the Board are individuals with specific financial and legal skills, experience and knowledge of incarcerated women and their children.

Funding

Funds for continued program operations of MATCH are secured from ecumenical church sources, foundations, cooperations and women's interest groups, as well as the Department of Correction.

Endorsements

Endorsements are provided by the United Methodist Women of the North Carolina and Eastern North Carolina Conferences as well as Yokefellow Prison Ministry. Other denominations and organizations are asked for their endorsement as well.

Volume 1 No.4

Spring 1997

Newsletter of Prison **MATCH** of North Carolina, Inc.

PURPOSE....The Purpose of MATCH (Mothers And Their Children) of North Carolina, Inc. an interfaith program, shall be to provide mothers who are incarcerated - and their children - with the support and resources necessary to maintain and strengthen family relationships and to help break the cycle of children following their mother's path to prison.

NANCY MOODY - NEW EXECUTIVE DIRECTOR OF MATCH

ROBBIE BARRETT, president of the MATCH Board; NANCY MOODY, new Executive Director of MATCH; and VICKIE SIGMON, special mentor for MATCH.

NANCY MOODY, MSW, began work as Executive Director of MATCH on Tuesday, April 1, 1997. She has a Bachelor of Social Work degree from the University of Texas at Austin and a Master of Social Work degree from East Carolina University, Greenville, NC.

Her skills include Program Development/Coordination; Training/Education Services; Supervision; and Counseling. All of these will enhance the program at MATCH. Nancy is knowledgeable of Italian, Spanish, French, German, And Polish. Some day we might need these at MATCH!!

We welcome Nancy and feel most fortunate to have her with us. We look forward to working with her and seeing MATCH continue to flourish.

REMEMBER: "ALL CHILDREN NEED THEIR MOTHERS."

As I write this we are saddened by the resignation of our director, Patty Kennedy. We now have a new director in the MATCH Center.

Patty has been our director since October 4, 1993 and has guided MATCH from absolutely nothing to the vital program it is today. We had not even broken ground when she came, but she found productive ways to become oriented to the prison atmosphere and to begin creative work with the MATCH Moms. Her imagination, intelligence, enthusiasm, energy, caring, and love have endeared her to the MATCH Moms, the prison staff and population, and the board of directors. We will miss her; but as Patty says, she is first of all a Mom and the illness of her 13 year-old son, Jimmy requires that she devote her time to him. (If you have ever reached the voice mail at MATCH, you have heard Patty say, "And remember, all children need their mothers.")

Jimmy is a brilliant student and helped to program MATCH's new computer. He has undergone many surgeries and spent numerous days in the hospital.

Our love and prayers go with Patty and Jimmy as well as our thanks for all they have meant to us. We'll keep in touch.

JENNY HAASE has worked diligently to advertise in the newspaper and to set up interviews for prospective directors. We appreciate all that Jenny has done for us and we are grateful to all who have been patient with us during this transition period. Please keep MATCH in your prayers and help us as a volunteer or with financial contributions.

Robbie Barrett, President, Board of Directors

"DID YOU KILL HIM ON PURPOSE...OR NOT?"

She is just six years old. Both parents were taken from her at the same time two years ago. She knows her mama went to a place called prison and can't come home for a long time. She knows her daddy is dead and won't ever come home. Now, she has finally begun to make the heartbreaking connection. And she has begun to ask the soul-wrenching questions.

Her mother holds her as they sit on the floor of the MATCH Center, arms and legs and hearts intertwined, tears intermingled. Murmuring the answers softly, her mother rocks the little girl back and forth, back and forth.

Across the room the MATCH Director plays with the little brother - just four years old, keeping him occupied to give the mother and daughter time alone. Eventually, he joins his mother and big sister. Together the children press their mother to tell them just exactly where - what part of his body - she shot their father.

She answers them directly and honestly. In the MATCH classes, she has learned that it is best to tell children the truth when they are ready to hear it - even when the truth tells of tragedy and terror. After a while, the MATCH Director goes to this family, offering counseling and care.

Gradually, the intensity of the visit lightens. Smiles replace tears. Attention turns to hot-dogs and cupcakes. Bright pictures are colored and dinosaurs are created from plastic building blocks.

As the children leave, the little girl says to the MATCH Director, "My mommy is the best mommy in the world."

The questions are not over. The confusion and pain are not vanquished. But the truth has been told and faced with love and courage, as it will be again and again, by this family and by scores of others.

In the MATCH Center, these families find the place and the strength to begin to heal and rebuild. And, they find people to guide and stand beside them on this path of restoration and hope.

FOOD LION COMMUNITY WAY DAYS FOR MATCH

This is a first for MATCH...a new fund raising event to benefit our program. This is taking place on May 5, 6, and 7 and we expect good participation. Thanks to Food Lion and you for making this contribution to MATCH.

THANKS, VICKIE!!!

Vickie Sigmon has been a solid rock for MATCH. She has been our mentor and a guiding light [redacted] the first meeti[redacted] the task force which eventually became the board of directors. Vickie and Brenda Connelly got our first executive director started and assisted her in designing and developing the program. Last summer when Patty Kennedy was on leave, Vickie spent several days a week in the MATCH center, keeping the program going. Along with Jenny Haase, she scheduled visits with the MATCH Moms and their children and did all the things necessary to keep the cen[redacted] in operation.

Vickie is a missionary with the Board of Global Ministries of The United Methodist Church, stationed in Winston-Salem. Her work has been in prison ministry with Yokefellow.

MATCH owes a great debt of gratitude to Vickie.

THANKS, BRENDA!!!

Brenda Connelly came [redacted] to MATCH during the summer of 1996 to help revise the brochure, write some stories, and share her expertise with us. A missionary with the Board of Global Ministries of the Untied Methodist Church, Brenda now serves in Alabama. She and Vickie Sigmon got the MATCH program started as they mentored Patty Kennedy and gave direction to the project.

Brenda gave 3 days of her vacation to us and we appreciate her generosity more that we can say. She is shown above with Robbie Barrett, pres[redacted]t of the MATCH Board of Directors.

Thank, Brenda!!!

CHRISTMAS PARTY

On December 14, 1996 MATCH had a BIG Christmas party. About 150 persons attended, including children, MATCH Moms, NCCIW staff, MATCH Board of Director members, and volunteers. Each child received a package of small gifts, books, socks, etc. Entertainment was provided by inmates and included music and dance routines. Pictures were taken of each MATCH Mom and her child or children and both mom and child received a copy to keep.

This year we used not only the Children's Center but also the big visitation room which is located next to the center. Both rooms were beautifully decorated. Handmade angels, made by women on death row, were a special part of the decorations.

Thanks to the many persons who brought the children from places as far away as Miami, Florida, and for all who contributed to the event.

BOARD MEMBERS 1997 - APRIL

PRESIDENT: ROBBIE BARRETT
VICE PRESIDENT: DORIS ODOM
SECRETARY: DORI THURMAN
TREASURER: MABEL TOPPING

EX-OFFICIO MEMBERS (VOICE WITHOUT VOTE)
Jennie Lancaster, Female & Special Command Mgr.
Carol Caldwell, Superintendent
Pat Vincitorio, Social Work Supervisor
Cynthia Butler, Asst. Superintendent of Programs
Marilyn Gasswint, Senior Chaplain
Nancy Moody, Executive Director of MATCH

ONE YEAR TERM:

Vernice Whyms	Fran Senter Baggs	Doris Odom
Doris Yeattes	Barbara Mitchell	Norma Aaron
Mabel Topping	David Donovan	Irma Duke
Katrina Jones	Kim Keyse	Jeanne Rouse

TWO YEAR TERM:

Bea Holt Carolyn Russell Eunice Bland
Robbie Barrett Dori Thurman

PATTY'S LETTER TO THE MATCH MOMS

Patty Kennedy has given us permission to print her beautiful farewell letter to the MATCH Moms which she sent to them in her own handwriting on December 23, 1996.

Dear MATCH Mom,

You may have already heard that I am leaving MATCH to be able to handle Jimmy's frequent and unpredictable medical needs. He is doing well, but it will be a long time before he can resume "normal" kid stuff like regular school schedules and actively playing with other kids.

But I wanted to give you all a letter for Christmas before I left. This is to read and reread whenever you need some encouragement.

I have loved each and every one of you. Your joys became my joys and your tears tore my heart out. I have seen your courage in accepting responsibility for your actions and going on. I have seen you rise above the pain of not being a full-time mom. God bless you.

Please remember that there is goodness in this world, but you have to look for it. It is quiet and often goes unnoticed unless you make the effort to watch for it. It is often hidden behind flashiness of things not so good - like greed or pride. It is frequently overcome by the noise of anger, hatred, or self-righteousness.

But if you give to others first - especially your children - and speak softly with respect to every human being, you will find goodness. Or maybe it just finds you. This is the way it has been for me anyway and I know it will work for you too.

Merry Christmas and a Peaceful New Year
Love,
Mrs. Kennedy (and Jimmy!)

Mrs. Patricia Kennedy
Mr. Jimmy Schroering
413 Cross Pines Drive
Raleigh, NC 27603

For additional information, please write: Prison MATCH of North Carolina, Inc., PO Box 14469, Raleigh, N.C. 27620/4469

I would like more information about: _____ Volunteer Opportunities _____ Financial Needs _____ Speakers

If you would like to make a financial contribution, please make check payable to :Prison MATCH of North Carolina, Inc. and mail to: Mabel Topping, 1201 Berry Ridge Road, Charlotte, NC 28270

NAME _____

ADDRESS _____

_____

CHURCH or GROUP _____

Prison MATCH is a non-profit organization funded through tax deductible contributions.

SPEAKER BUREAU

If you have a group, class or club that would like to have a speaker on the MATCH program - below is a list of volunteer speakers.

BURLINGTON, GREENSBORO AREA:	
Kathryn Self	(910) 228-6691
Bertha Holt	(910) 227-7333
Sylvia Clapp	(910) 697-1388
Doris Yeattes	(910) 299-7285
Jane Johnson	(919) 563-1603
RALEIGH - DURHAM AREA:	
Robbie Barrett, President	(919) 467-4488
Jenny Haase, Vice President	(919) 460-1966
Fran Baggs	(919) 876-3372
Franklin W. Ingram	(919) 845-7104
Sue Kepley	(919) 872-2496
Pat Baker	(919) 848-6995
Eunice Bland	(919) 556-3473
CHARLOTTE AREA:	
Doris Thurman, Secretary	(704) 786-6074
Mabel Topping	(704) 847-8646
Carolyn Shinn	(704) 782-0634
SANFORD AREA:	
Norma Aaron	(919) 673-0327
GOLDSBORO AREA:	
The Honorable Carolyn B. Russell	(919) 736-2665
FAYETTEVILLE AREA:	
Doris Odom	(910) 488-6234
WINSTON-SALEM AREA:	
Vickie Sigmon	(910) 724-9801
WESTERN NC AREA:	
Yvonne Dendy	(unpublished)
Barbara Mitchell	(704) 456-6475
EASTERN NC AREA:	
Tibbie Roberts	(910) 726-6384

Please identify the person closest to your organization and contact them directly about obtaining a speaker or information for your group. If you need help in securing a speaker you may call the MATCH office at (919) 828-4767 for assistance. This is strictly volunteer, with no charge for the speaker, however, if you ask someone to travel a great distance, you would want to pay their travel expenses. Thank you for your interest and cooperation on behalf of the children!

Prison MATCH of North Carolina, Inc.

PO Box 14469
Raleigh, North Carolina 27620-4469

THANKS, JENNY!!!

Dr. Jenny Haase of Cary has rescued MATCH twice!! She and Vickie Sigmon kept the program going during the summer of 1996 when our director was on leave. Then, when our director resigned on December 31, 1996, Jenny stepped in again. She came up with an interim plan and worked to employ a new director. She placed an ad in the newspaper, received applications, processed them, and set up interviews for the selection of a director.

Jenny is vice president of the MATCH Board of Directors and chair of the Personnel Committee. Thanks, Jenny.

FAITHFUL TREASURERS

LOUISE PETERSON of Fayetteville has served as MATCH treasurer during 1996. We appreciate her faithful service. Due to a health problem she had to resign on December 31, 1996.

MABEL TOPPING of Charlotte is now serving as treasurer. She held this office from the time of incorporation until March 1996. We welcome Mabel back to this position. Her address is: Mrs Mabel Topping, 1201 Berry Ridge Road, Charlotte, NC 28270.

PLEASE NOTE: All money should be sent to Mabel.

Non-Profit
US Postage
PAID
Raleigh, NC
Permit # 1375

Profile of the Adult Female Offender

Personal History

The average adult female offender is a minority (57 percent) between the ages of 25 and 29 who had either never been married (37 percent) or who before incarceration was a single parent living alone with one to three children (62 percent). Upon release she plans to live with either her parents or grandparents (27 percent). She plans to maintain custody of her children (72 percent), who are currently being cared for by her mother or grandparent (48 percent).

Home Life

The average female offender comes from a single parent or broken home, with 50 percent having other family members incarcerated, of which 54 percent are brothers or sisters. The most important people in her life are her children (52 percent) and her mother. She has run away from home at least one to three times (65 percent) because she felt insecure about parental love and acceptance while growing up (56 percent). She is easily influenced by her peers (65 percent) and uses drugs to make her feel better emotionally (39 percent). She had most likely attempted suicide (28 percent) an average of one to two time (70 percent) because she was depressed, felt that no one cared, and that life was too painful to continue (69 percent).

Physical Abuse

The average female offender has likely been a victim of sexual abuse (36 percent) a minimum of three to 11 times or (55 percent) between the ages of five to 14 (57 percent). She most likely was sexually abused by a male member of the immediate family (49 percent), such as a father or stepfather (23 percent). Reporting the incident resulted in no charge or made things worse (49 percent).

Alcohol/Drug History

The average female offender first started using alcohol or drugs between the ages of 13 and 14 (74 percent), has used alcohol at least one to two times a month (74 percent), has used cocaine (49 percent) on a daily basis (22 percent), and has used speed (40 percent) and marijuana (56 percent) on a daily basis (22 percent).

Criminal History

The average female offender has been arrested an average of two to nine times (55 percent), beginning between the ages of 15 to 19 (34 percent). The most common offenses include property crimes (39 percent) and crimes of violence (22 percent). She received a sentence of two to eight years (50 percent), will serve less than one-forth of her sentence, and committed crimes for the following primary reasons: to pay for drugs, relieve economic pressures, or poor judgement. Thirty-five percent react to their first incarceration with disbelief, 28 percent react with resignation, and 27 percent react with fear.

If a program had been available to help or assist her, she would have participated (88 percent). She expresses remorse and regret at being incarcerated (42 percent), and indicates gains in self-awareness and personal growth (36 percent) as a result of incarceration.

Treatment Programs

The average female offender has participated in either a drug and/or alcohol treatment program (68 percent) and feels that the most helpful of these programs are alcohol (94 percent) and drug (86 percent) treatment programs, and Job Corps (66 percent).

Educational Background

The average female offender is a high school dropout with one to two years of education and no GED (26 percent), or one to three years of education and a GED (24 percent). Fifty-nine percent failed to complete their education because they were bored or tired, and 34 percent failed to graduate because of pregnancy. Forty-nine percent attended vocational school, studying business, secretarial skills, medical or dental skills, and cosmetology.

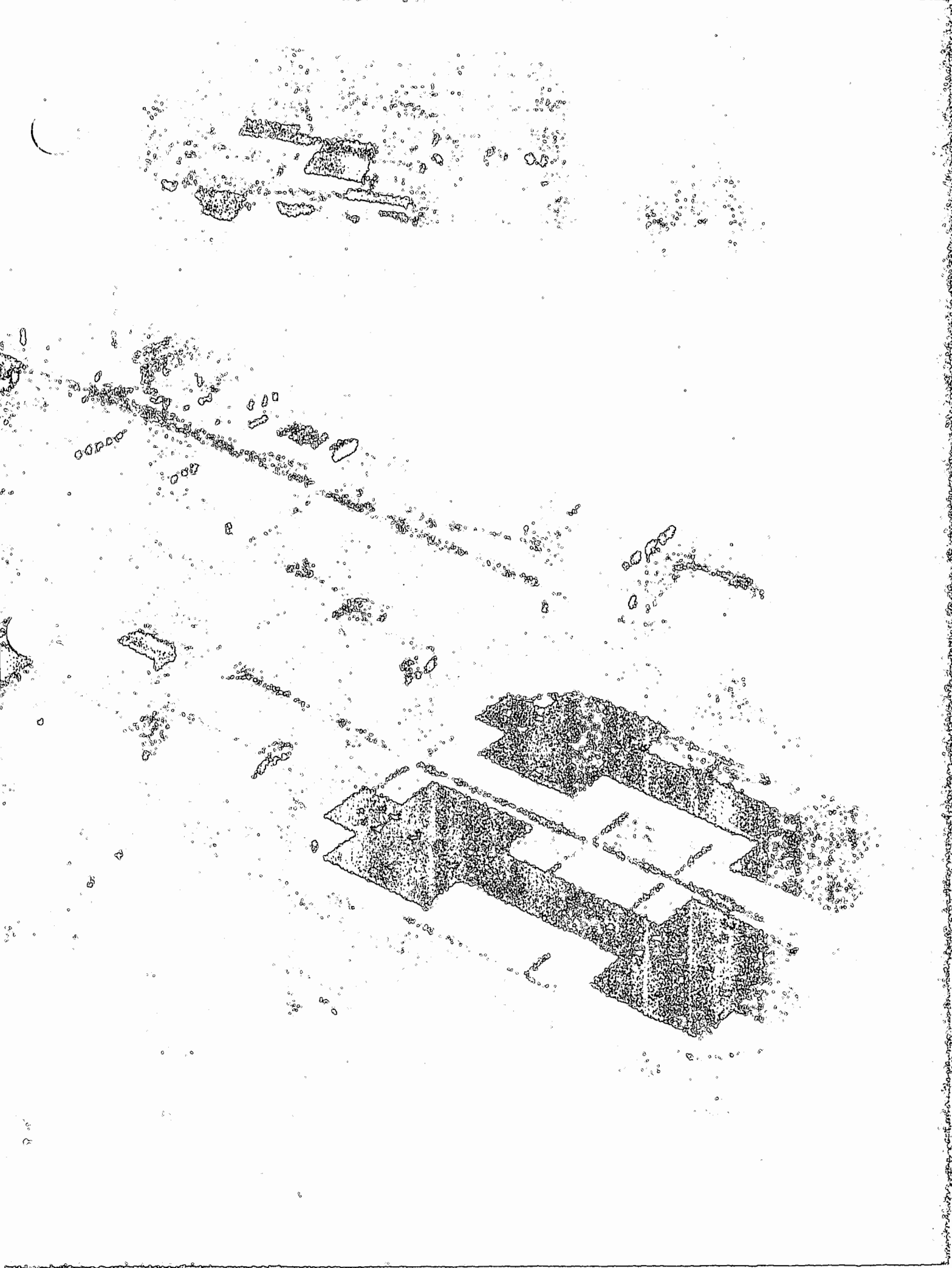
Work History

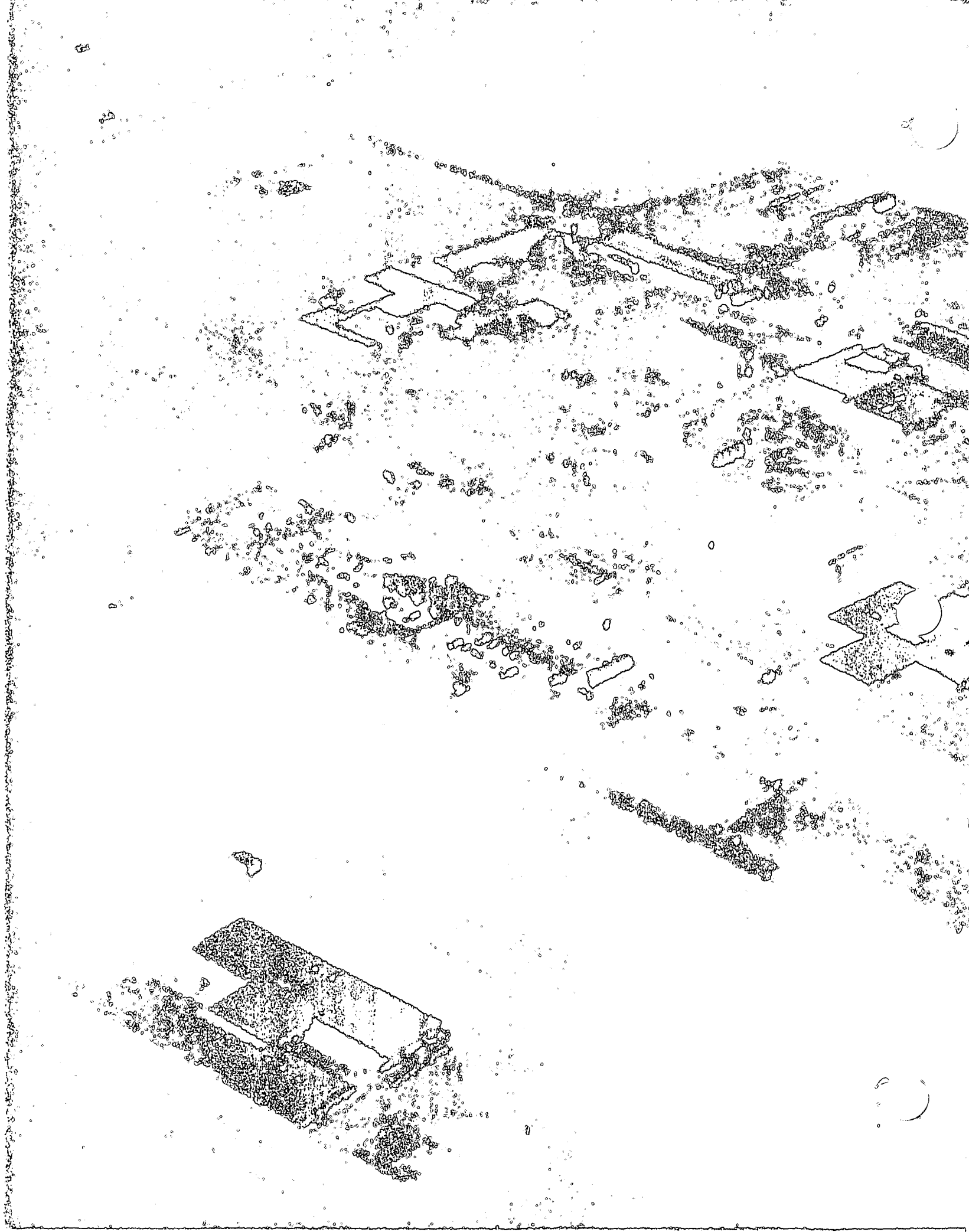
The average female offender has previous work experience in the fields of sales, services, and clerical work (73 percent). Fifty -four percent held an average of one to three jobs a year prior to incarceration, with the highest salary earned ranging from $3,36 to $6.50 an hour (48 percent). Sixty percent received welfare assistance, and 65 percent feel qualified to perform either clerical or service-oriented jobs. Forty percent have received on-th-job training, 22 percent attended vocational school on the outside, and 11.5 percent received some vocational training in prison. Eighty-one percent realize that they need more education and experience and want to obtain jobs in the following areas: clerical (22 percent), services (23 percent), and professional (16 percent).

Program Benefits

During incarceration, the average female offender finds the education program the most helpful (21 percent), followed by substance abuse, Alcoholics Anonymous, and chaplaincy/church programs.

REFERRAL SOURCE: "The Adult Female Offender"





VISITOR REGISTRATION SHEET

APPROPRIATIONS/Subcommittee on Justice & Public Safety OCTOBER 23, 1997

Name of Committee Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
MACK JARVIS	SEC. DOC
Bud WADSWORTH	NCCIW
Greg SORRELL	DOC
Joe Hamilton	DOC
Paula Clarke	DOC - NCCIW
Colleen Culbreth	NCCIW
J Lancaster	DOP ADM
Don Stewart	DOP Adm

SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Tuesday, November 18, 1997 – 10:00a.m.
Room 612, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Wib Gulley

Representative Larry Justus
Representative Gregg Thompson
Representative Joe Kiser

II. PRESENTATIONS

Morning

- Review of Information Technology Systems in the Administrative Office of the Courts

  - Update on the implementation of existing systems
  - Report on the recommendations of the AOC Technology Task Force as directed by special provision
  - Remarks by Members of the AOC Technology Task Force
  - Demonstrations of existing / future systems

    John Taylor, Deputy Director, Court Management and Information Services
    Judge William Neely, Chief District Court Judge, District #19B
    Rex Gore, District Attorney, Prosecutorial District #13
    John Kennedy, Clerk of Court, Wake County

Afternoon

- Discussion of State Surplus Property Procedures for Transfer of Real Property

  June Michaux, State Property Office

- Discussion of Central Prison Medical Issues

  Dan Steineke, Director, Division of Prisons
  Dr. Barbara Pullman, Director, DOC Clinical Services

- Follow-up on information requests made during October Appropriations Meetings

  Fiscal Research Staff
  JPS Agency Staff

SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Tuesday, November 18, 1997 - Thursday, November 20, 1997
Room 612, Legislative Office Building

AGENDA - Topics for Discussion and Review

November Focus - Review of Information Technology Systems in the Criminal Justice Area

Tuesday, November 18, 1997

Morning

1) AOC Technology Needs / Recommended Allocation of Funds

- Update on the implementation of existing systems
- Report on the recommendations of the AOC Task Force and review by the IRMC as directed by special provision (Review process, work with IRMC, funding levels for systems)
- Remarks by Members of AOC Task Force (DA, Clerk, DC Judge on how funds are beneficial to an effective working environment)
- Comments by Members of IRMC who reviewed AOC Plan
- Demonstrations of existing / future systems

Fiscal Research Staff
AOC Agency Staff

Afternoon

1) Report on State surplus property procedures for real property used by the Department of Administration when transferring State property to localities

June Michaux, State Property Office

2) Central Prison Medical Issues

Dan Steineke, Director, Department of Correction Division of Prisons
Dr. Barbara Pohlman, Director, Department of Correction Clinical Services

3) Follow-Up on information requests made during October Appropriations Meeting

Fiscal Research Staff
JPS Departments - Agency Staff

Tuesday 11/18/97 (continued)

4) Discussion with Chairs and Staff – Interim Plan and December meeting

Wednesday, November 19, 1997

Morning

1) Criminal Justice Information Network (CJIN) - Interim Progress Report as required by special provision

   - Overview of CJIN Project to date
   - Overview and update of CJIN Board activities
   - Review of State and Federal funding efforts

   Secretary Richard Moore, Crime Control and Public Safety - Chairman of the CJIN Board

2) Federal Perspective on North Carolina's CJIN Efforts

   Cris Young, Federal Bureau of Investigation
   Bill Deck, National Institute of Justice

3) Update on the Implementation of CJIN Efforts in the State Highway Patrol

   - Review of present and future needs of system within the Highway Patrol
   - Demonstration of Mobile Data Terminals project (Includes committee room presentation and in car presentation)

   Major George Ake, State Highway Patrol

Afternoon

1) Overview of DCI Terminal Rentals for state and local law enforcement access to criminal history information / Overview of criminal history system

   Ron Hawley, Assistant Director, SBI - Division of Criminal Information

2) Overview of CJIN efforts within the Department of Justice

   - Review of CJIN Data Sharing Standards Project
   - Statewide Automatic Fingerprint Identification System (SAFIS)
     1. Review of criminal and non-criminal records checks processes by the Division of Criminal Information (DCI)

Wednesday 11/19/97 (Continued)

2. Review and update of the Statewide Automatic Fingerprint Identification System Project

3. Site visit to the Wake County Criminal Information Division of the Wake County Sheriff's Office - Live Demonstration of the Automatic Fingerprint Identification System (AFIS); Continued visit to DCI's Processing Center and Identification Section

Ron Hawley, Assistant Director, SBI - Division of Criminal Information

Thursday, November 20, 1997

Morning

1) Overview of Performance Budgeting

   John Dorman, Office of State Planning

2) Review of Performance Budgets for the JPS Program Areas / Examples

   Chuck Craven, Office of State Planning

3) General Overview of the Highway Patrol Budget area

   Andy Willis, Fiscal Research Analyst

4) Overview and Discussion of Highway Patrol Performance Budget Areas

   Crime Control and Public Safety Staff
   Highway Patrol Staff

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
INTERIM STUDY 1997-98

November 18, 1997

House Members Present: [10] Representatives Justus, Thompson, Kiser, McCrary, Kinney Redwine, Sexton, Smith, Crawford and Easterling

Senate Members Present: [5]

The Joint Appropriations Subcommittee on Justice and Public Safety met on Tuesday, November 18, 1997, in Room 612 of the Legislative Office Building. Senator Gulley called the meting to order at 10:10 AM. Senator Gulley proceeded with the agenda as follows:

- **Review of Information Technology Systems in the Administrative Office of the Courts**
  - **Update on the implementation of existing systems**
  - **Report on the recommendations of the AOC Technology Task Force as directed by special provision**
  - **Remarks by members of the AOC Technology Task Force**
  - **Demonstrations of existing/future systems**

Dallas Cameron, Director, Administrative Office of the Courts, was recognized by Senator Gulley. Mr. Cameron introduced, John Taylor, Deputy Director, Court management and Information Services. Attachment 1 -- *Judicial Department Presentation to The Joint Appropriations Subcommittee on Justice and Public Safety* -- was distributed. Mr. Taylor reported that the 5.2 million dollars appropriated for technology this fiscal year. Mr. Taylor said the proposed technology system is the result of meetings with judges, clerks of court, and magistrates who had a vision of information that should be included in the court technology system. The goal is to enter data one time and share with all agencies involved. All users have electronic access to all information This complete system needs to be up and running twenty-four hours a day, seven days a week and available for public access.

Mr. Taylor continued that 1.3 million cases of the 2.8 million cases filed in the Administrative Office of the Courts are traffic cases. The citation will be received electronically straight in the data base, where the case will be assigned a number without

ever touching paper. This process will require training of court employees on the use of technology but online help will be available.

Representative Kiser asked if the needed software is available from more than one company. Mr. Taylor responded that the technology was developed by the Administrative Office of the Courts. Bids were secured on the software in some cases. The software is not routinely available to meet the needs of the court system. Representative Kiser asked is North Carolina Administrative Office of the Courts talked to other states about the software they were using. Mr. Taylor said the software was discussed with other states. Representative Justus asked that the two million dollars spent be divided into hardware and software and reported back to this committee.

Senator Gulley recognized Denise Jackson, AOC, for a Demonstration of District Attorney public Defender Case Management. Ms. Jackson said this program requires a training class for use of the software of two days. Counties can decide to receive information from the mainframe or locally. When an employee of the DA's office logs in the computer, he or she will be able to see new or changed cases. Representative Thompson asked if the criminal history is included in this program. Ms. Jackson replied that it is not. Representative Justus asked if the names of judges are included in this program. Ms. Jackson said the names of judges are not included but could be an option. Dallas Cameron, Administrative Office of the Courts, added that judges are not added as a policy matter. This information is not required. There are arguments against including the names of judges. Representative Thompson asked if the reason for omitting the name of judges is fear of political implications. Dallas Cameron replied that is one of the reasons. Senator Ballance remarked that he cannot think of a good public policy reason to include the names of judges. Representative Thompson replied that there is no public policy reason not to include the names of judges.

Ms. Jackson continued that twenty-two District Attorney's offices currently have this technology with nineteen waiting on it. Representative Thompson requested a list of the district attorney offices that have this program and a time frame for implementing it the remaining nineteen.

Steve Jones and Heather House were recognized for a Demonstration of CourtFlow. Mr. Jones explained that CourtFlow allows Superior Clerks of Court to fill in all data for a judgment with no re keying, move data back and forth from the existing mainframe, and retrieve the calendar generated by the District Attorney.. Senator Gulley commented that the special provision stated that the IRC review would be done before the contracts. Representative Thompson asked that staff secure this special provision before the afternoon session.

One of the problems in court is the large amount of traffic cases. There could be an interactive response to work with the telephone system. Representative Thompson asked for the number of traffic violations paid and the number taken to court. Senator Ballance

commented that an automated system would not allow continuances. This could be added to the program.

Richard Little, AOC, explained the Criminal Tracking System. This program would involve input by magistrates and a warrant repository. The information would then be shared with local law enforcement officers. Senator Ballance asked for a listing of magistrates who have computers. Dallas Cameron will provide this information. Representative Thompson asked that magistrates office time in the office and on call be reviewed at a future meeting. -

John Taylor, Deputy Director, Court Management and Information Services, explained Attachment 2 -- *AOC Technology Task Force Report.* Mr. Taylor stated that this task force is composed of judges, district attorneys, public defenders, clerks, and magistrates. Most of this money is non recurring.

Attachment 3 -- *AOC Technology Task Force* --was presented. This special provision requires a plan which should be prepared by April 15, 1998. Representative Kiser asked for the number of magistrates at each location. Mr. Taylor will provide this information.

Judge Bill Neely, Chief District Court Judge, District #19B, commented that this is a good beginning to bring the courts to the level that businesses are operating today.

Rex Gore, District Attorney, Prosecutorial District #13, thanked the committee for allowing input on this issue.

John Kennedy, Clerk of Court, Wake County, remarked that he appreciates the users of the information system being given time to be involved . The Administrative Office of the Courts is trying to dig courts out of a hole.

The committee recessed at 12:45 PM for lunch to resume at 1:30 PM.

Senator Gulley reconvened the meeting at 1:50 PM. Representative Sexton asked that the pilot programs on the criminal information network that are up and running be presented to the next meeting.

June Michaux, State Property Office, proceeded with Attachment 4 -- *Applicable General Statues Pertaining to Real Property Dispositions.* Mrs. Michaux explained that state property determines if property should be held for future use or sold. Governmental Operations Committee must approve the sale of property. A public entity can buy state property at less than the fair market value. Sales of state property to non profits must be reported to Governmental Operations within thirty days. Senator Wellons asked if the state obtains property by condemnation or eminent domain does unused property do back to the owner. Mrs. Michaux will check on this.

Senator Gulley recognized Dan Steineke, Director, Division of Prisons. The committee went into closed session upon the motion by Senator Wellons. (See attachment 5).

Senator Gulley asked for a count of those members going on the site visits tomorrow.

The meeting was adjourned at 3:50 PM.

Larry Justus

Representative Larry Justus
Chairman

Carolyn Justus

Carolyn Justus
Committee Clerk

ATT. 1

JUDICIAL DEPARTMENT PRESENTATION TO THE JOINT APPROPRIATIONS SUBCOMMITTEES ON JUSTICE AND PUBLIC SAFETY

TUESDAY, NOVEMBER 18, 1997
LEGISLATIVE OFFICE BUILDING, ROOM 612

AGENDA

10:00 a.m.	Overview of AOC's Court Information System including an Update and Status Report on the Implementation of Existing Applications	*John Taylor*
	Vision of Future Court Information System	*John Taylor*
10:30 a.m.	Demonstration of District Attorney Public Defender Case Management System	*Denise Jackson*
11:00 a.m.	Demonstration of CourtFlow	*Steve Jones* *Heather House*
11:30 a.m.	Integrated Voice Response System Overview	*Keith Halva*
11:40 a.m.	Criminal Tracking System, Phase I (Magistrate System)	*Richard Little*
12:00 noon	Report on Recommendations of the AOC Technology Task Force	*John Taylor*
	Remarks by Technology Task Force Members *William M. Neely, Chief District Court Judge, Judicial District 19B* *Rex Gore, District Attorney, Judicial District 13* *John Kennedy, Clerk of the Superior Court, Wake County*	
12:30 p.m.	Adjourn	

Case Management System

NC District Attorneys & Public Defenders

Access
- After-hours updates
- Locally maintained database
- On-demand reporting (reports, letters, case & mailing labels, case cards)

Accuracy
- Point-and-click entry of codes, etc.
- Up-to-date defendant information

Efficiency
- Elimination of duplicate data entry

Simplicity
- User-friendly "GUI" (graphical user interface)

Flexibility
- Comprehensive selection/sort capabilities
- Customization of screen display
- Ability to group cases, co-defendants
- Multiple user-defined fields
- Multiple case notes

Privacy
- Limited database access (owner only)

CMS Enhancements Completed within Past Year

10/15/97

- Deferred updates
- Online help
- New selection/sort function
- Upload of attorney assignment
- Simplified New Person function
- Redesigned charges tab in New Case function
- Addition of Charge Extension (6-digit charge code) and Complaint #
- Addition of Notes to history file
- Multiple case edit
- Multiple user defined fields

CourtFlow

Automated Disposition System for Courtroom Clerks

Functions

CourtFlow allows courtroom clerks in Superior Court to...

- Retrieve entire calendars from the mainframe Court Information System.
- Retrieve individual cases from the Court Information System; create a new calendar from the downloaded cases or add them to an existing calendar.
- Enter judgment information:
  - Costs
  - Restitution
  - Offense information
  - Sentencing information
- Print prefilled forms.
- Move the newly entered judgment data back to the Court Information System with no rekeying of the captured disposition data.

...in an easy-to-use Windows environment with point-and-click accuracy.

Advantages

CourtFlow provides...

- Fast, accurate and complete capture of courtroom data.
- Automated, immediate production of forms.
- Elimination of the inefficiency of rekeying existing data.
- Data capture and movement of judgments back to the Court Information System.
- Flexibility to perform all necessary courtroom actions.

THE ADMINISTRATIVE OFFICE OF THE COURTS

Criminal Tracking System, Phase I (Magistrate System)

Criminal Justice Information Network Study Findings, 1995

- Inordinate amount of time required for positive identification of persons.

- No single, comprehensive source for a person's criminal history.

- No single source of outstanding warrants.

- Excessive redundant data entry.

The CJIN Study made twelve recommendations towards building a statewide criminal justice information network. Among these were the recommendations to build a statewide magistrate system and warrant repository.

Need for Change in Magistrate Offices

- Lack of automation within magistrate offices results in duplicate data entry by magistrates, law enforcement officers, district attorneys, and clerks of the superior court offices. Note: The first goal of the CJIN Study was that information should be entered once and whenever possible used thereafter throughout the criminal justice system. As well, information should be accurate, reliable, and timely, and accessible in a meaningful, relevant, and understandable form, when and where needed.

- Inherent time delay exists between magistrate's process and clerk's ability to enter information into criminal system.

Need for Change - Warrants

- Both public and officer safety are severely jeopardized by an officer's ability to quickly and easily determine if a suspect has an outstanding warrant.

- Even when an officer knows that a warrant is outstanding, the warrant may be inaccessible, especially in counties that are not automated, and do not have a central repository that operates on a 24 hour day a basis.

- The vast majority of counties do not have automated systems and rely on local law enforcement agencies to manually enter the warrant information into both their local system and into DCI's repository from the hard copy they received from the magistrate.

- It may take days or weeks for a warrant to reach the appropriate law enforcement agency responsible for service due to various factors including the level of automation and the amount of time it takes to actually produce the warrant, staff levels, and volume of warrants issued.

Statewide Criminal Tracking System, Phase I (Magistrate) Functions

- Local warrant repository and statewide warrant repository

- Jail inventory

- Availability 24 hours a day, 7 days a week

- Access to defendant's local criminal history

- Capability to update local database with court dispositions and orders for arrest received from Court Information System (CIS) Criminal Tracking System

- Real time case initiation/update via TCP/IP interface with CIS Criminal System

- Data validation at data entry

- Minimal entry of data by magistrates

- Statute number/key word searches for determining charge text

- Document tracking from start from finish

- Bond tracking

- Automatic assignment of case numbers

- Defendant tracking

- Increased sharing of data with other agencies

- Security features

- Capability to change/update system as laws change

Project Timetable

- AOC Technology Task Force approved on October 10, 1997 the planned use of Reserve for Technology funds pursuant to NC 1997 Session Law 443, Section 18.10; Joint Legislative Commission on Governmental Operations accepted their report on November 4, 1997.

- AOC is developing functional and technical requirements for Criminal Tracking System, Phase I (Magistrate) at this time.

- AOC hopes to purchase vendor software to expedite the roll-out of this system across the state.

CJIN Strategy

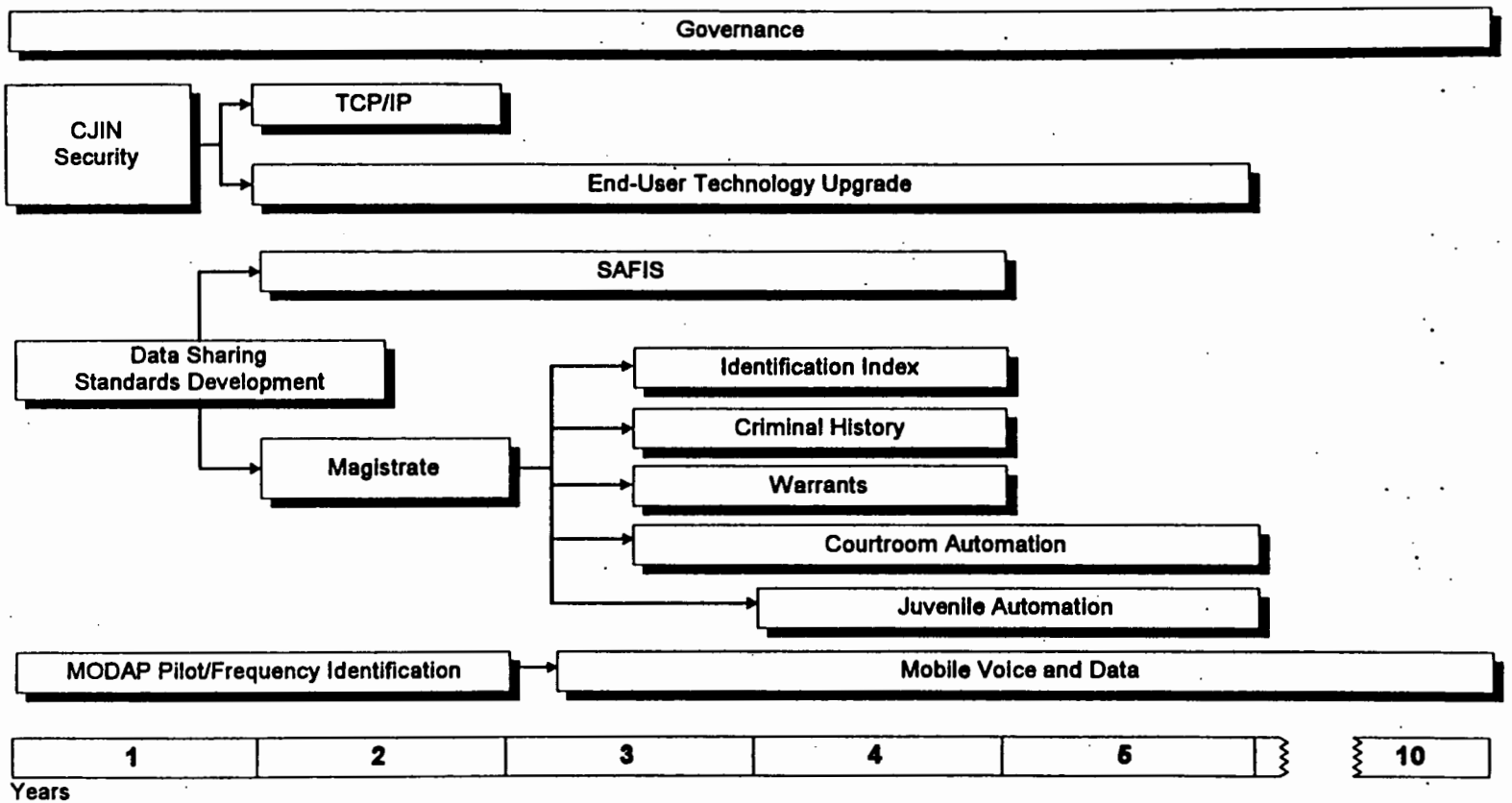


Figure ES-1

ADMINISTRATIVE OFFICE OF THE COURTS
JUSTICE BUILDING
P. O. BOX 2448
RALEIGH, N. C. 27602

DALLAS A. CAMERON, JR.
DIRECTOR

ALAN D. BRIGGS
ASSISTANT DIRECTOR

PETER E. POWELL
DEPUTY DIRECTOR

JEANNE M. BONDS
PUBLIC INFORMATION OFFICER

October 31, 1997

Honorable Marc Basnight, Senate President Pro Tempore

Honorable Harold J. Brubaker, Speaker of the House of Representatives

Chairmen, Joint Legislative Commission on Governmental Operations

Honorable Wib Gulley, Chair, Senate Appropriations Subcommittee on Justice and Public Safety

Honorable Larry T. Justus, Honorable Joe Kiser, and Honorable Gregg T. Thompson, Co-Chairs, House Appropriations Subcommittee on Justice and Public Safety

Dear Senators and Representatives:

Pursuant to 1997 Session Law 443, Part XVIII, Section 18.10, the Administrative Office of the Courts (AOC) convened a meeting of the AOC Technology Task Force on Friday, October 17, 1997, to formulate a plan for the most efficient and effective use of funds appropriated to the Judicial Reserve for Technology. Members of this Technology Task Force include Senior Resident Superior Court Judge Wiley F. Bowen; Superior Court Judge Henry W. Hight, Jr.; Chief District Court Judge William M. Neely; District Court Judge Kimbrell K. Tucker; District Attorney John E. Carriker; District Attorney Rex Gore; Clerk of Superior Court John M. Kennedy; Clerk of Superior Court George T. Griffin; Public Defender Angus B. Thompson, II; Magistrate Jean Massengill; and Magistrate James C. Cole.

The Technology Task Force reviewed the five items to which funding was appropriated under the Judicial Reserve for Technology, including levels of funding. The AOC Division for Court Management and Information Services staff briefed the Technology Task Force about each project and what could be accomplished with the suggested level of funding for each project. After discussion, the Technology Task Force approved unanimously a motion to fund projects as recommended by the AOC.

As directed by the Technology Task Force, I hereby respectfully submit this report to you. Please do not hesitate to contact me if you have questions or need further explanation about the recommendations and comments by the Task Force.

Sincerely,

Dallas A. Cameron, Jr.
Director

DACjr:sj

Enclosure

pc: AOC Technology Task Force members
Chief Justice Burley B. Mitchell, Jr.

ATT. 2

ADMINISTRATIVE OFFICE OF THE COURTS
JUSTICE BUILDING
P. O. BOX 2448
RALEIGH, N. C. 27602

DALLAS A. CAMERON, JR.
DIRECTOR

ALAN D. BRIGGS
ASSISTANT DIRECTOR

INFORMATION SERVICES DIVISION
JOHN TAYLOR
ADMINISTRATOR

October 31, 1997

MEMORANDUM

To: Dallas A. Cameron, Jr.

From: Members of the AOC Technology Task Force:

The Honorable Wiley F. Bowen, Senior Resident Superior Court Judge
The Honorable Henry W. Hight, Jr., Superior Court Judge
The Honorable William M. Neely, Chief District Court Judge
The Honorable Kimbrell K. Tucker, District Court Judge
The Honorable John E. Carriker, District Attorney
The Honorable Rex Gore, District Attorney
The Honorable John M. Kennedy, Clerk of the Superior Court
The Honorable George T. Griffin, Clerk of the Superior Court
Mr. Angus B. Thompson II, Public Defender
Ms. Jean Massengill, Magistrate
Mr. James C. Cole, Magistrate

Subject: AOC Technology Task Force Report

1997 Session Law 443, Part XVIII, Section 18.10, charged us, the members of the AOC Technology Task Force, with the task of formulating a plan for the most efficient and effective use of funds appropriated to the Judicial Reserve for Technology.

The Task Force met on Friday, October 17, 1997, at AOC's Yonkers Road office and reviewed the five items for which funding was appropriated under the Judicial Reserve for Technology. AOC's Court Management and Information Technology Division (CMIS) staff discussed with us our statutory charge and then briefed us about each project funded under the Reserve, including what could be accomplished with the suggested level of funding. As approved by the General Assembly, the Reserve is allocated as follows:

Judicial Reserve for Technology

	1997 - 1998	1998 - 1999
I. Personnel		
Recurring	$ 661,460	$ 1,115,191
Nonrecurring	$ 140,910	$ 0
Subtotal, Personnel	$ 802,379	$ 1,115,191
II. Court Automation Programs		
Recurring	$ 321,692	$ 321,692
Nonrecurring:		
A. Automated Forms	$ 531,340	$ 0
B. Criminal Tracking System, Phase I (Magistrate System)	$ 2,000,000	$ 0
C. DA/PD CMS	$ 760,000	$ 0
D. New Personal Computers	$ 577,500	$ 0
E. Other Data Center Software and Hardware Upgrades	$ 296,720	$ 0
Subtotal, Nonrecurring	$4,165,560	$ 0
Subtotal, Automation Projects	$ 4,487,252	$ 321,692
Total Appropriation		
Recurring	$ 983,161	$ 1,437,176
Nonrecurring	$ 4,306,470	$ 0
Totals	$ 5,289,631	$ 1,437,176

After discussion, we approved unanimously a motion that the funding level remain as allocated for the projects as specified under the Reserve. We considered whether to enumerate funds to other projects and/or change funding levels but, after discussion, elected to leave unchanged the Reserve as appropriated by the General Assembly.

During our meeting, we also discussed several other important topics which we believe impact the AOC's ability to deliver information technology services. First and foremost, the AOC needs to develop a long range, strategic business plan which will establish a desired, future course for the courts. A critical component of this business plan will be the information technology strategy, which will identify what information technology resources are needed to meet the business needs of the courts. We fully recognize that the business plan drives AOC's information technology strategy, and until such a business plan is in place, CMIS Division is in an awkward position of trying to

project, with minimal guidance and direction, the best information technology strategy to meet current and future business needs.

Second, we also considered whether a portion of the Reserve funds should be designated towards developing a long range, business plan for the courts. We elected not to redirect funds for this purpose but recommend that the AOC identify another funding source for this critical need. We also recommend that the AOC move forward with the development and funding of a long range, strategic business plan as outlined in a recent consultant's report (prepared by Mr. Maddox and Mr. Ferguson) which summarized input received from court officials during a series of information systems planning sessions held in August and September 1996.

Third, we have very strong concerns about the lack of recurring funding to support the development of new applications and enhancements to existing applications, including training and other support services. The criminal tracking system, phase I, which will provide much needed automation to some 700 magistrates across the state, will require significant, on-going funding to ensure that it continues to meet the needs of the courts, and the state and local criminal justice agencies which will directly interface with it. The AOC and elected court officials must work together to ensure that the AOC receives recurring funds for the on-going support of existing and new services.

Finally, we believe that this committee can be helpful in supporting the Judicial Department's expansion budget request during the 1998 short session, and we would like to continue to provide input to the AOC about the information technology needs and priorities for the courts in North Carolina.

Please do not hesitate to contact any of us if you or your staff have questions or need further explanation regarding our report to you.

Att 3

AOC TECHNOLOGY TASK FORCE

Section 18.10. The Administrative Office of the Courts shall establish a task force consisting of representatives of clerks of superior court, district attorneys, superior and district court judges, and magistrates to formulate a plan for the most efficient and effective use of funds appropriated to the Reserve for Technology. The plan shall address those items requested in the Administrative Office of the Courts' expansion budget, including:

(1) Automated forms in courtrooms, clerks' offices, and district attorneys' offices;
(2) District attorney and public defender case management systems;
(3) New personal computers for district attorneys, public defenders, and clerks of court;
(4) Technology support personnel; and
(5) Magistrate criminal information system.

If the task force determines that the funding amounts for these projects should be adjusted or that other projects not enumerated above should receive funding from the Reserve for Technology, it shall make those recommendations to the Administrative Office of the Courts.

Prior to the expenditure of funds appropriated to the Reserve for Technology, the Administrative Office of the Courts shall report the findings of the task force by November 1, 1997, to the Joint Legislative Commission on Governmental Operations, the Chairs of the Senate and House Appropriations Committees, and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety.

Requested by: Senators Gulley, Ballance, Rand, Representatives Justus, Kiser, Thompson, Hill

ADDITIONAL ASSISTANT DISTRICT ATTORNEYS/REESTABLISH ASSISTANT DISTRICT ATTORNEY POSITIONS IN DISTRICTS 19B AND 20

Section 18.11. (a) G.S. 7A-60(a1) reads as rewritten:

"(a1) The counties of the State are organized into prosecutorial districts, and each district has the counties and the number of full-time assistant district attorneys set forth in the following table:

Prosecutorial District	Counties	No. of Full-Time Asst. District Attorneys
1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	9
2	Beaufort, Hyde, Martin, Tyrrell, Washington	5
3A	Pitt	~~8~~ 9
3B	Carteret, Craven, Pamlico	~~8~~ 10
4	Duplin, Jones, Onslow, Sampson	~~12~~ 14
5	New Hanover, Pender	~~11~~ 13
6A	Halifax	4
6B	Bertie, Hertford, Northampton	4
7	Edgecombe, Nash, Wilson	~~12~~ 15
8	Greene, Lenoir, Wayne	~~10~~ 11
9	Franklin, Granville,	~~9~~ 10

Administrative Office of the Courts, regarding every juvenile who is adjudicated delinquent for an offense that would be a Class A, B1, B2, C, D, or E felony if committed by an adult for the purpose of computing the statistics required by this section."

(b) The Administrative Office of the Courts shall use funds available to the Office to implement this section.

Requested by: Representatives Justus, Kiser, Thompson, Hill, Senators Gulley, Ballance, Rand

ADDITIONAL INVESTIGATORIAL ASSISTANTS

Section 18.16. G.S. 7A-69 reads as rewritten:

"**§ 7A-69. Investigatorial assistants.**

The district attorney in ~~the first, third-B, fourth, seventh, eighth, tenth, eleventh, twelfth, fourteenth, fifteenth-A, sixteenth, eighteenth, twentieth, twenty-first, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth and thirtieth~~ prosecutorial districts 1, 3B, 4, 6B, 7, 8, 10, 11, 12, 14, 15A, 15B, 18, 20, 21, 24, 25, 26, 27A, 27B, 28, 29, and 30 is entitled to one investigatorial assistant to be appointed by the district attorney and to serve at his pleasure.

It shall be the duty of the investigatorial assistant to investigate cases preparatory to trial and to perform such other duties as may be assigned by the district attorney. The investigatorial assistant is entitled to reimbursement for his subsistence and travel expenses to the same extent as State employees generally."

Requested by: Senators Plyler, Perdue, Odom, Representatives Justus, Kiser, Thompson

IRMC REVIEW OF INFORMATION TECHNOLOGY PLANS OF THE ADMINISTRATIVE OFFICE OF THE COURTS

Section 18.17. (a) G.S. 143B-472.41(b), as recodified by Section 2 of S.L. 1997-148, reads as rewritten:

"(b) Powers and Duties. -- The Commission has the following powers and duties:

(1) To develop, approve, and publish a statewide information technology strategy covering the current and following biennium that shall be updated annually and shall be submitted to the General Assembly on the first day of each regular session.

(2) To develop, approve, and sponsor statewide technology initiatives and to report on those initiatives in the annual update of the statewide information technology strategy.

(3) To review and approve biennially the information technology plans of the executive ~~agencies, including their~~ agencies and to review and comment biennially on the information technology plans of the Administrative Office of the Courts. This review shall include plans for the procurement and use of personal computers and ~~and~~ workstations.

(4) To recommend to the Governor and the Office of State Budget and Management the relative priorities across executive agency information technology plans.

(5) To establish a quality assurance policy for all agency information technology projects, information systems training programs, and information systems documentation.

(6) To establish and enforce a quality review and expenditure review procedure for major agency information technology projects.

(7) To review and approve expenditures from appropriations made to the Office of State Budget and Management for the purpose of creating a Computer Reserve Fund.

(8) To develop and promote a policy and procedures for the fair and competitive procurement of information technology consistent with the rules of the Department of Administration and consistent with published industry standards for open systems that provide agencies with a vendor-neutral operating environment where different information technology hardware, software, and networks operate together easily and reliably."

(b) The Information Resources Management Commission shall review the information technology plans of the Administrative Office of the Courts and report its findings to the Joint Legislative Commission on Governmental Operations by November 1, 1997.

Requested by: Representatives Justus, Kiser, Thompson, Hill, Senators Gulley, Ballance, Rand

STUDY COMMISSION ON THE ALLOCATION OF JUDICIAL RESOURCES

Section 18.18. (a) The Study Commission on the Allocation of Judicial Resources is created. The Commission shall consist of 15 voting members as follows:

(1) Four members of the House of Representatives to be appointed by the Speaker of the House of Representatives;

(2) Four members of the Senate to be appointed by the President Pro Tempore of the Senate;

(3) Three judges of the General Court of Justice, one superior court judge and one district court judge to be appointed by the Speaker of the House of Representatives, and one superior or district court judge to be appointed by the President Pro Tempore of the Senate;

(4) Three court officials, one district attorney and one clerk of court to be appointed by the President Pro Tempore of the Senate, and one district attorney, clerk of court, or magistrate to be appointed by the Speaker of the House of Representatives;

(5) The Director of the Administrative Office of the Courts, or the Director's designee.

The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each designate a cochair from the General Assembly membership serving on the Commission. The Commission shall meet upon the call of the cochairs. A majority of the Commission shall constitute a quorum for the transaction of business.

(b) The Commission shall study the allocation of judicial resources, including superior court judges, district court judges, assistant district attorneys, deputy clerks of court, assistant clerks of court, magistrates, and support staff. The study shall include a review of the existing workload and staffing formulas for judicial personnel.

(c) The Commission may contract for consultant services as provided by G.S. 120-32.02. Upon approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist in the work of the Commission. Clerical staff shall be furnished to the Commission through the offices of the House of Representatives and Senate Supervisors of Clerks. The Commission may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission. The Commission, while in the discharge of official duties, may exercise all the powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4, including the power to request all

APPLICABLE GENERAL STATUES PERTAINING TO REAL PROPERTY DISPOSITIONS

§ 143-341. Powers and duties of Department.

The Department of Administration has the following powers and duties

(4) Real Property Control:

e. To make all sales of real property (including marshlands or swamplands) owned by the State or by any State agency, with the approval of the Governor and Council of State in each instance. All conveyances in fee by the State shall be executed in accordance with the provisions of G.S. 146-74 through 146-78. Any conveyance of land made or contract to convey land entered into without the approval of the Governor and Council of State is voidable in the discretion of the Governor and Council of State. The proceeds of all sales of swamplands or marshlands shall be dealt with in the matter required by the Constitution and statutes.

f. With the approval of the Governor and Council of State, to make all leases and rentals of land or buildings owned by the State or by any State agency, and to sublease land or buildings leased by the State or by any State agency from another owner, where such land or building owned or leased by the State or by any State agency is not needed for current use. The Governor, acting with that approval of the Council of State, may adopt rules (i) exempting from any or all of the requirements of this paragraph such classes of lease or rental transactions as he deems advisable; and (ii) authorizing any State agency to enter into and/or approve the classes of transactions thus exempted from the requirements of this paragraph; and (iii) delegating to any other State agency the authority to approve the severance of buildings and standing timber from State lands; upon such approval of severance, the buildings and timber so affected shall be treated for the purposes of this

Chapter, as personal property. Any lease or rental agreement entered into contrary to the provisions of this paragraph is voidable in the discretion of the Governor and Council of State.

g. To allocate and reallocate land, buildings, and space in buildings to the several State agencies, in accordance with rules adopted by the Governor with the approval of the Council of State; provided that if the proposed reallocation is of land with an appraised value of at least twenty-five thousand dollars ($25,000.00), the reallocation may only be made after consultation with the Joint Legislative Commission on Governmental Operations. The authority granted in this paragraph shall not apply to the State Legislative Building and grounds or the Legislative Office Building and grounds.

ARTICLE 7.
Dispositions.

§ 146-27. The role of the Department of Administration in sales, leases, and rentals.

Every sale, lease rental, or gift of land owned by the State or by any State agency shall be made by the Department of Administration and approved by the Governor and Council of State; provided that if the proposed disposition is a sale or gift of land with an appraised value of at least twenty-five thousand dollars ($25,000.00), the sale or gift shall not be made until after consultation with the Joint Legislative Commission on Governmental Operations. The Department of Administration may initiate proceedings for sales, leases, rentals, and gifts of land owned by the State or by any State agency (1957, c. 584, s. 6; G.S., s. 146-108; 1959, c. 683, s. 1; 1977, c. 425, ss. 1, 2; 1987, c. 738, s. 47(b); 1993, c. 561, s. 32(a).)

§ 146-29.1. Lease or sale of real property for less than fair market value.

(a) Real property owned by the State or any State agency may not be sold, leased, or rented at less than fair market value to any private entity that operates, or is established to operate for profit.

(b) Real property owned by the State or by any State agency may be sold, leased, or rented at less than fair market value to a public entity. "Public entity" means a county, municipal corporation, local board of education, community college, special district or other political subdivision of the State and the United States or any of its agencies. Any such sale, lease, or rental shall be reported at least 30 days prior to the sale, lease, or rental to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division of the Legislative Services Office, with the details of such transaction.

(c) Real property owned by the State or by any State agency may be sold, leased, or rented at less than market value to a private, nonprofit corporation, association, organization or society upon a determination by the Department of Administration that such transaction is in consideration of public service rendered or to be rendered. The transaction shall be reported in detail at least 30 days prior to the sale, lease, or rental to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division of Legislative Services Office. In the case of a private, nonprofit corporation, association, organization, or society that engages in some for-profit activities, the amount of the sale, lease, or rent shall be not less than the fair market value of the property times the percentage of the total activities of the corporation, association, organization, or society that are for profit.

(d) Any sale, lease, or rental of real property made in conformity with the provision of this section is not a violation of G.S. 66-58(a).

(e) All sales, leases, or rentals, prior to July 15, 1986, of real property owned by the State or any State agency are not invalid because of a conflict with G.S. 66-58(a) or with a prior version of this section, but any renewal of any such lease or rental agreement on or after July 15, 1986, shall conform to the requirements of this section. (1985, c. 479, s. 172(a); 1985 (Reg. Sess., 1986), c. 1014, s. 188(a); 1993, c. 561, s. 32(c).)

ATT. 5

I move to hold a closed session pursuant to GS 143-318.11(a)(1) to prevent the disclosure of privileged or confidential information under the authority of GS 132-1.1 and pursuant to GS 143-318.11(a)(6) to consider the performance of individual employees of the medical and security staff of Central Prison.

After we go into closed session, instruct the clerks to keep written minutes though they can ~~[illegible]~~ turn the recorder off.

ATT. 7

Have You Been Naughty or Nice?
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The News & Observer
Sunday
November 2, 1997

N.C. | NEXT STORY

RELATED: Reverberations
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Case puts prison's hospitals on notice

Man's death forces changes at Central

By JOSEPH NEFF and WADE RAWLINS, Staff Writers

Glen Raeford Mabrey was a Vietnam veteran with a drinking problem and post-traumatic stress disorder. When he got drunk and behind the wheel, as he did repeatedly, the state of North Carolina locked him up.

Last year, during his fourth stretch in prison for drunken driving, Mabrey lost touch with reality and drifted into a psychotic haze. He didn't know who or where he was.

Officials at Umstead Correctional Institute shipped him to the medical facilities at Central Prison in Raleigh for his protection.

After eight days in the care of medical staff there, Mabrey, 47, was dead.

He died of thirst.

Prison officials say the rapid death of a man in adequate physical health could have been prevented. Locked in a cell without water for days, his kidneys shut down.

And when he was moved to Central's hospital, medical personnel botched his care, according to documents from the Office of the Chief Medical Examiner, the Department of Correction, the Department of Human Resources and the N.C. Board of Nursing, as well as court records.

"Had I been the physician in this case, I would have handled it far differently," said Dr. Barbara Pohlman, who was named the Department of Correction medical director nine months after Mabrey's death.

Said Mabrey's sister, Cheryl Hollowell: "He shouldn't go to prison for a two-year sentence and come back in a body bag."

How Mabrey died provides a snapshot of a troubled medical institution.

Prison officials kept outmoded policies in place for years. Prison guards, in some cases, were able to overrule the medical decisions of doctors and nurses. Correctional officers with no medical training were -- and still are -- given the task of monitoring mentally ill prisoners.

And there have been repeated warnings that staffing at Central's psychiatric hospital is inadequate in light of a growing prison population.

Central Prison houses the state's most dangerous criminals. Still, its two hospitals are charged by law with providing basic health and

nutritional care.

"Inmates are wards of the state, and we have an obligation to provide the best medical care we can," Correction Secretary Mack Jarvis said.

The Department of Correction fell short of its obligation in Mabrey's case, according to official records.

His death brought some changes to Central Prison: Nursing policies have changed. The understaffed medical hospital hired dozens more nurses. Jarvis has asked the National Institute of Corrections to audit his department's health system. The psychiatric hospital has begun video monitoring of some inmates.

But the 144-bed psychiatric hospital operates with a staff as barebones now as in 1993. The chief psychiatrist cannot say that inmates are being adequately checked.

As a result of the Mabrey case, the N.C. Nursing Board has disciplined six nurses. The N.C. Medical Society has taken no action against any doctor involved.

A damaged veteran

Mabrey grew up in Roanoke Rapids, the oldest of four children. His father was a loom repairman for J.P. Stevens, working in the textile mill featured in the movie "Norma Rae."

Drafted after high school, Mabrey served in Vietnam from 1968 to 1970, escorting convoys, setting up ambushes and protecting an Army base in the Ia Drang Valley.

"It was rough," said Melvin Tharrington, a boyhood friend who recalled the night they spent pinned down under enemy fire for five hours. "Glen was good as gold. He was like a brother to me. He wasn't the same Glen I had known after he got back. I think it just really got to him."

A week after Mabrey's return, his mother heard noises in his bedroom. She found him in his closet crying, banging his head against the wall.

"Momma said he talked about all his friends coming back in body bags and it was too much for him," Hollowell, his sister, said.

He was a welder by trade, but had trouble holding a job. Diagnosed with post-traumatic stress syndrome, Mabrey lived on monthly $900 disability checks.

He had numerous run-ins with the law resulting from his abuse of alcohol and cocaine: DWI, driving with a revoked license, larceny, writing bad checks. His first marriage ended. His second marriage was rocky. He was arrested for assaulting his wife, usually while he was drinking.

He was sent to prison in December 1994, after his fourth conviction for DWI.

Cutting off the water

In prison, Mabrey was a frequent client of mental health services, receiving treatment for depression and other illnesses.

When he became incoherent and disoriented, officials at Umstead involuntarily committed him to Central Prison's psychiatric hospital. That was Feb. 21, 1996.

He was put in a cell with a mattress, a blanket, a toilet and a sink.

Dr. James Smith, medical director of the psychiatric hospital, noted that Mabrey was "acutely psychotic."

Mabrey repeated the word "raisins" over and over. At night, he yelled and banged his head on a door, as he did when first home from Vietnam. He piled up his mattress and clothes and poured food on them.

Smith ordered that Mabrey be put in restraints and given Thorazine, an anti-psychotic medicine sometimes referred to as a "pharmaceutical straitjacket." The Thorazine continued daily while he was in the mental health ward.

Two days after admission, Mabrey flooded his cell at 5 a.m. by stopping up his toilet and repeatedly flushing it. He said he smelled smoke.

Someone turned off the water to his cell. Prison officials don't know who. But cutting the water off is standard practice, Smith said. "If an inmate is flooding his cell, we'll cut the water off so other patients aren't disrupted."

With the water off for nearly five days, Mabrey's health depended on the meals delivered three times a day. His medications increased his body's need for fluids.

Mabrey was uncooperative and paranoid, according to the medical staff. At times he refused to come to the door, telling one nurse, "You just want me to come over there so you can push medicine and kill me!"

Although Mabrey was locked in a cell without water, his charts show no evidence that the staff monitored his eating or drinking. There are just two notes mentioning food or water: He ate one dinner and drank 18 ounces of water while the cell's water was turned off.

Mabrey was checked hourly by the staff, but the checks often were done by correctional officers with no medical training. Officers also delivered his food and picked up his trays, a policy changed after Mabrey's death. Officers aren't trained to monitor an inmate's intake of fluids and food or to look for signs of dehydration.

According to the National Commission on Correctional Health Care, inmates in psychiatric seclusion should be monitored constantly.

"There should be documented 15-minute checks by health-trained personnel or qualified health care professionals," the

commission's standards say.

According to a deposition given by Smith in a case unrelated to Mabrey, there is not enough staff to make 30-minute checks, whether by nurses or correctional officers.

"It has never been," Smith said in September.

Could more frequent checks be made? he was asked.

"If somebody wrote me a check for some more staff, we might could," Smith said. "We always submit requests to everybody for more staff."

The 76-member staff at the psychiatric hospital has not been increased over the past five years. During that time, the prison population has risen 50 percent and has become more assaultive. Auditors from the state Department of Human Resources repeatedly have recommended substantial and specific increases in staff: 44 positions in a 1993 audit and 34 in a 1995 audit.

When preparing the psychiatric hospital's budget in 1994, hospital administrator Steve Berry requested 12 of the 44 recommended positions.

"I am submitting only the bare minimum that we feel is necessary to continue to provide the necessary services," Berry wrote.

Al Harrop, Correction's director of mental health services, cut that request to two when preparing the Division of Prisons budget. That request was cut when Gov. Jim Hunt prepared his 1995 budget.

After Mabrey's death, Harrop acknowledged that low staffing levels limited the attention given to Mabrey.

"Due to staffing limitations, the frequency of observation by nursing staff was reduced," Harrop wrote in May 1996 to Bert Rosefield, the director of medical services. "Custody staff present[s] meals and conducts hourly security checks. Observation of meal or fluid consumption is not done on a routine basis."

Harrop made three recommendations: use more correctional officers to free nurses for medical care, monitor inmates with videos and increase staff training. He did not recommend hiring more staff.

In the 1997 budget, Harrop requested 16 new positions for the psychiatric hospital. When the department submitted its proposed budget to the governor in 1997, all medical and mental health requests were dropped. Correction officials say the omission was inadvertent.

After Mabrey's water was off for three days, the nursing staff wrote in his medical log that he was confused and afraid in the early morning. He was yelling "like someone was after him." During the day, he was disoriented.

Early on the fifth day after the water was cut off, Smith saw Mabrey in his cell.

"He was still confused, and I felt comfortable enough with him to have his water turned back on," Smith wrote later.

Shortly after noon, a licensed practical nurse became concerned

about Mabrey's lethargy. She suspected he was dehydrated. He had a high pulse and extremely low blood pressure. The staff paged Smith, and he referred Mabrey to the emergency room at Central Prison's medical hospital.

To the emergency room

Nursing board and prison records offer this account of Mabrey's hospital care:

Mabrey arrived on a stretcher about 1 p.m. Amy Ortiz, an emergency room registered nurse, noted that Mabrey was curled up, emaciated and unconscious. He had green crust around his eyes and cracked skin around his mouth. His tongue was so dry it had furrows in it.

Ortiz immediately started treating him for dehydration, starting an IV line and putting him on oxygen.

Dr. Mohammad Zaman, a staff physician, managed the emergency room care. Prison and nursing board records show that Zaman made no written orders and put no written documentation on Mabrey's charts. Someone ordered lab tests.

The absence of orders was crucial for nurses, who cannot carry out specific treatment or medical procedures on a given patient without a signed order by the physician. The N.C. Nursing Board later disciplined Ortiz for exceeding her scope of practice by giving the IV fluids without a doctor's orders.

At 3 p.m., Dr. Terry Rees, another staff physician, took over from Zaman, and registered nurse Hal Farthing took over from Ortiz.

Rees ordered a third liter of IV fluids and a transfer of Mabrey to a regular hospital room in Central.

The third IV was never given. And according to the chart, Farthing, the only nurse in the emergency room on his shift, provided no more care over the next six hours.

Since Mabrey's death, Central Prison has added 49 nursing positions in the hospital and emergency room. The level of nursing care per patient has increased between 36 and 50 percent, depending on which floor a patient is on.

And the emergency room now is staffed by two nurses during the second shift, the shift when Mabrey was in Farthing's care.

Farthing received two lab reports by telephone that showed significant abnormalities, nursing board and prison records show. The reports indicated Mabrey was suffering kidney failure and had life-threatening levels of sodium in his bloodstream.

Farthing never reported the results to Rees or to the doctor who came on at 7 p.m., the records show. When questioned by the nursing board, Farthing said that because the reports were consistent with the diagnosis of dehydration and Mabrey had been given fluids, he didn't see any need to call the doctor.

No doctor inquired about the lab results.

Pohlman, correction's current medical director, said that given the seriousness of the lab report, she would have sent Mabrey immediately to an emergency room at WakeMed or Durham Regional.

"I have two expectations," Pohlman said. "My first expectation is that the physician who ordered the lab test will want to see it. My second is that the person who receives the call will notify the doctor."

About 4 p.m., after receiving two liters of fluid, Mabrey awakened. He was confused and agitated. Sometime about 8 p.m., he walked to the elevator and was taken to Room 333, a poorly lighted cell.

Room 333 has two locked doors, one solid and one made of heavy steel screen. The room is isolated from nurses and was used to seclude disruptive patients.

Rees had ordered Mabrey sent to an acute care ward on the fourth floor, where it would be easy for nurses to monitor him and administer fluids intravenously.

Someone, presumably a correctional officer, changed Rees' order.

"Someone crossed out fourth floor, and 333 is written in," Pohlman said. "I do not know who wrote 333."

Central Prison has changed this policy. Correctional officers no longer make room assignments based on custody concerns. Nursing supervisors assign beds based on the level of care needed.

After Mabrey was admitted to the third floor, nursing supervisor Rosa Settle did not assess him or check his vital signs, according to prison and nursing board records. Prison documents show she ordered a licensed practical nurse to omit the nursing assessment and vital sign check. She didn't review Mabrey's charts or reports, nor verify that Mabrey had been given the third liter of fluid, the documents show.

At 11 p.m, licensed practical nurse Lizzie Simpson took over. She checked Mabrey every 30 minutes by kicking his door, shining her flashlight on his eyes through the door and seeing if he moved, according to prison and nursing board records. The same records show that Simpson did not enter the cell or read his records.

The next morning, Rees found Mabrey unconscious in his cell. The doctor sent him to the prison emergency room. An hour and a half later, an ambulance took Mabrey to WakeMed's emergency room.

Prison regulations require that an inmate's medical file accompany him to an outside hospital. Mabrey's file either was missing or of no help because of the lack of written documentation.

At WakeMed, doctors inserted a tube in Mabrey's nose and put charcoal in his stomach, a standard treatment for a drug or poison overdose, not for dehydration.

"Nobody quite knew what was going on," said Dr. Dewey Pate,

the pathologist who performed Mabrey's autopsy. "The doctors were unsure of what they were dealing with, and he might have had a drug overdose."

While the charcoal was inappropriate treatment, it was harmless. The Department of Correction didn't know what treatment WakeMed delivered. Prison officials did not request Mabrey's WakeMed records until this past Wednesday.

At 5 a.m. Feb. 29, after eight days of care, Mabrey died of organ failure. The autopsy found that the sole cause of death was dehydration.

Nurses are disciplined

Discipline came relatively swiftly for the nurses involved. In April, John Brown, the department's director of nursing, wrote that the incident must be reported to the N.C. Board of Nursing.

Since then, the board has suspended the licenses of four nurses and put permanent letters of reprimand in the files of two others. One nurse is contesting his suspension.

As the Board of Nursing investigated, prison officials conducted their own investigation.

Two registered nurses quit, and one was fired. The department placed the remaining three on nonclinical duty. One has returned to clinical care.

Although two of Mabrey's doctors have been terminated for other reasons since his death, none was reprimanded in his case.

Rosefield, the director of medical services for the Department of Correction, has a Ph.D. in education and oversees all prison medical services.

Rosefield said he didn't refer the case to the N.C. Medical Society because he is not a medical doctor. Instead, he let the doctor in charge of Mabrey's care make the call.

"I referred that decision to the senior medical doctor on the staff, who was Doctor Baloch," Rosefield said. "That was the best clinical guidance I could get."

Dr. Mohammad Baloch was medical director at Central Prison at the time and supervised Zaman and Rees. Although Baloch did not treat Mabrey, he was listed as his attending physician when Mabrey was admitted to Room 333 from the emergency room.

"It should have been reported to the medical board," said Jarvis, the state correction secretary.

Baloch declined to discuss Mabrey's case, as did Zaman and Rees and five of the six nurses disciplined by the Nursing Board.

In November 1996, Pohlman joined the Department of Correction as medical director, the system's top clinical post. After reviewing Mabrey's case, she referred it to the N.C. Medical Board in January 1997.

The board subpoenaed Mabrey's medical files Jan. 13 but has

taken no action.

In the months after Mabrey's death, his family tried unsuccessfully to find out what had happened. They had no idea how he died until contacted by a reporter.

"I called the prison hospital and asked what happened," said his sister Judy Mabrey. "They said we cannot release that information. I got a stone wall at Central Prison."

Joseph Neff can be reached at 829-4516 or jneff@nando.com

[TOP | NEXT STORY]

[A & E | BUSINESS | DAY/FEATURES | EDITORIAL | FOOD | NORTH CAROLINA | "Q" | SPORTS | TRAVEL | TRIANGLE]

[Front Page | Triangle Guide | Classified Online | Nando Times | Index | Search | Feedback]

The News & Observer

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Att. 8

THE NEWS & OBSERVER
WEDNESDAY, NOVEMBER 5, 1997

I advise and enjoin those who direct the paper ... on the one hand to advocate only cause for principle and for preference. I would wish it always to be the servant and to devote itself to the policies of equality and justice to the underprivileged. If the paper should at any time be the voice of self interest or become the spokesman of privilege or self interest it would be altered in its history.

— from the will of Josephus Daniels, Editor and Publisher 1894 - 1948

Execution by default

The death by dehydration of an inmate serving time for drunken driving should lead those concerned with justice in North Carolina to study closely whether inmates with health problems are being treated fairly.

Guy Carlton Mabrey was sentenced to two years suspension for drunken driving in the state of North Carolina executed him. Not by lethal injection. Mabrey died as a result of grossly inadequate medical care. Yet, the outcome was just as irrevocable as the hypodermic.

The February 1996 death of Mabrey, a 47-year-old Vietnam War veteran from Roanoke Rapids who had fought his demons for more than two decades, was chronicled in a Sunday's News & Observer by staff writers Joseph Neff and Wade Rawlins. Their article told of the off handed psychiatric and medical treatment that the severely psychotic Mabrey received at Central Prison in Raleigh. It included failing to monitor his fluid intake while the water was shut off in his cell for four days, allowing the badly dehydrated man into seclusion.

To their credit, prison officials have made some changes in the care of sick inmates, including the nursing staff at the Central Prison hospital and emergency room and specifying that nurses, not prison guards, will make room assignments based on medical needs rather than on custody concerns. But the staff of the prison's psychiatric hospital unit remains at the 1992 level. That's the case even though inmate patients tend to be more violent and the number of inmates has increased by 30 percent since 1992.

In Mabrey's situation, the hospital thoroughly failed one national standard that says inmates in psychiatric seclusion should be monitored every 15 minutes by medical workers. Prison administrators say that they need more staff to provide that kind of monitoring and that they have often requested more, but their requests haven't been included in the Department of Correction's budget.

Within two days of Mabrey's death, prison officials sought disciplinary action against several staffers involved in his case, but it took 11 months for the department to ask for a review of the doctors' actions from the N.C. Medical Board. Accountability is needed from top to bottom, and it's difficult to fathom how six nurses connected to Mabrey's case could have erred and been disciplined while all four of the doctors acted within the guidelines of sound practice. North Carolina's [illegible] law [illegible] a careful [illegible] physicians by the medical board [illegible]

Mabrey [illegible] an independent review [illegible] Health Care Commission [illegible] Department of Correction [illegible] have a parallel [illegible] in North Carolina [illegible] prison conditions. The failure of the [illegible] to [illegible] a state [illegible] troubling incidents regarding prison medical care, including a lawsuit by [illegible] over [illegible] that [illegible] the death [illegible] credibility [illegible] other than [illegible] rection officials themselves must step [illegible] to assure that citizens have not lost their right to humane medical treatment while in custody of the state.

Board members serve a very real purpose in that they provide the local citizens access to the road-building process. Over the five years that Ann has been on the board, I estimate that she has responded to several thousand phone calls. The questions and opinions from these calls are passed on to the proper individuals who work for the department. She has worked hard to represent her six-county area and for sure has made no financial gain. Board members are not paid and are only reimbursed for gas, meals and lodging ($50) when they are on DOT business.

The reason I am aware of this situation is that Ann is my wife. Most of the calls at our home are DOT-related. I am looking forward to the day when her term is over, but I support her in the very time-consuming job she is doing.

ALBERT GAITHER

Newton

One ad or two?

On Nov. 14, I was reading the front-page article headlined "Ads give schools financial boost" with interest and dutifully turned to page 4 for the story's continuation. I looked at the accompanying photograph of the Garner High School gym before reading the caption, so I didn't notice the "Pepsi" scoreboard until after I got quite a jolt from the "Trojans" sign behind the backboard. Please thank your photographer for the (unintended, I'm sure) visual joke!

GEORGE ALAN ESWORTHY

Cary

Proud to have served

The vote is in; the signs are down; our house looks more like a home than a campaign office. Soon all vestiges of the 1997 campaign will be packed away and fading from memory — except for the fond memories I have of my tenure on Raleigh's City Council.

For the last two years the citizens of Raleigh have honored me with an opportunity few individuals have, to work for my hometown. Thanks for allowing me to serve the citizens and a city that has given me more than I can ever give back. I am proud to have been a part of keeping Raleigh's taxes low, lowering our crime rate, protecting our environment and, most of all, helping my fellow citizens with city problems.

While I may not miss those 11:30 p.m. calls about broken water mains and complaints about potholes, I do look forward to spending more time with my family and enjoying a city whose future I believe in.

Again, my thanks and blessings! If I can ever help any Raleigh citizen, just call. I'll continue to be there for you!

MARC SCRUGGS

Raleigh

This, of course, was music to the ears of broadcasters who receive free use of the airwaves and who are the direct beneficiaries of the glut in campaign spending.

Helms benefits from a political attention deficit disorder. There are 17,000 people of all political persuasions in North Carolina and 1 million nationwide who made their wishes for campaign finance reform known by signing petitions through Common Cause's Project Independence. Copies of these petitions were presented to senators in this session.

Maybe Helms hasn't received "one letter" because of his famous rigidity. His constituents know from past experience the futility of expressing their feelings in a letter to him.

BARBARA COULSON

Marshall

Fuel tax boosts airport

I enjoyed your Nov. 11 article on local airports in the Raleigh area. As a nearly 16-year member of the Johnston County Airport Authority, I am encouraged when the value of a county "reliever" airport is brought to the attention of the general public.

I would like, however, to elaborate on one point. It was properly noted that the Johnston County Airport just completed a $2.4 million expansion, which gives us, in addition to a longer, safer runway, the most sophisticated instrument landing system of any of the regional airports in the Eastern United States.

While local money was involved in the project, over 90 percent of the funding was through the Federal Airport Development Program. This program is financed through a special aviation fuel tax. Pilots are taxed for the fuel they burn, with the understanding that the money will be used for airport improvements and construction. By law the money can only be used for these purposes.

We were very pleased to get the county funds that we received and appreciate the wisdom of our commissioners in the support, which becomes the "seed" money for the entire grant. In addition to an improved airport, the county gets an enhanced asset (the airport) and a nice construction project that gives jobs to many people in the area. All this with minimal impact on the county budget.

The article noted also that probably only about 5 percent of companies are interested in a local airport. I feel that this figure is low. However, those companies that have an interest in using their corporate aircraft are usually the larger companies that can offer better jobs and provide greater career options.

NORMAN B. GRANTHAM, D.D.S.
Chairman
Johnston County Airport Authority
Smithfield

D.T.'s, drunks, etc.

Although we don't always show it, the vast majority of the patients do appreciate and are very proud of our nurses.

WILLIS TONY CADDELL

Raleigh

The writer is an inmate at Central Prison.

...Inadequate treatment

As an inmate in the Department of Correction for the past seven years, I can honestly say that the medical treatment given to inmates is less than deserving.

I have witnessed first-hand accounts of how inmates are ignored as though their ailments are nothing more than a figment of their imaginations; therefore, they're disregarded until their condition has become chronic or life-threatening.

I attribute this to the fact that the medical staff in prison institutions are consumed with the ideology that inmates are loathsome, despicable social rejects who don't deserve any better treatment.

It's true that some inmates profess fraudulent ailments to get out of work assignments and other duties, but for the most part we genuinely have real medical problems that deserve attention from competent medical professionals. Although I have had no near-death situation during my stay I have seen a few of my fellow inmates die due to inadequate or insufficient care from state nurses and physicians.

The medical care of inmates in the correction department is a real issue that needs to be addressed as soon as possible. Not only from an administrative perspective, but we also need to consider the attitudes of the medical staff.

Finally, if you think I'm just another overzealous inmate crying "wolf" about the conditions, then maybe you need to talk to the families of the three young women who died at Women's Prison in Raleigh, or the family of Glen Raeford Mabrey. I'm sure they can tell you that the wolf is very much alive, and real!

RICHARD LEE JONES

Smithfield

The writer is an inmate at Johnston Correctional Center.

Correction

Because of an editing error, a World Wide Web site listed in Monday's letter "Peace on the Web" was given incorrectly. The correct address is: http://www.igc.apc.org/traubman/peace.htm.

THE PEOPLE'S FORUM

Selfless service

In recent articles, many of your readers would assume that the state Board of Transportation is made up of individuals who got involved in government to make a financial gain for themselves.

While I think most members are civic-minded and out to help those who live in the counties they serve, I can only speak for one member. Ann Gaither supported Governor Hunt's re-election because she thought he was the best man for the job. She had no interest in being on the transportation board; in fact, when offered the position, she considered turning it down.

She decided to take the position because she felt she owed it to the six counties she would represent. Taking this job required her to step down from her position as chairman of the Board of Trustees of the UNC-Greensboro, a situation that was very special to her.

Board members serve a very real purpose in that they provide the local citizens access to the road-building process. Over the five years that Ann has been on the board, I estimate that she has responded to several thousand [illegible] calls. The questions and opinions [illegible] these calls are passed on to the proper individuals who work for the department. She has worked hard to represent her six-county area and for sure has made no financial gain. Board members are not paid and are only reimbursed for gas, meals and lodging ($50) when they are on DOT business.

The News & Observer welcomes letters from readers. Letters must be signed and must include the writer's address and daytime phone number. Those selected for publication may be edited. The length limit is 250 words. We prefer letters that are short, and that express timely opinions on topics of broad interest. Inquiries may be directed to 829-4517.

Mailing address: The People's Forum, P.O. Box 191, Raleigh, N.C. 27602
Fax: 829-4872
E-mail: forum@nando.com

We petitioned

In a Nov. 3 speech to the N.C. Association of Broadcasters, U.S. Sen. Jesse Helms stated that proponents of campaign finance reform were trying to force broadcasters to provide free time for political advertising and debate, that he had not received one letter on this issue and that "people don't care."

This, of course, was music to the ears of broadcasters who receive free use of the airwaves and who are the direct beneficiaries of the glut in campaign spending.

Helms benefits from a political attention deficit disorder. There are 17,000 people of all political persuasions in North Carolina and 1 million nationwide who made their wishes for campaign finance reform known by signing petitions through Common Cause's Project Independence. Copies of these petitions were presented to senators in this session.

Prison nurses care...

Regarding the Nov. 2 article "Case puts prison's hospital on notice":

Because of poor health, I have been hospitalized at the Central Prison Hospital since 1988 and I can state quite definitely that no one can truthfully accuse the nursing staff of perpetrating inadequate health care.

Quite the contrary. The nursing staff are very concerned about the patient's care and do an outstanding job, especially under the demanding extraordinary circumstances and conditions in which they work.

My room is across from the nursing station. On many occasions I've watched nurses work eight and 12 hours without even stopping for lunch breaks, etc.

The major problems are not the nursing staff but the city and county jails that use the hospital as dumping grounds for D.T.'s, drunks, etc.

Although we don't always show it, the vast majority of the patients do appreciate and are very proud of our nurses.

WILLIS TONY CADDELL
Raleigh

The writer is an inmate at Central Prison.

...Inadequate treatment

As an inmate in the Department of Correction for the past seven years, I

att. 10.

CENTRAL PRISON INPATIENT MENTAL HEALTH FACILITY
1300 Western Boulevard
Raleigh, North Carolina 27606

SURVEY DATE

November 15, 1995

SURVEY TEAM

Barbara Gardner, R.N., Assistant Director, Dorothea Dix Hospital
Nancy Lloyd, Ph.D., Psychologist, Dorothea Dix Hospital
Britt Welch, M.A., Program Review Specialist, DMH/DD/SAS
Marilyn Brothers, Program Review Specialist, DMH/DD/SAS

OVERVIEW

The Central Prison Inpatient Mental Health Facility provides inpatient services for male felon offenders from the entire state who are alt least the age of 16 and older.

SURVEY RESULTS

During the review, only the inpatient and residential services were reviewed. Following are the results of the review:

0203	DISTRIBUTION OF STANDARDS.	Met.
.0301	PSYCHIATRIST.	Met.
.0302	PSYCHOLOGIST.	Met.

With the anticipated increase in the prison population and opening of the admission unit, it is recommended three staff psychologists be added to ensure the client's accessibility to services which require the judgment and expertise of a psychologist.

It is recommended with the additional psychologists, one position be identified as a senior psychologist to assist with the supervision of staff.

.0303 REGISTERED NURSE. Met.

With the anticipated increase in the prison population and opening of the admission unit, it is recommended that five registered nurses and five licensed practical nurses be added.

.0304 SOCIAL WORKER. Met.

As previously noted, when the admission unit is added an additional social worker should be added to help inmate access appropriate services, aftercare planning, placements for paroles, etc.

.0305 SUPPORT STAFF. Met.

Although the current staff is able to perform the duties and responsibilities required, with the anticipated increase in the prison population and addition of the admission unit, the following staff are recommended:

-six rehabilitation therapists. The additional staff would allow more coverage in evenings and week-ends.
-three clerical staff. The additional staff would perform duties which would allow the CHA's more time on the floor.
-ten CHAs. Additional CHA's would enhance floor care, security, safety, and maintenance of a therapeutic milieu.
-one certified medical records technician. This position would direct the medical records department and assist with quality assurance activities.

.0401 COORDINATION OF SERVICES. Met.

.0402 INFORMATION AND OUTREACH SERVICES. Met.

.0506 SUPERVISION OF MENTAL HEALTH AND MENTAL RETARDATION STAFF. Met.

.0507 PRIVILEGING OF ALL PROFESSIONAL STAFF. Met.

.0508 EMPLOYEE EDUCATION AND TRAINING. Met.

Staff training has increased in-house and with staff attending training out of the facility. It is recommended the facility continue to ensure staff is aware of training opportunities that are available.

.0602 BUILDINGS AND GROUNDS. Met.
The facility is nicely painted with some new furniture. Security doors made of solid metal instead of wood has been installed.

.0603 SPACE REQUIREMENTS. Met.

.0604 ADDITIONAL REQUIREMENTS FOR RESIDENTIAL/INPATIENT UNITS. Met.

.0702 STANDARD CLIENT RECORD. Met.
The medical records were well organized.

.0703 RECORD REQUIREMENTS. Met.
It is recommended that the involuntary administration of psychotropic medication documentation be consolidated on one form instead of using multiple forms. One of the advantages of having a single form is the required documentation would be in one place instead of multiple places and therefore easier for staff. to document and review.

.0704 CONFIDENTIALITY OF CLIENT RECORD. Met.

.0805 INFORMATION REGARDING AVAILABILITY TO SERVICES. Met.

.0904 TREATMENT OR HABILITATION PLAN. Not Met.
Although there has been much progress made in the development of measurable goals, the goals still are not consistently measurable.

Also the treatment plan must reflect the client had the opportunity to participate in the development and implementation of the treatment and habilitation plan.

.0905 PROGRESS NOTES. Met.
It is recommended if an inmate with a medical condition is being transferred to another facility, this condition be clearly documented in the receiving facility's client's record.

.0907 TREATMENT AND HABILITATION COORDINATION. Met.

.0908 RELEASE PLANNING IN RESIDENTIAL AND INPATIENT SERVICES. Not Met.
Although the social worker does perform aftercare planning, the plan is not written nor is it provided to the client. Also since it is not in a written format, it was not determined if the aftercare plan included all the required areas.

.1001 SCOPE FOR CLINICAL SERVICES. Met.

.1002 COUNSELING AND PSYCHOTHERAPY SERVICES. Not Met.
Individual, group and family counseling, and psychotherapy is not provided by or under the direct supervision of qualified professionals who have received training in these treatment or habilitation modalities.

.1003 SPECIALIZED THERAPIES. Met.

.1004 TESTING SERVICES. Met.

.1101 SCOPE FOR MEDICATION SERVICES. Met.

.1102 DISPENSING OF MEDICATION. Met.

.1103 ADMINISTRATION OF MEDICATION. Met.
The survey commend the use of licensed nurses for administering over-the-counter medications.

.1203(b)(2)(C) USE OF RESTRAINT. Not Met.
An inmate exceeded four hours in restraint without a new order issued.

.1207 TRANSFER TO RESIDENTIAL OR INPATIENT UNITS. Met.

.1401 SCOPE OF EMERGENCY SERVICES. Met.

.1402 TRAINING OF STAFF. Met.

.1501 SCOPE FOR PREVENTION SERVICES. Met.

.1601 SCOPE FOR INPATIENT SERVICES FOR INMATES WHO ARE MENTALLY ILL. Met.

.1602 HOURS OF OPERATION. Met.

.1603 REQUIRED SERVICES. Met.

GENERAL COMMENT

As noted in previous reports, there continues to be an inequity in the level of classification for nursing within the institution. This continues to raise issues of recruitment and retention of psychiatric nurses.

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 11/18/97

Name of Committee **Date**

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VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 11/18/97

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Justice & Public Safety 11-18-97
Name of Committee Date

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Joe Hamilton	DOC
Gregg Stahl	DOC
Lynn Phillips	DOC
DALE TALBERT	Atty Gen Office - Correction Section

SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Wednesday, November 19, 1997
Room 612, Legislative Office Building

AGENDA - Topics for Discussion and Review

November Focus - Review of Information Technology Systems in the Criminal Justice Area

I. CALL TO ORDER

Chairmen: Representative Gregg Thompson, Presiding — Senator Wib Gulley
Representative Larry Justus
Representative Joe Kiser

II. PRESENATATIONS

Morning

1) Criminal Justice Information Network Review of Funding History

   Andy Willis, Fiscal Staff

2) Criminal Justice Information Network (CJIN) - Interim Progress Report as required by special provision

   - Overview of CJIN Project to date
   - Overview and update of CJIN Board activities
   - Review of State and Federal funding efforts

   Secretary Richard Moore, Crime Control and Public Safety - Chairman of the CJIN Board

3) Federal Perspective on North Carolina's CJIN Efforts

   Cris Young, Federal Bureau of Investigation
   Bill Deck, National Institute of Justice

4) Update on the Implementation of CJIN Efforts within the State Highway Patrol

- Review of present and future needs of system within the Highway Patrol
- Demonstration of Mobile Data Terminals project (Includes committee room presentation and in car presentation)

Major George Ake, State Highway Patrol

Afternoon

1) Overview of DCI Terminal Rentals for state and local law enforcement access to criminal history information / Overview of criminal history system

Ron Hawley, Assistant Director, SBI - Division of Criminal Information

2) Overview of CJIN efforts within the Department of Justice

- Review of CJIN Data Sharing Standards Project
- Statewide Automatic Fingerprint Identification System (SAFIS)
    1. Review of criminal and non-criminal records checks processes by the Division of Criminal Information (DCI)

    2. Review and update of the Statewide Automatic Fingerprint Identification System Project

    3. Site visit to the Wake County Criminal Information Division of the Wake County Sheriff's Office - Live Demonstration of the Automatic Fingerprint Identification System (AFIS); Continued visit to DCI's Processing Center and Identification Section

Ron Hawley, Assistant Director, SBI - Division of Criminal Information

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
INTERIM STUDY 1997-98

House Members Present: [9] Representatives Justus, Thompson, Kiser, McCrary, Kinney Redwine, Sexton, Smith and Easterling

Senate Members Present: [3]

The Joint Appropriations Subcommittee on Justice and Public Safety met on Wednesday, November 19, 1997, in Room 612 of the Legislative Office Building. Representative Gregg Thompson called the meeting to order at 9:10 AM. Andy Willis, Fiscal Research Staff, introduced Jody Zeugner, IDS staff who will be working with this committee. Representative Thompson recognized Andy Willis for a presentation:

- **Criminal Justice Information Network Review of Funding History**

Attachment 1 "*Criminal Justice Information Network*" was covered by Andy Willis. Mr. Willis covered the Review or past Funding in the Criminal Justice Information Network:

- Special Session on Crime
  $769,000 Appropriated from the General Fund
- 1996 Short Session
  $400,000 Appropriated from the General Fund
  $3,288,000 Appropriate from the Highway Fund
- 1197 Long Session
  $4,200,000 Appropriated from the Highway Fund (tower sites, 200 Mobile Data Terminals, Leasing of Lines)
  $1,000,000 Appropriated form the General Fund

- **Criminal Justice Information Network (CJIN) -- Interim Progress Report**

Representative Thompson recognized Secretary Moore, Department of Crime Control and Public Safety, for remarks on the Criminal Justice Information Network (CJIN. Secretary Moore reported that North Carolina is established as on the cutting edge of law enforcement technology. The CJIN program will make this data base available to law enforcement officer and court official in the state. North Carolina has received ten million dollars from the Federal Government for the CJIN program. This money will be spent on priorities as defined in the past. Three and a half million dollars for development of network security and four million dollars to continue the development of the CJIN

program statewide. Representative Justus asked if all systems will be compatible. Secretary Moore replied that all systems will not be compatible at the completion of the project. Secretary Moore said that North Carolina has been selected by the FBI to be a pilot program for digital imagery.

- **Federal Perspective on North Carolina's CJIN Efforts**

Representative Thompson recognized Bill Deck, Nation Institute of Justice, and Chris Young, FBI. Chris Young, FBI, proceeded with a slide presentation on "NCIC 2000." Mr. Young explained that the FBI Criminal Justice Information Services system is over thirty years old. The capabilities of the program were covered. Mr. Young said the FBI approached the North Carolina Highway Patrol because North Carolina was on track and doing well in the CJIN program and the following:

1. Statewide microwave network
2. Gathering of agencies within the state
3. Sites are available
4. Aggressive implementation plan
5. Ability to interface external systems
6. Technologically competitive

Bill Deck, NIJ was introduced by Representative Thompson. Mr. Deck said that National Institute of Justice is the technical arm of the Department of Justice. Mr. Deck reported that North Carolina is the most progressive state in technology in his fifteen state region.

- **Update on the Implementation of CJIN Efforts within the State Highway Patrol**

Major Ake, State Highway Patrol, was recognized to present his report. Major Ake stated that he is very pleased to see the cooperation between law enforcement agencies taking place with the CJIN program. There has been no payment for tower space. Attachment 2 -- CJIN Mobile Data network and Computers -- was distributed. Sgt. Sandy presented a demonstration of the CJIN computers. Sgt. Sandy reported that every law enforcement and public safety official will receive the information stored in the data base. The laptop computer can be taken from the car to do paper work.

At 11:40 AM the committee recessed to tour highway patrol cars and have lunch. The meeting will resume at 1:00 PM.

Representative Thompson called the meeting back to order at 1:15 PM.

- **Overview of DCI Terminal Rentals for state and local law enforcement access to criminal history information/Overview of criminal history system**

Carol Nichols, AFIS, and Larry Wilkie, AFIS management was introduced. Attachment 4 – *DCI Terminal network Overview* -- was distributed. Representative Thompson recognized Ron Hawley, Assistant Director, State Bureau of Investigation, Division of Criminal Information, to present his report. Mr. Hawley reported that the DCI Network has approximately 3000 terminals with access. The current rental cost is $300 per month for direct connect terminals and $300 per month for interface connections that serve up to seven terminals with a $25 per month charge for additional terminals and $6 per month for mobile terminals. Senator East asked for the number of dollars received last year from terminal fees and a list of each agency and number of terminals. Ron Hawley will provide this information.

Mr. Hawley proceeded with Attachment 7 -- *The North Carolina Criminal Justice Information Network and the Statewide Automated Fingerprint Identification System.* Mr. Hawley explained that the SBI has an eighty-six day turn around time on fingerprint checks. Representative Kiser asked what would be required to shorten this time. Mr. Hawley replied that the SBI would need forty employees or complete automation process. Representative Thompson asked for the cost of the complete automation. Mr. Hawley replied the cost would be five million dollars.

Representative Kiser asked if the SBI sets priorities on different types of fingerprint checks. Mr. Hawley replied that priorities are set.

The committee adjourned at 2:45 PM for a site visit to the Wake County Criminal Information Division of the Wake County Sheriff's office -- Live Demonstration of the Automatic Fingerprint Identification System (AFIS); Continued visit to DCI's Processing Center and Identification Section.

Larry Justus
Chairman

Carolyn Justus
Clerk

Attachments:

1. Criminal Justice Information Network
2. CJIN Mobile Data Network and Computers -- Funds Received
3. CJIN Mobile Data Network and Computers -- Funds Needed
4. DCI Terminal Network
   Data Sharing Standards
   Report to NCGA by CJIN
5. The North Carolina Criminal Justice Information Network and the Statewide Automated Fingerprint Identification System
6. Visitors Sheet

Criminal Justice Information Network

Review of Funding History

Justice and Public Safety Appropriations Subcommittee
November 19, 1997

ATT 1 - 11/19/97

Criminal Justice Information Network

- ***Review of Past Funding***
  - **1994 Special Session on Crime**
    - $769,000 Appropriated (General Fund)
      - *CJIN Feasibility Study by Price Waterhouse*
  - **1996 Short Session**
    - $400,000 Appropriated (General Fund)
      - *$100,000 Establishment of CJIN Governing Board (Department of Justice)*
      - *$300,000 Begin development of data sharing standards (Department of Justice)*
    - $3,288,000 Appropriated (Highway Fund)
      - *$1,288,000 for 184 Mobile Data Terminals in cars (Highway Patrol)*
      - *$2,000,000 for Hardware and software for towers (Highway Patrol)*

Criminal Justice Information Network

- ***Review of Past Funding (Continued)***
  - **1997 Long Session**
    - $4,200,000 Appropriated (Highway Fund)
      - *$2,500,000 (1997-98) - 30 New Tower Sites (Highway Patrol)*
      - *$1,700,000 (1997-98) - 200 Mobile Data Terminals (Highway Patrol)*
      - *$156,600 - Recurring (1998-99) - Leasing of Lines (Highway Patrol)*
    - $1,000,000 Appropriated (General Fund)
      - *Continued funding for the development of data sharing and AFIS development (Department of Justice)*

may contact the next of kin, or the nearest organ procurement organization, in order to expedite decision making with regard to potential organ and tissue recovery.

"**§ 90-604. Use of body information tags.**

(a) In order to provide the identifying information necessary to facilitate organ and tissue transplants, a body information tag shall be attached to or transmitted with the body of an accident-trauma victim by the following persons:

(1) A law enforcement officer, firefighter, paramedic, or other official emergency rescuer who believes the seriously injured individual to be near death; and

(2) Hospital personnel after the individual has been pronounced dead.

(b) The body information tag shall include information identifying the accident-trauma victim, identifying whether the individual is an organ donor, and providing any information on the next of kin. The Division of Motor Vehicles shall be responsible for producing and distributing body information tags to all State and local law enforcement departments. In addition, the tags shall be distributed by the Division of Motor Vehicles to all State and local agencies employing firefighters, paramedics, and other emergency and rescue personnel."

Requested by: Representatives Justus, Kiser, Thompson

CRIMINAL JUSTICE INFORMATION NETWORK REPORT

Section 20.13. The Criminal Justice Information Network Governing Board created pursuant to Section 23.3 of Chapter 18 of the Session Laws of the 1996 Second Extra Session shall report by April 15, 1998, to the Chairs of the Senate and House Appropriations Committees, the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly on:

(1) The operations of the Board, including the Board's progress in developing data-sharing standards in cooperation with State and local agencies and the estimated time of completion of the standards;

(2) The operating budget of the Board, the expenditures of the Board as of the date of the report, and the amount of funds in reserve for the operation of the Board;

(3) A long-term strategic plan and cost analysis for statewide implementation of the Criminal Justice Information Network; and

(4) The status of the implementation of the mobile data network system, including the amount of funds spent on the system as of the date of the report and the long-term costs of implementing the system statewide.

The Board shall make an interim report on these issues to the Chairs of the Senate and House Appropriations Committees, the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly by November 1, 1997.

Requested by: Representatives Redwine, Justus, Kiser, Thompson, Hill, Senators Gulley, Ballance, Rand

ATTORNEY GENERAL OPINION REQUIRED FOR ALL STATE SETTLEMENTS

Section 20.14. (a) Chapter 114 of the General Statutes is amended by adding a new section to read:

"**§ 114-2.4. Attorney General to render opinion on settlement agreements.**

(a) The Attorney General shall review the terms of all proposed agreements entered into by the State or a State department, agency, institution, or officer to settle or resolve litigation or potential litigation, that involves the payment of public monies

ATT. 2
11/19/97

CJIN
MOBILE DATA NETWORK AND COMPUTERS
FUNDS RECEIVED

Phase One - Funded
1996-1997

Number of transmitters	21	
Number of Counties impacted	19	
Installation begun	Feb-97	
Estimated completion	Completed	
Network project costs	**$2,500,000**	
Projected Law Enforcement Agencies	217	
Projected population impacted	3,784,858	54% of State's population
Mobile computers (SHP only)	**$1,288,000**	

Operational Units: Fourteen agencies have mobile computers on the system. Three hundred and seventy-seven Mobile Data Terminals are operational.

Phase Two - Funded
1997-1998

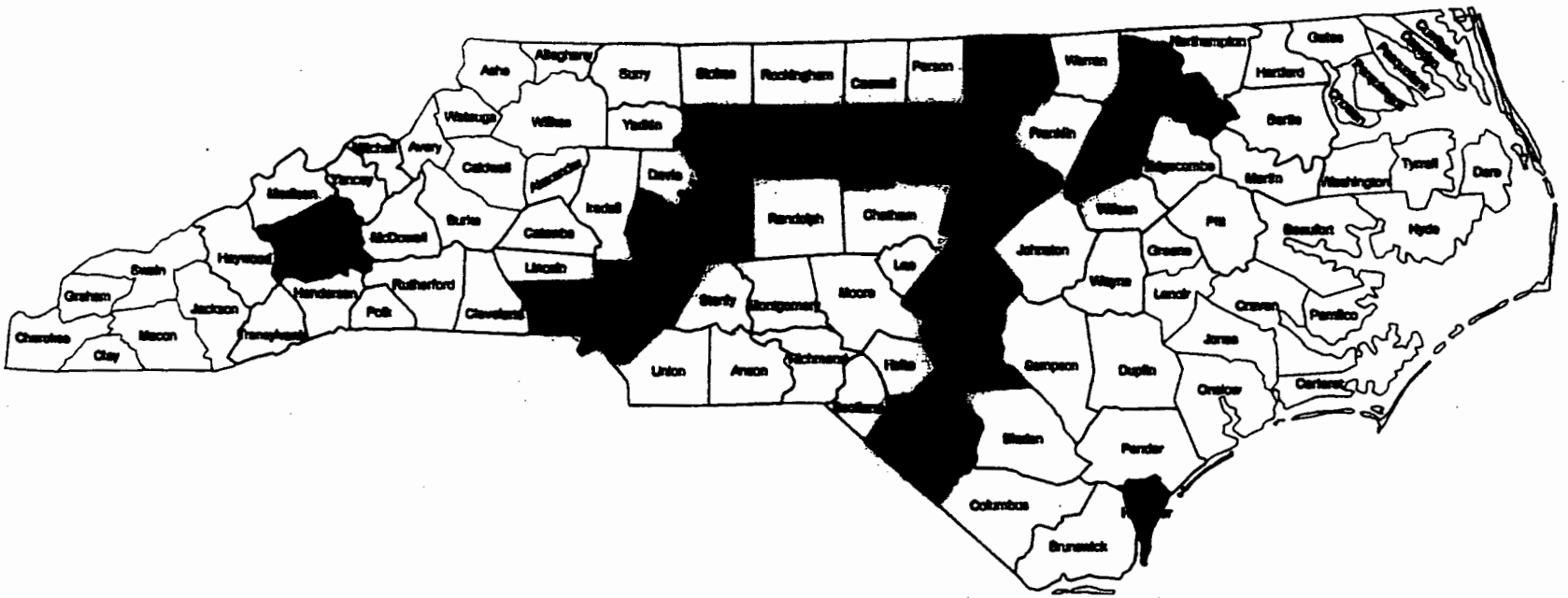
Number of proposed transmitters	38
Number of Counties impacted	32
Installation to begin	Dec-97
Estimated completion	2nd quarter 1998
Network project costs	**$2,906,000**
Projected Law Enforcement Agencies	257
Projected population impacted	1,908,085
Mobile data computers (SHP only)	**$1,700,000**

Phase one and two will provide coverage for 81 percent of the State's population

Funds Received

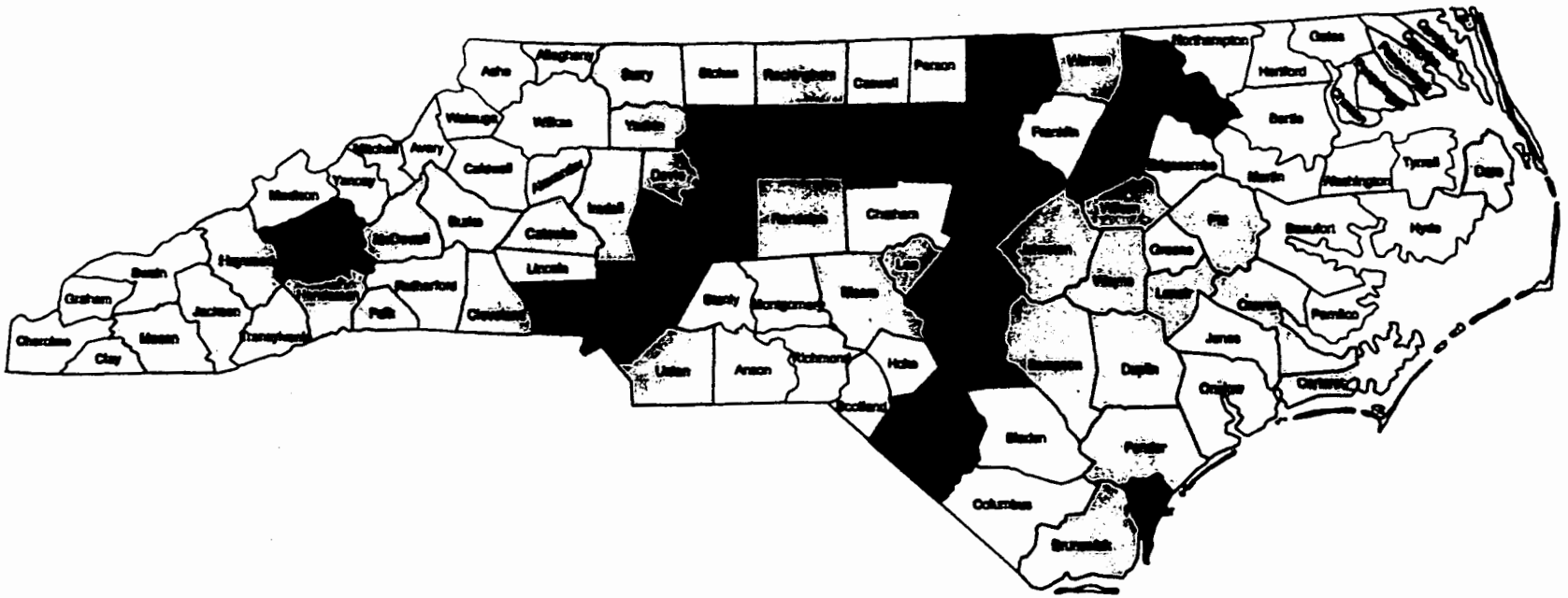
Federal Funds	**$ 1,000,000**	
State Funds (Network)	**$ 4,406,000**	
State Funds (Mobile Computers)	**$ 2,988,000**	
Amount Received		**$ 8,394,000**

CDPD
Mobile Data Network
Phase One
1996-1997



Phase One Completed '97

IN
Mobile Data Network
Proposed Phase Two
1997-1998



Proposed Phase Two for '97-'98

Covered in previous Phase

Att 3

CJIN
MOBILE DATA NETWORK AND COMPUTERS
FUNDS NEEDED TO COMPLETE PROJECT

Phase Three - Not Funded
1998-1999

Number of proposed transmitters	41
Number of Counties impacted	23
Projected costs	**$3,300,000**
Projected Law Enforcment Agencies	140
Projected population impacted	890,045

Phase one, two and three will provide coverage for 94 percent of State's population

Mobile Computers (SHP only) **$2,250,000**

Phase Four - Not Funded
1999-2000

Number of proposed transmitters	42
Number of Counties impacted	25
Projected costs	**$3,351,600**
Project Law Enforcement Agencies	128
Projected population impacted	449,417

* Some of these counties will have overlapping coverage prior to phase four.

Completition of Phase four will provide coverage for the entire State.

Mobile Computers (SHP only) **$2,250,000**

Phase Five - Not Funded
2000-2001

Fifteen Transmitters

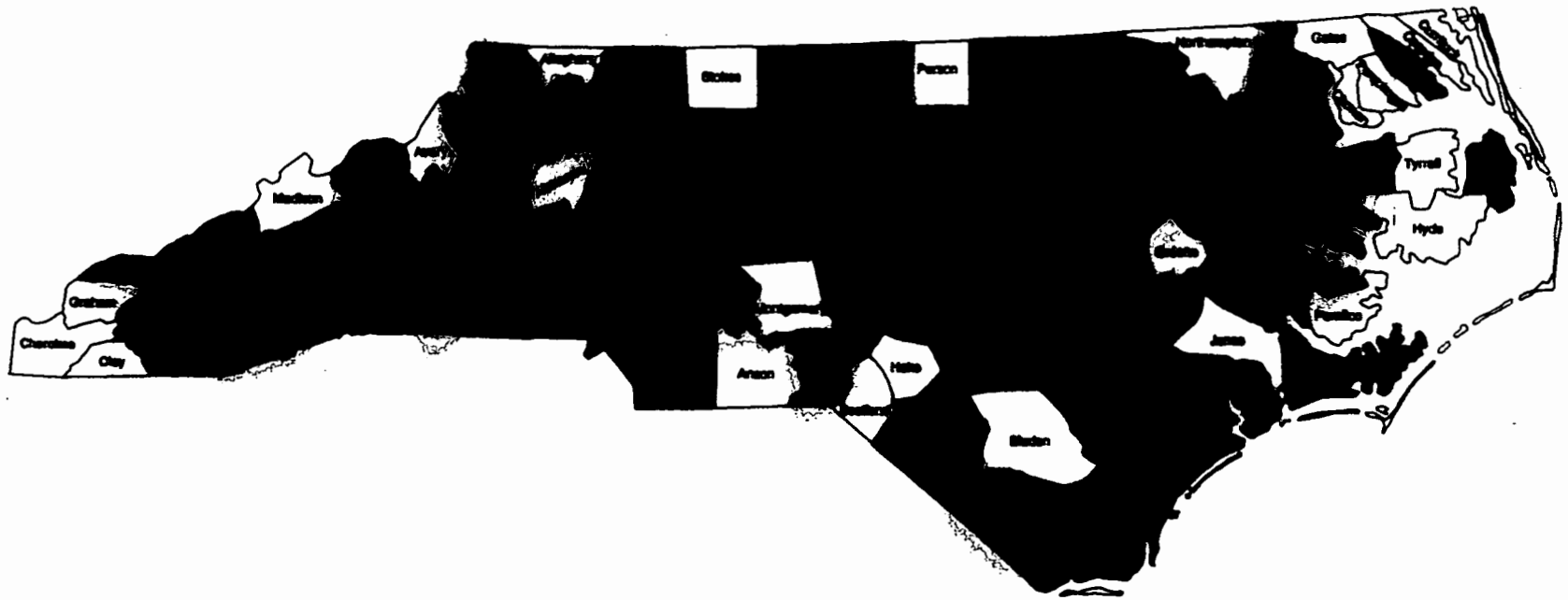
Projected cost **$1,197,000**

These Transmitters will be used to fill in dead areas of the State.

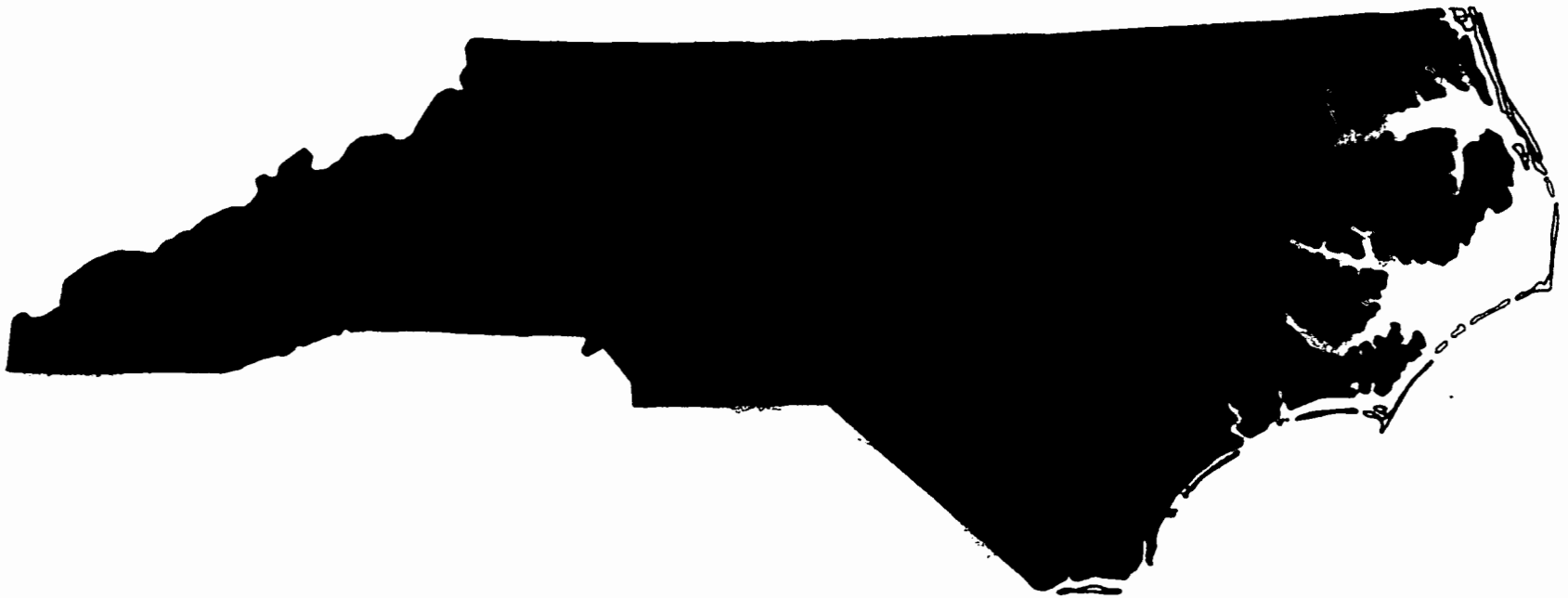
Mobile Computer (SHP only) **$2,250,000**

Projected cost for phase three, four and five **$14,598,600**

CJIN
Mobile Data Network
Proposed Phase Three
1998-1999


Pasquotank
Perquimans
Pender
Tyrrell
Hyde
Carteret
Craven
Pamlico
Jones
Onslow
Duplin
Lenoir
Greene
Wayne
Wilson
Nash
Edgecombe
Halifax
Martin
Bertie
Gates
Chowan
Perquimans
Pasquotank
Camden
Currituck
Dare
Hyde
Tyrrell
Washington
Tyrrell
Hyde
Beaufort
Pamlico
Jones
Craven
Carteret
Onslow
Pender
Duplin
Sampson
Johnston
Wayne
Greene
Lenoir
Wilson
Nash
Edgecombe
Halifax
Martin
Bertie
Northampton
Gates
Chowan
Perquimans
Pasquotank
Camden
Currituck
Dare
Hyde
Tyrrell
Washington

CJIN
Mobile Data Network
Proposed Phase Four
1999-2000



Phase Four Proposed for 1999-2000

Covered in previous Phase

DCI Terminal Network Overview

Presented by:
Ronald P. Hawley
Assistant Director
State Bureau of Investigation
Division of Criminal Information

November 19, 1997

Current DCI Network

- 3,000 (approx.) DCI Terminals with Access
  - Direct Terminals
  - Terminals Behind Interfaces
  - Mobile Terminals
- Proprietary Network Protocol
- Current Rental Costs
  - $300/month - Direct Connect Terminals
  - $300/month - Interface Connection
    - Up to Seven (7) Terminals
    - $25/Terminal for all Additional Terminals
    - $6/Mobile Terminals

Data Accessed

- NCIC (National Crime Information Center) - FBI
  - Criminal History Records Information (CHRI)
  - Persons and Property Records (Wanted / Stolen)
- DCI Maintained State Files
  - Domestic Violence
  - Sex Offender Registration
  - Concealed Handguns
- AOC, DMV and Wildlife Files

Change Drivers

- Computer Driven Business Reengineering
  - Efficient Processing Developed to Support Programs
  - Adding Features to Local Systems
  - Integration Efforts
- Technology
  - New Open Network Protocols
    - Adds Features Such as Images
    - Established as State Standard
  - Computer Costs Continue to Drop
- $$$$$$$$$$$

Issues Associated with Change

- Security
- Data Integrity
- Transitional Costs
- Local Actions
- Establishing Appropriate Costs

Addressing The Issues

- Researching Technology Solutions
  - CDS (Connectionless Data Service)
  - Frame Relay
  - Firewalls
  - Authentication, Authorization and Encryption
- Exploring Policy Changes
  - Federal Law and FBI Regulations
  - Relationships with Other Agencies
- Pilots for Proof of Concept
  - DOC and SIPS
  - Local Agencies
- Study by Office of Budget and Management

DATA SHARING STANDARDS

Project Manager Ron Hawley
Assistant Director
State Bureau of Investigation

Project Participants

- Utilize Convenience Contract Personnel
  - Project Manager
  - Analyst
- Committee
  - Bob Brinson, John Taylor, Sheriff McGuirt, Chief Sweat, Major Ake, & Ron Hawley
- Stakeholders
  - Local agencies & Other State agencies

Project Scope

- State-wide Tracking Number
- Core Data Elements
- Maintenance Process
- IRMC Data Warehouse Project

Project Approach

- Identify Existing Standards
- Validate Existing Standards
  - Identify Core Data Elements
  - Determine Missing or Inappropriate Elements
- Gather Information
  - Missing or Inappropriate Elements
  - Tracking

Project Approach - Continued

- Draft Recommended Standards
  - Use Existing Standards
  - From Information Gathered
- Validate Recommendations
  - Proper Reviews
  - Adjustments to Recommendations
- CJIN Board Acceptance
- IRMC Acceptance

November 1, 1997
Report to the North Carolina General Assembly
By The
North Carolina
Criminal Justice Information Network
The Governing Board Funding
Data Sharing Standards Development
Statewide Automated Fingerprint Identification System (SAFIS)

November 19, 1997

CJIN Funding

The General Assembly appropriated funding for the CJIN Governing Board in the amount of $100,000 (nonrecurring) for operational expenses. To date, the board has expended $3,100.62 for expenses incurred through November 1, 1997 leaving a balance of $96,899.38. The majority of this has been for travel expenses associated with board meetings. In addition, $300,000 (nonrecurring) was appropriated for the Data Sharing Standards project, and $1,000,000 (recurring) for the Statewide Automated Fingerprint Identification System (SAFIS) project. The status of this funding is detailed in the respective sections.

Data Sharing Standards Development

The CJIN Study established "This project as the base from which to connect the network." Without the common data elements the information becomes useless to the users. Thus, this initial infrastructure project is an essential component to the success of CJIN.

The CJIN Governing Board previously reported the approval of a grant through the Governor's Crime Commission for $559,860. When this is combined with the $300,000 general fund appropriation, as a matching amount, the total available for this project is $859,860. This funding covers two years and runs through June 1999. For the current year, the project is funded at $382,690. To date there have only been minimal expenditures in the amount of $1,250.50.

As recommended, The CJIN Governing Board has established a subcommittee which represents the various agencies utilizing the data. The subcommittee has met and established the scope of the project as well as the methodology to complete the work. Currently the subcommittee is in the process of selecting a project manager and an analyst to run the project.

The project scope is to include those data elements necessary to share data across federal, state and local criminal justice systems which includes establishing a comprehensive cycle tracking number. To accomplish this, the existing data definitions will be researched and documented. From that, the subcommittee will analyze them for necessary adjustments. This could include modifications or additions and deletions to existing definitions.

The subcommittee will continue to engage appropriate personnel from the various agencies and across all levels to ensure the validity of this effort. Further, this project is being coordinated with a companion effort being sponsored by the IRMC. The intent is to share benefits while avoiding redundancy of effort.

When the project is completed, the deliverable will be a data dictionary which will establish the standard for sharing data between the many criminal justice systems. In addition, a process for maintenance of the dictionary will be established as well as audit mechanisms. The projected completion date is projected for early in 1999.

Statewide Automated Fingerprint Identification System (SAFIS)

On April 3, 1997, a report was prepared for the CJIN Governing Board which detailed the problems associated with supporting our fingerprint-based criminal history record system. Basically, we needed to move forward with the recommendations from the CJIN Study report. Based on this report and its supporting data, including the estimated cost to place a live scan or an electronic fingerprint capture device in all one-hundred counties in North Carolina, the CJIN Governing Board requested funding from the North Carolina General Assembly to support this project. The complete project was estimated at $2,854,325.

The North Carolina General Assembly appropriated $1,000,000 in support of this project. This appropriation allows the North Carolina State Bureau of Investigation (SBI), working under the guidance of the CJIN Board, to move forward with Phase I. This will allow for the acquisition of electronic fingerprint devices for deployment throughout the state. Further funding is necessary to complete the intended goal, but this initial funding is a major step forward.

Strategy

Prior to the appropriation of funds, SBI staff began preliminary discussions with potential vendors regarding the availability of electronic fingerprint capture devices with flatbed scanners. Live scan fingerprinting devices have existed for several years but electronic fingerprint capture devices with flatbed scanners are newer technology. This was reported as a risk during the legislative session.

All known vendors were given the opportunity to place beta devices in the SBI's central fingerprint repository at SBI Headquarters. Two vendors have accepted this opportunity and will work with the SBI in developing an application that best suits the needs of SAFIS.

The initial funding allows for the acquisition of a combination of live scan and fingerprint capture workstations. In addition, certain infrastructure costs at the central site are necessary to support this project.

Members of the CJIN Governing Board have contacted the North Carolina Sheriff's Association and Police Chief's Association to solicit support and assistance in determining where live scan and fingerprint capture workstations may initially be located. A centralized intake facility is the desirable solution. Working with the various associations, the SBI and the CJIN Governing Board will establish criteria as the basis of selecting sites. The criteria will include such things as volume of submissions, willingness and ability to incur operational costs, and processing arrangements within a county.

Expenditures

Phase I funding available for this project is $1,000,000. To date, expenditures in the amount of $76,795.41 have been made. This leaves a balance of $923,204.59. This money will be used to purchase electronic fingerprint submission devices, networking hardware, installation costs and verification stations. The exact numbers for each is to be determined.

The North Carolina Criminal Justice Information Network and the Statewide Automated Fingerprint Identification System

Presented by:
Ronald P. Hawley
Assistant Director
State Bureau of Investigation
Division of Criminal Information

November 19, 1997

11-19-97
BTT

Building the Computerized Criminal History Record

- Individual is arrested and fingerprinted
- Fingerprint card (10 prints) is submitted to the SBI
  - Specific identification data submitted to the Clerk of Court for disposition reporting
- SBI searches database for possible prior record
  - State Identification Number (SID) assigned due to non-existing record
  - or current criminal record linked to existing record with a SID

Building the Computerized Criminal History Record

- Arrest data is entered into SBI CCH and data is forwarded to the FBI
- Administrative Office of the Courts (AOC) submits final disposition to be included with previously submitted arrest data
- Department of Correction (DOC) submits custody data on fingerprint cards for incarcerated individuals
- State and national CCH data available through DCI Network

North Carolina
Computerized Criminal History

- North Carolina's only Source of NC Criminal History Records Based on Positive Identification
- Increasing Demands for CCH Data
  - Legislative Mandates

Uses of Criminal History Data

- **Criminal Justice Uses**
  - **Latent Fingerprint Examinations (Fingerprint Evidence Collected at Crime Scenes)**
  - **Law Enforcement Investigations**
  - **Identification of Wanted Persons**
  - **Structured Sentencing (DA's, Judges)**
  - **Background Check for Criminal Justice Employment**
  - **Positive Investigative Purposes (Deceased Persons)**

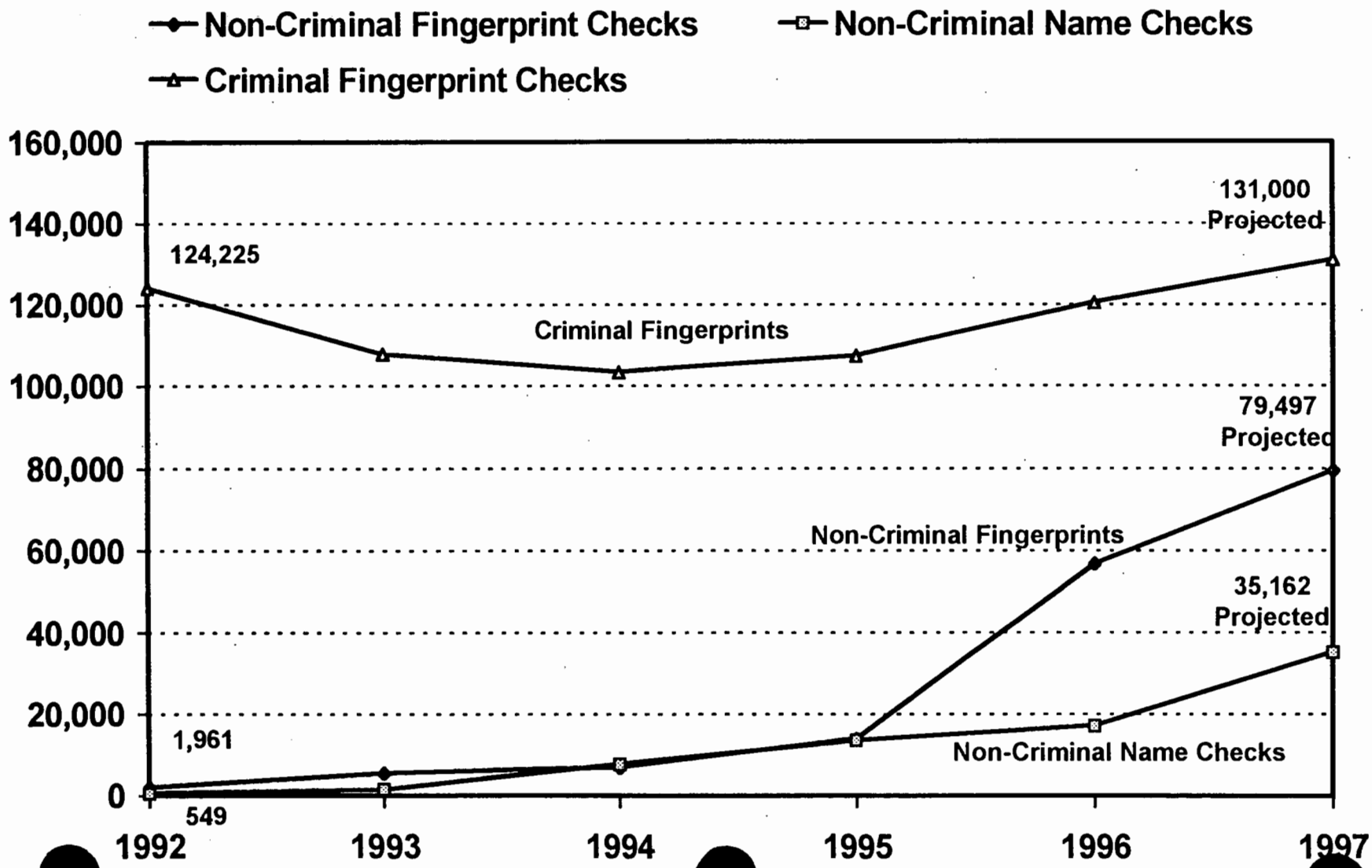
Uses of Criminal History Data

- Non-Criminal Justice Uses
  - Employment and Licensing
    - Health Care Providers
    - Schools
    - Day Care
  - Pistol Permits
  - Concealed Handgun Permits

Identification Impact

- **Recent unprecedented demands for CCH data for non-criminal justice purposes**
  - **3,954% increase in non-criminal justice fingerprint card processing since 1992**
  - **1,047% increase since 1994**
- **Increased turnaround time in SBI processing of all fingerprint cards from 12 days in 1994 to 86 days in 1997 (617% increase) (excludes CHP)**

Name and Fingerprint Checks
1992 - 1997 (Projected)



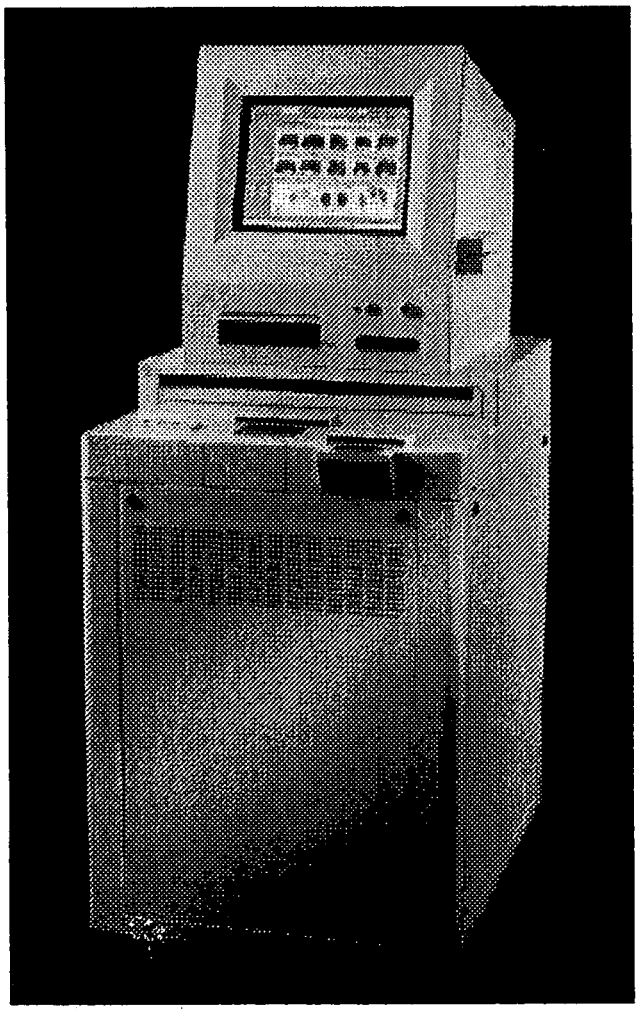
What are Our Options?

- **Hire Additional Personnel (estimated 40 additional personnel to process <u>existing</u> incoming work, but not reduce backlog)**
- **or . . . . . .**

Completely Automate the Process!

Current SAFIS Network

Live Scan Fingerprint Capture Workstation

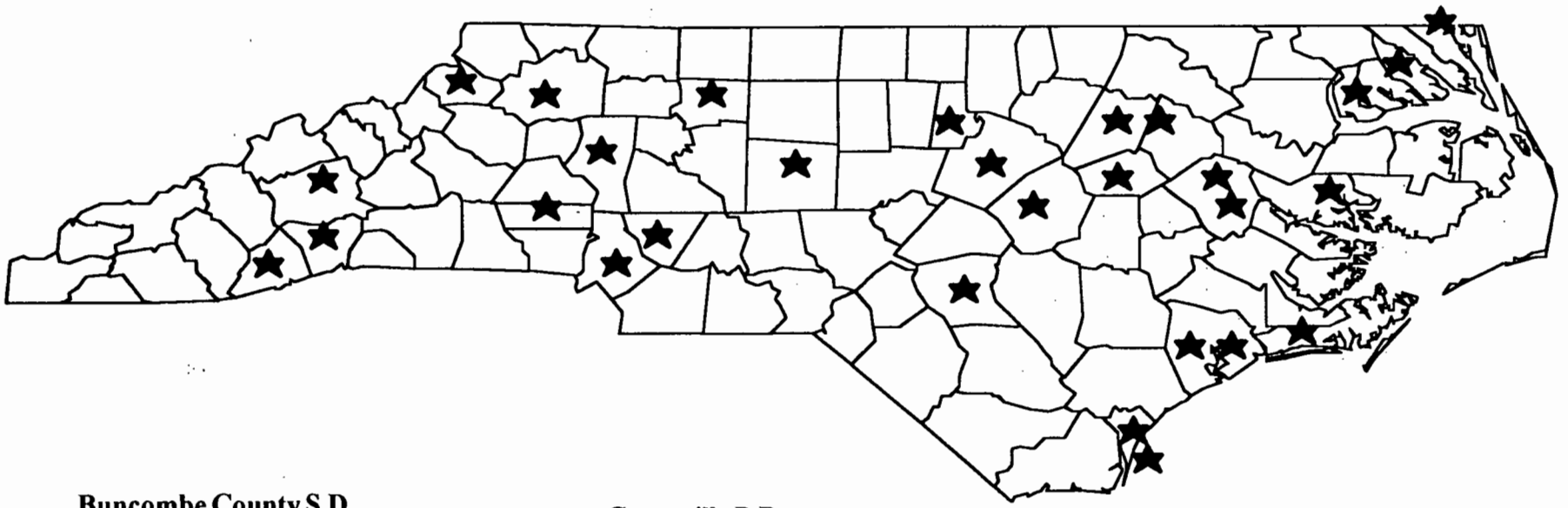


- **Process**
  - An individual's fingerprints are electronically scanned into the device.
- **Benefits**
  - Provides for immediate and positive identification to the contributing agency in less than one hour.
  - Allows for the electronic submission of an individual's ten-fingerprints, descriptor and charge data from the point of fingerprinting.
  - Eliminates inked fingerprints.
  - Eliminates redundant data entry.

Current SAFIS Network

SAFIS Terminals With Access

Live Scan Devices in 29 Agencies



Buncombe County S.D.
Beaufort County S.D.
Cabarrus County S.D.
CCBI -Raleigh
Charlotte Meckenburg P.D.
Chowan County S.D.
Cumberland County S.D.
Currituck County S.D.
Durham County S.D.
[illegible]yth County S.D.

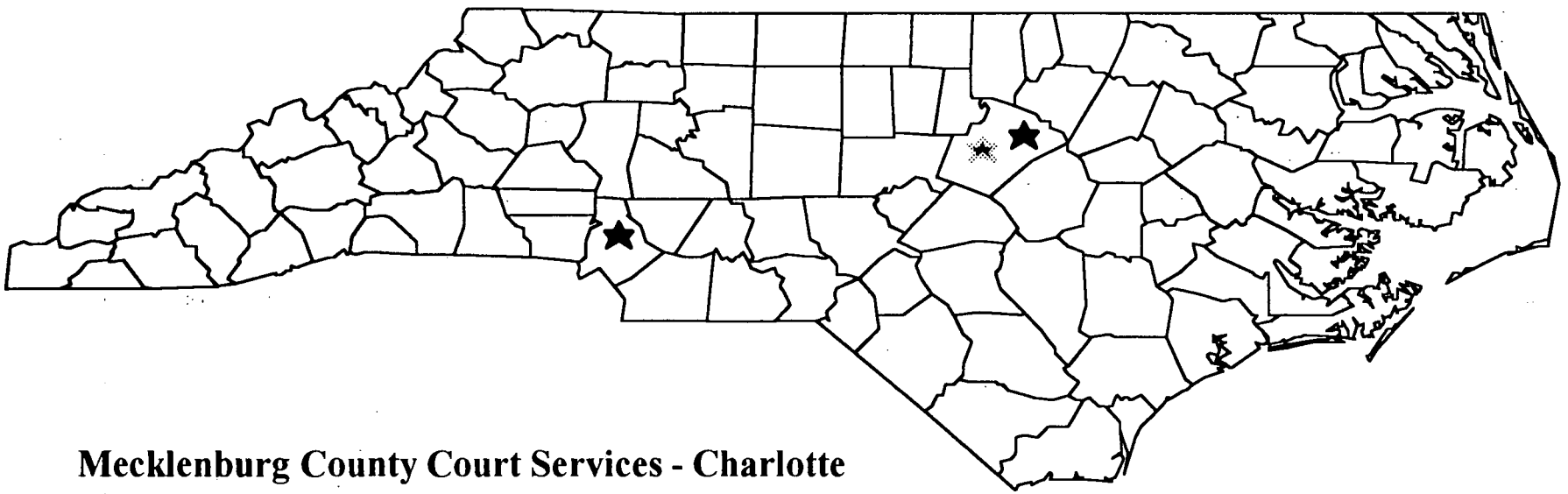
Greenville P.D.
Henderson County S.D.
Iredell County S.D.
Jacksonville P.D.
Johnston County S.D.
Lincoln County S.D.
Morehead City P.D.
Nash County S.D.
New Hanover County S.D.
Onslow County S[illegible]

Pasquotank County S.D.
Pitt County S.D.
Randolph County S.D.
Rocky Mount P.D.
Transylvania County S.D.
Watauga County S.D.
Wilkes County S.D.
Wilmington P.D.
Wilson P.D.

Current SAFIS Network

SAFIS Terminals With Access

Joint Partnership With Three Full-Use Agencies



Mecklenburg County Court Services - Charlotte
NC Department of Correction - Raleigh
SBI/DCI - Raleigh

Current SAFIS Network

SAFIS Terminals With Access

Joint Partnership With Three Full-Use Agencies

- Agencies Search and Verify Fingerprints
- Agencies Assign NC State Identification Number (SID)
- Agencies Update SAFIS Database

Benefits

- Increases Accuracy
- Reduces Turnaround Time
- Makes Fingerprint and Criminal History Data More Readily Available

Current SAFIS Network

Latent Capture and Electronic Submission

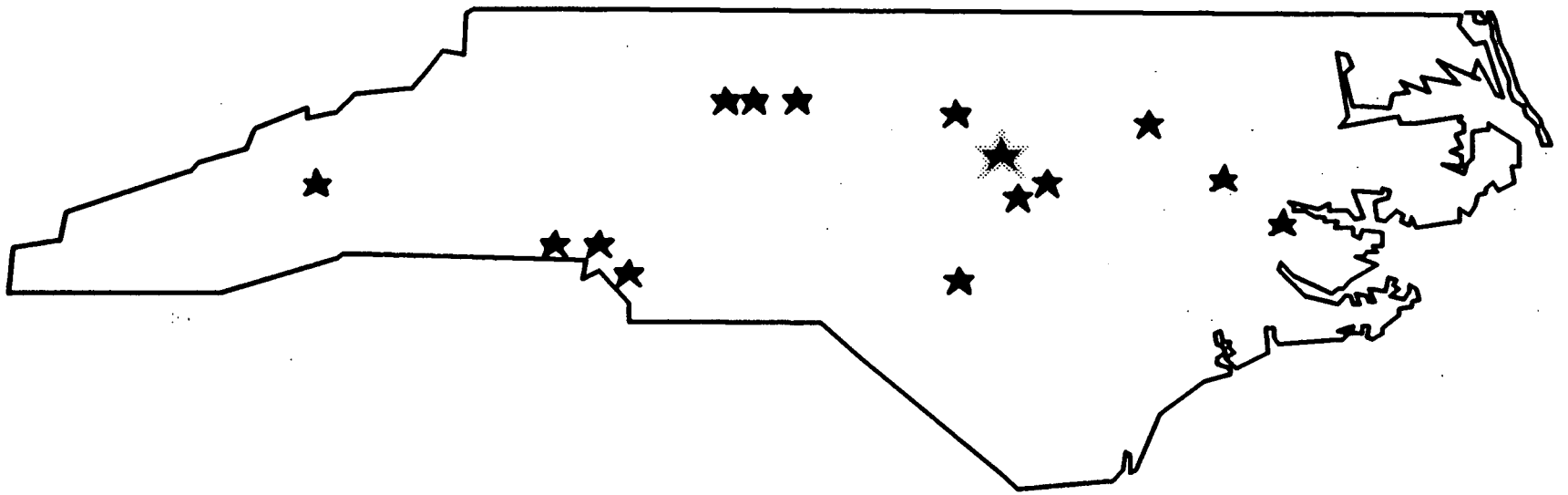
Latent Fingerprint Workstation

- **Process**
  - Forensic identification of partial fingerprints lifted from crime scenes.
  - Computer generated response of most likely candidates are returned from the SBI to a latent workstation for latent fingerprint examiner verification.
- **Benefits**
  - Allows for searches and responses within minutes of electronic submission from latent workstation.
  - No suspect identification is required, only fingerprint data.

Current SAFIS Network

SAFIS Terminals With Access

Fifteen Remote Latent Terminals



Beaufort County S.D.
CCBI - Raleigh
Charlotte-Mecklenburg P.D.
Durham P.D.
Fayetteville P.D.
Forsyth Co S.D.
Gaston County P.D.
Gastonia P.D.
Greenville P.D.
Guilford County S.D.
Rocky Mount P.D.
SBI - Identification - Raleigh
SBI Lab -Asheville
SBI Latent - Raleigh
Winston-Salem P.D.

Current SAFIS Network

Open Network

- North Carolina is the first state to allow the electronic submission of live scan fingerprint cards from the devices of multiple vendors.
- The SBI is currently developing electronic interface to the Federal Bureau of Investigation. Projected date of FBI interface is January 1998.

CJIN Recommended Solution

Establishment of a SAFIS which supports the following goals:

- SAFIS will provide to user positive identification based on fingerprints, in less than two hours.
- SAFIS will facilitate the universal usage of the SID number.
- SAFIS will trigger rapid identification of an individual's past and current involvement with the criminal justice system.

SAFIS will consist of the following components:

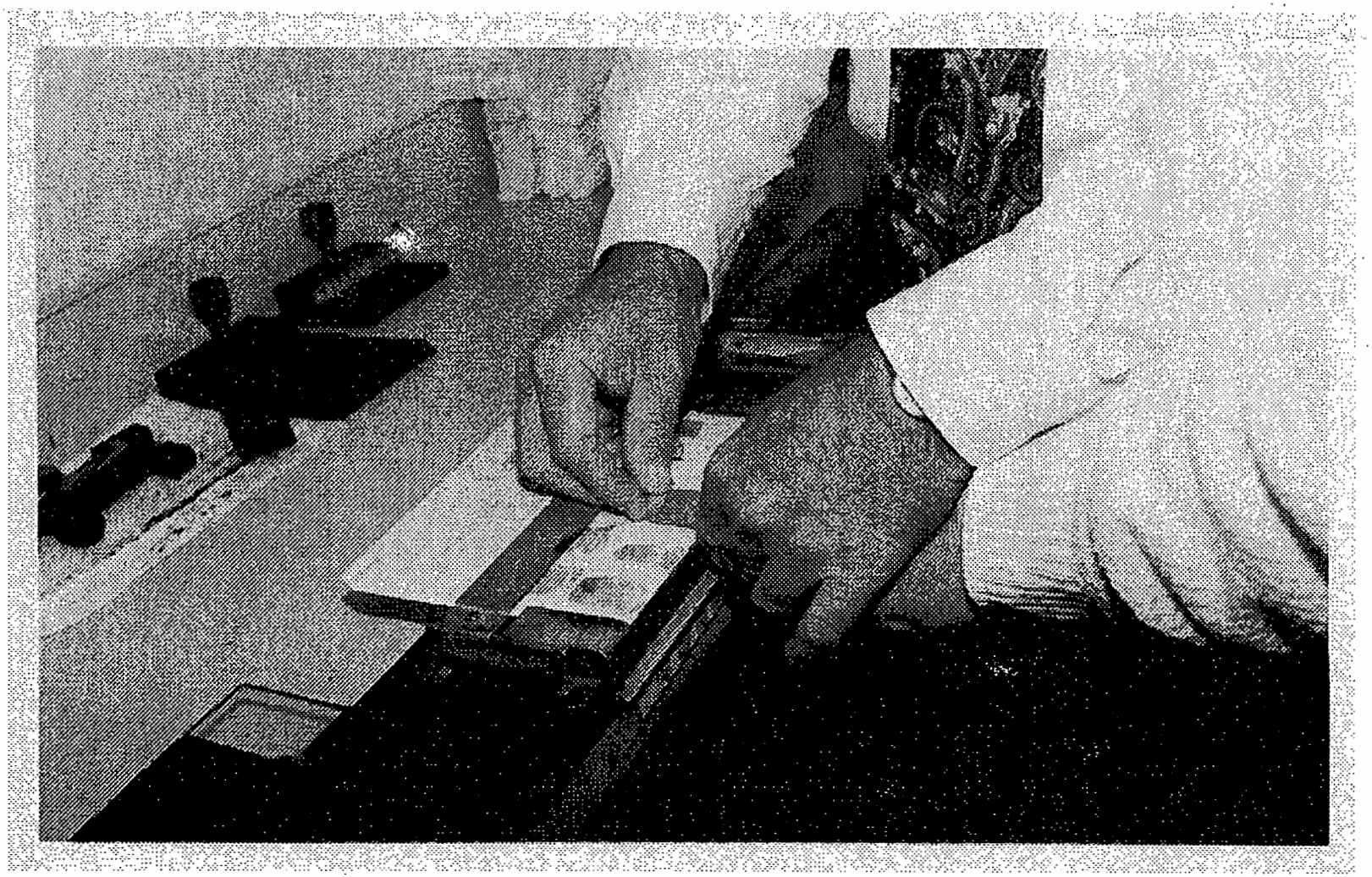
- Universal usage of a single, statewide, personal identifier based on fingerprints to link an individual offender's record of arrests, court cases, dispositions, custody, and release data.
- A centralized arrest intake facility in each county with a live scan device that is electronically linked to the SBI's DCI to record fingerprints of all felons and misdemeanants.
- A centralized automated identification center at the SBI that operates 24 hours per day, 7 days per week.

CJIN SAFIS Funding

- Approximately one third of request ($1 million) approved
- Live Scan Device is cost estimated at $60,000 per device
- Fingerprint Capture Workstation with flatbed scanner is cost estimated at $20,000 per device
- Adequate funding to acquire 11 live scan devices or 34 fingerprint capture workstations or a proportionate combination of either device
- The acquisition of 11 additional live scan devices, in conjunction with existing live scan devices, will account for approximately 75% of all criminal fingerprint submissions to the SBI
- The acquisition of 34 fingerprint capture workstations, in conjunction with existing live scan devices, will account for approximately 90% of all criminal fingerprint submissions to the SBI
- Consideration to use funding jointly with federal monies through Governor's Crime Commission
- The 1995 CJIN report estimated a total cost of $19 million to fully upgrade the Statewide AFIS and install 100 live scan stations in all 100 counties
- Based on recent and continuing upgrades to the SAFIS and a reduction in the projected cost of live scan stations, the cost is estimated at approx. 5 million.

Electronic Fingerprint Capture Devices

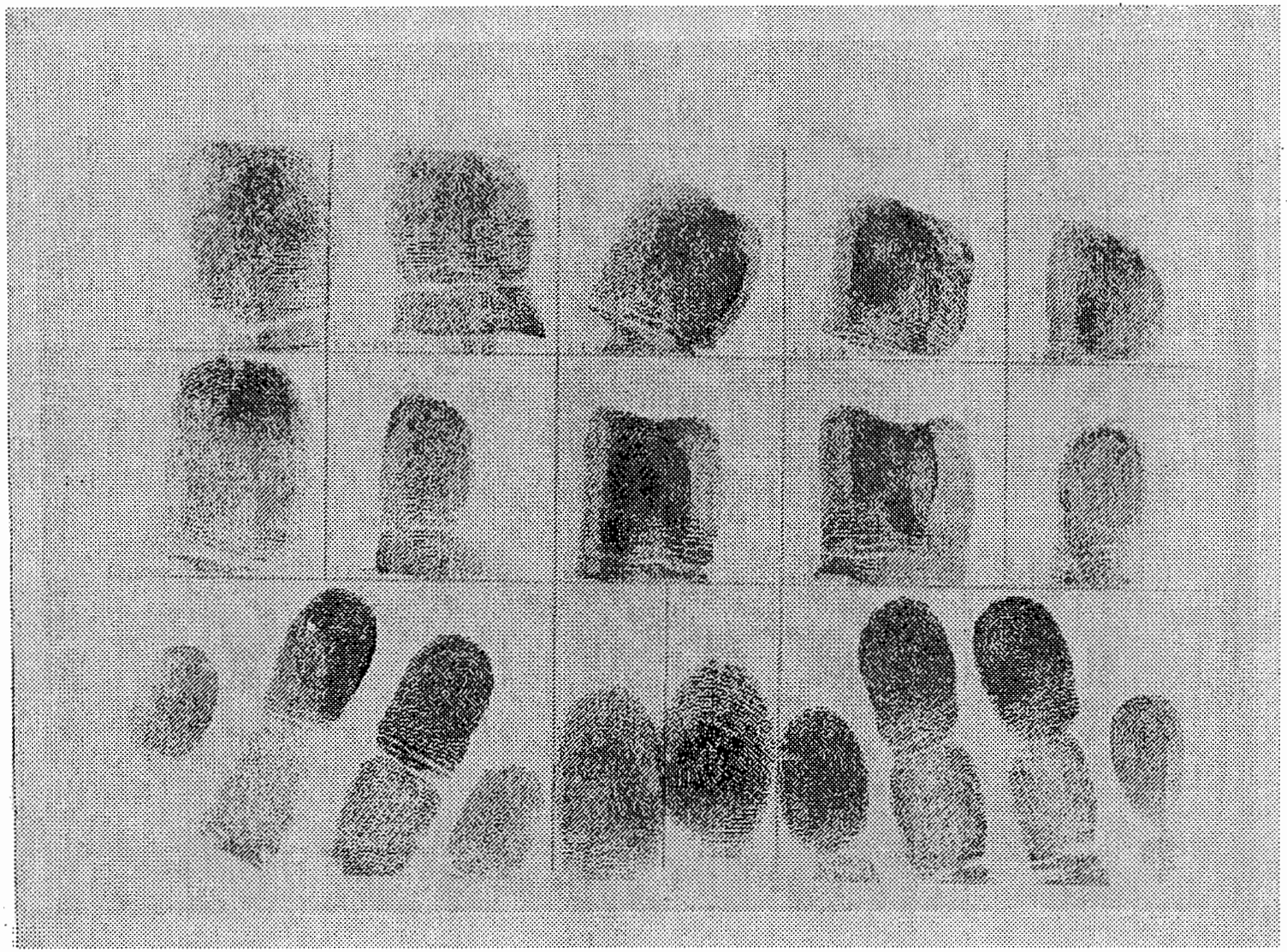
Inked Fingerprint Capture versus Live Scan



Manual Inked Fingerprint Process

Electronic Fingerprint Capture Devices

Inked Fingerprint Card



Electronic Fingerprint Capture Devices

Live Scan Fingerprint Card - Improved Quality

Electronic Fingerprint Capture Devices

Live Scan versus Fingerprint Capture Workstation with Flatbed Scanner

- Moderate increases are anticipated in criminal justice submissions
- Misdemeanor submissions will drive the need for live scan devices versus fingerprint capture workstations
- SBI is beta testing fingerprint capture workstations

The Identification Process

Law Enforcement Creates the Criminal Record

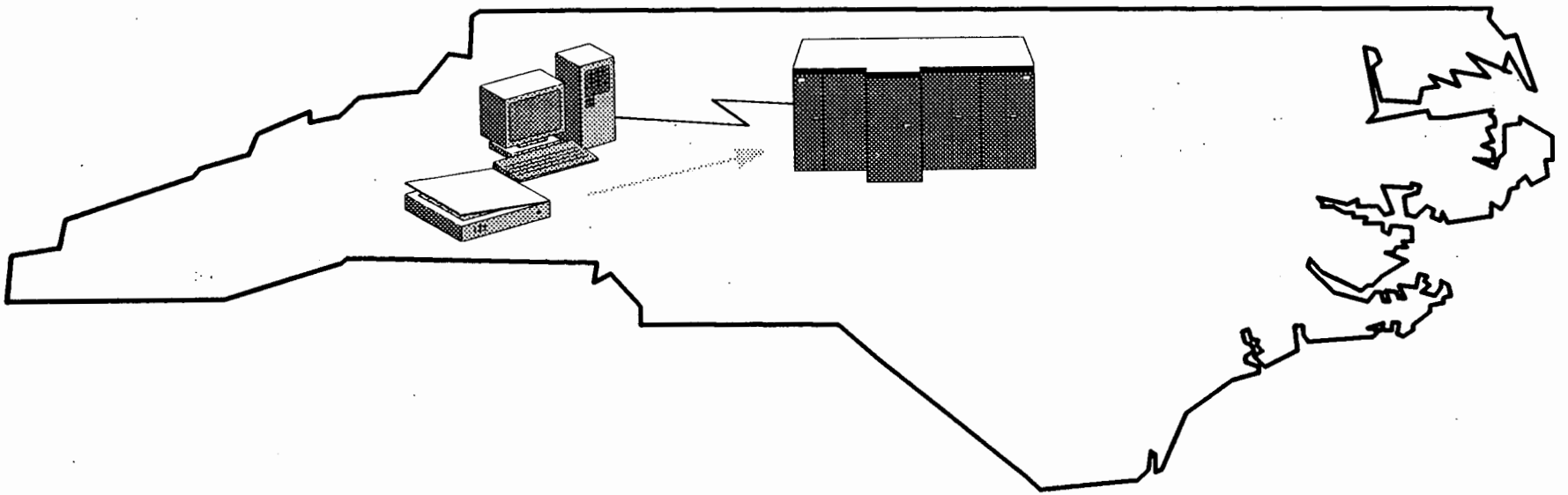
- **An Individual is Arrested and Detained**
- **The Individual's Identity May or May Not be Known**

The Identification Process

The Fingerprinting Agency Conducts Live Scan Fingerprinting and Quality Review of Fingerprint Data

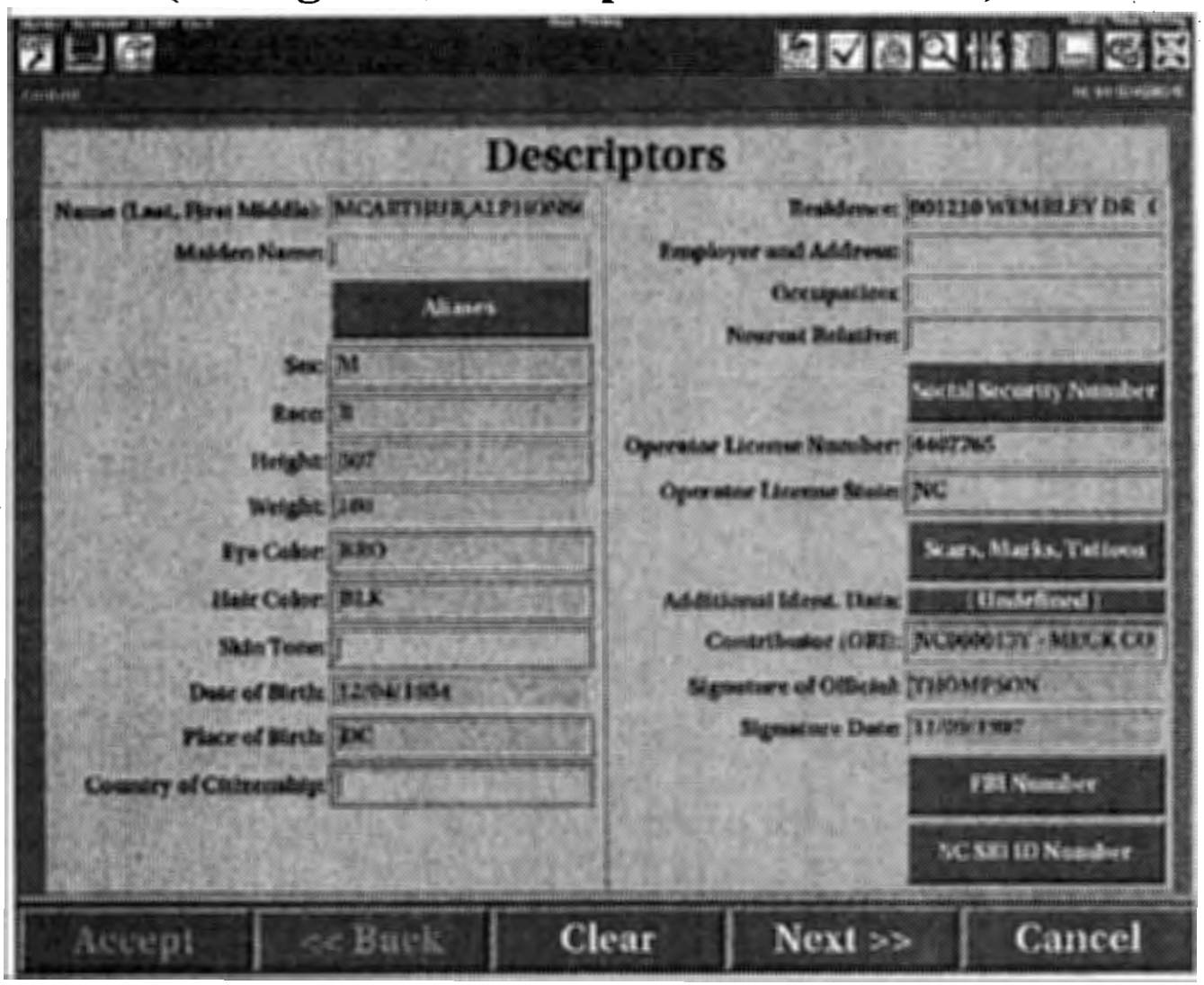
The Identification Process

Electronic Submission from Law Enforcement to the SBI in Raleigh



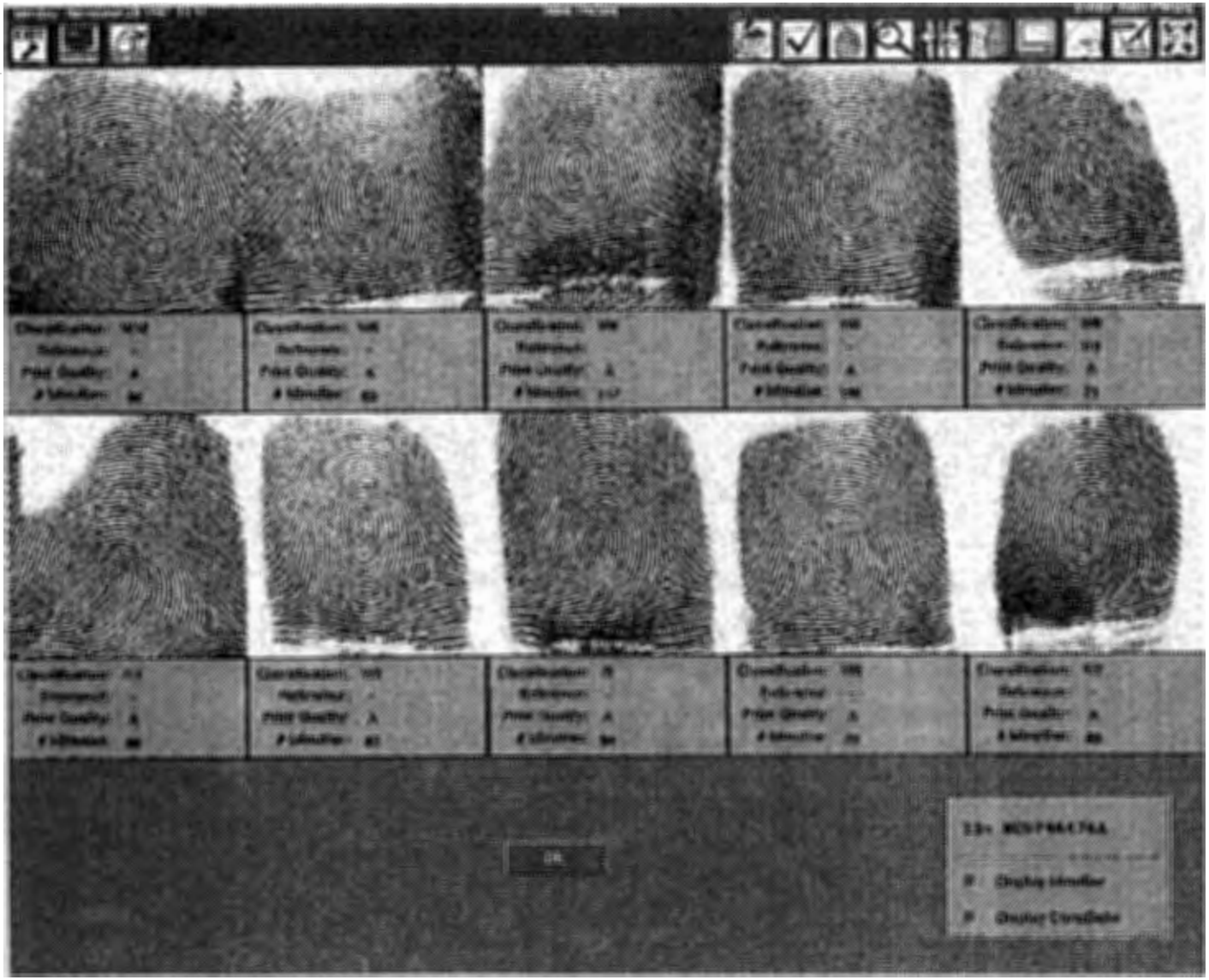
The Identification Process

SBI Quality Review of Fingerprint Data
(Charge and Descriptor Information)



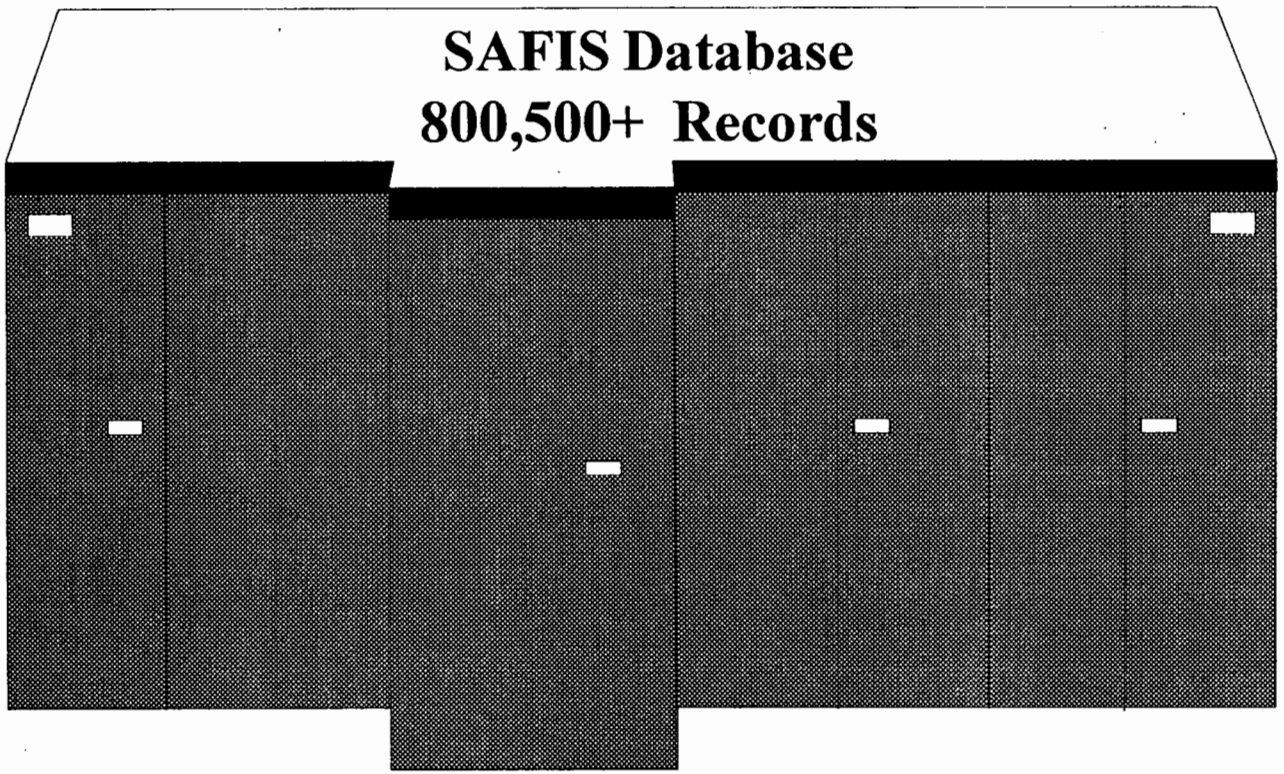
The Identification Process

SBI Quality Review of Fingerprint Data



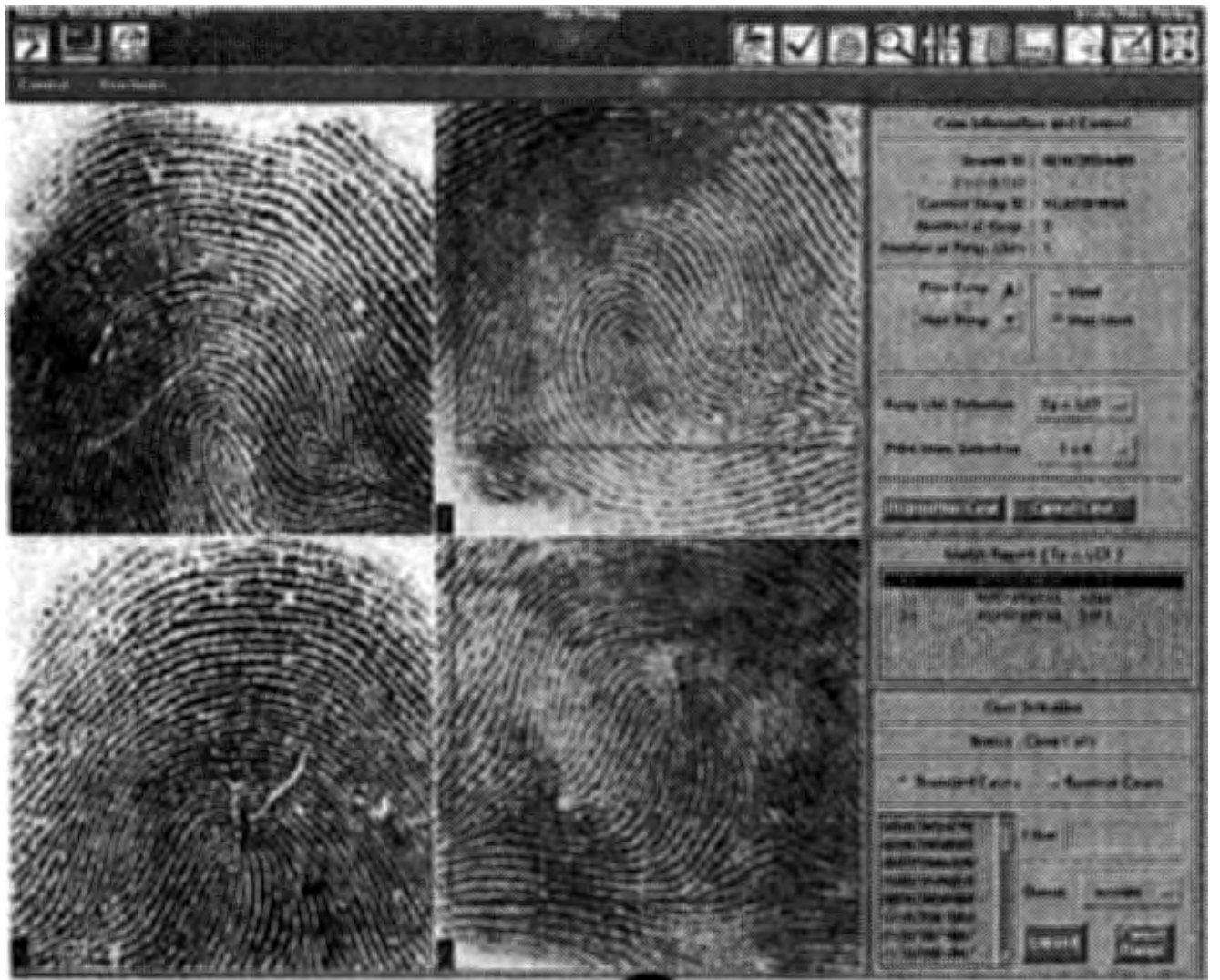
The Identification Process

Automated Fingerprint Search Against the 800,500 plus Records in the SAFIS Database



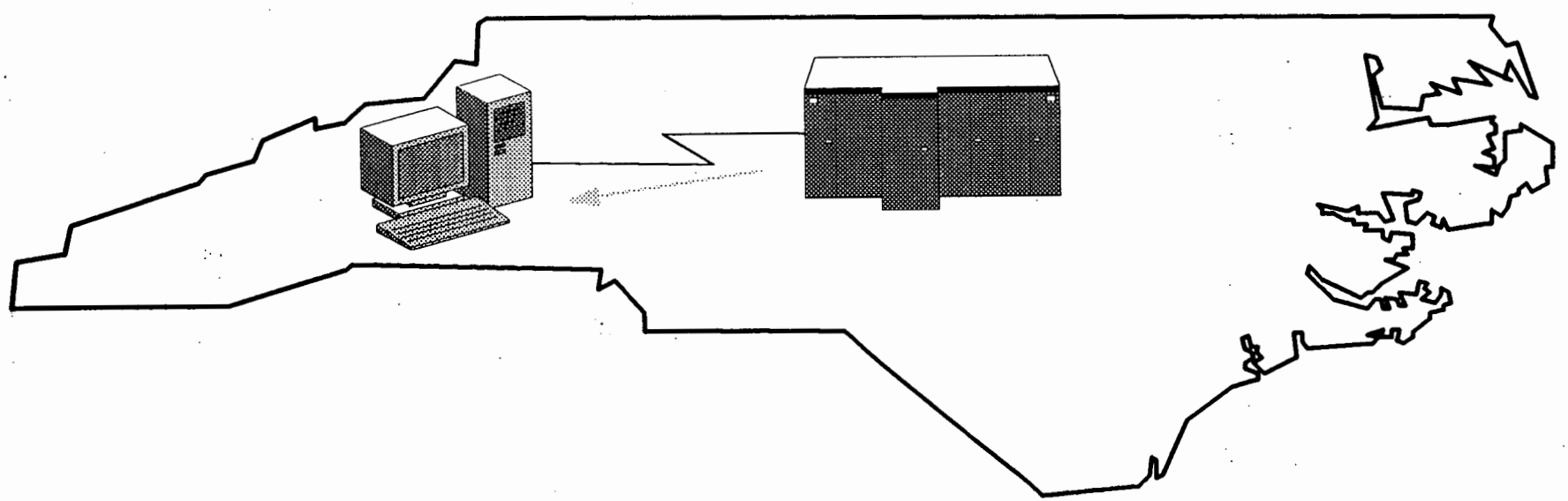
The Identification Process

SBI Reviews and Determines if Fingerprints are Identical to any Candidate Fingerprints in the SAFIS Database



The Identification Process

Electronic Response from the SBI to the Submitting Agency (Testing)



The Identification Process

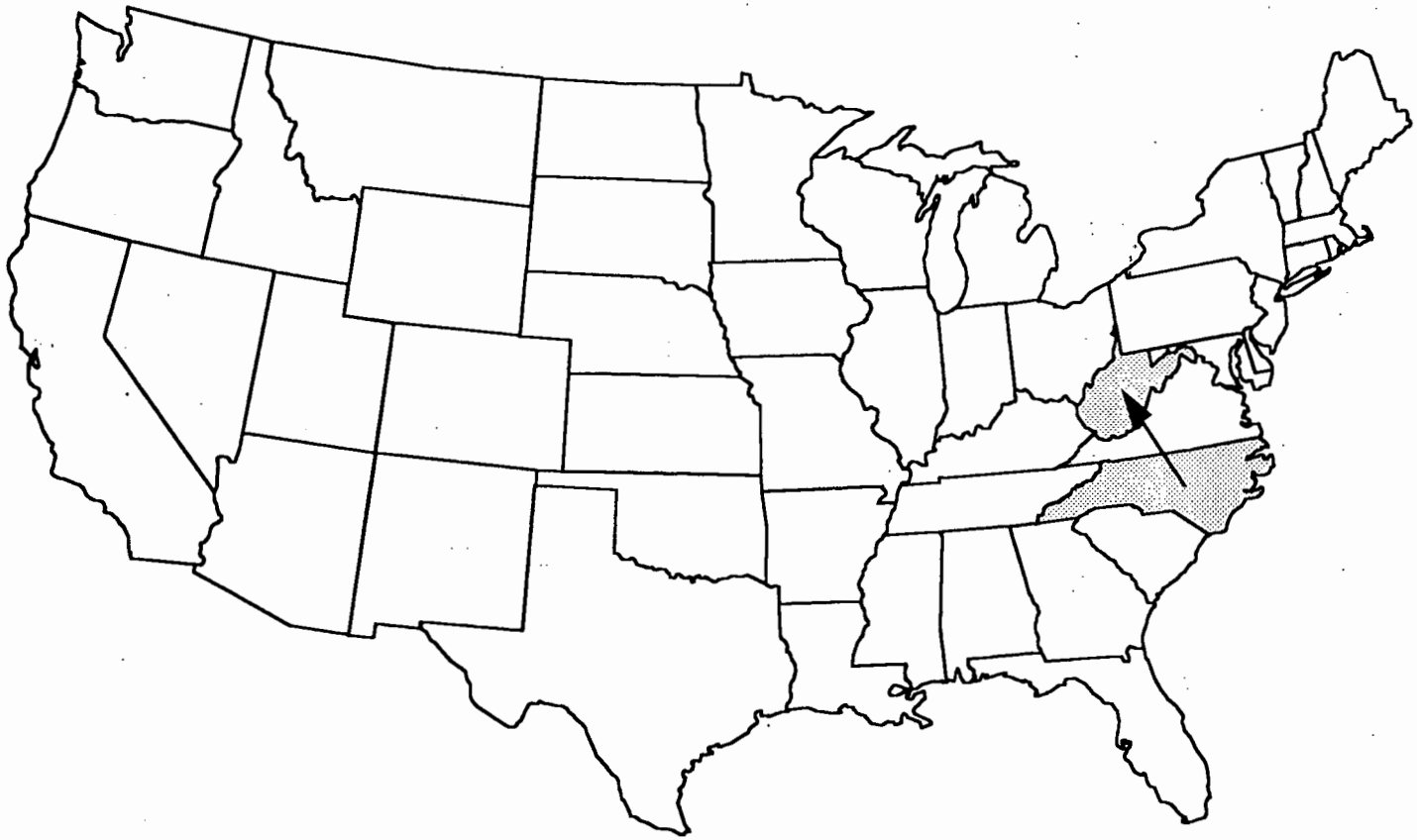
Law Enforcement Creates the Criminal Record

- Arrest or custody data is updated in the state Computerized Criminal History File (CCH)
- CCH data becomes available through the DCI Network to the criminal justice community
  - Currently data, submitted via an electronic live scan interface, becomes available to the criminal justice community in less than 48 hours compared to over 80 days for fingerprint cards mailed to the SBI
- The NC State Identification Number (SID) becomes the common link

The Identification Process

Electronic Fingerprint Submission to the FBI in West Virginia

(Projected date of FBI interface is January 1998)



Partnership With Law Enforcement

Soliciting Support

- CJIN & SAFIS presentation to the North Carolina Sheriff's Association
- CJIN & SAFIS presentation to the North Carolina Association of Chief's of Police
- Sheriffs and Chiefs (2 from each) will assist in the CJIN effort
  - Assistance in determining placement and location of electronic fingerprint devices
  - Encouragement to acquire electronic fingerprint devices

Partnership With Law Enforcement

Agency Impact

- Recurring Costs
  - Maintenance
  - Telecommunication Costs
- Processing of Fingerprints for Other Agencies

Successes

Availability of the Criminal Record (example)

- Providing criminal history data to magistrates prior to bail process

- The Attorney General's press release dated October 22, 1997 urged bail reform by recommending a special task force to consider several proposals. One of those proposals included: "Finding ways to get more information about defendants to magistrates before bail is set."

The Future of SAFIS

- **Misdemeanor Fingerprint Submissions**
  - **Few agencies submit misdemeanors to the SBI**
  - **Submission will provide more complete criminal records**
  - **Potential for 500% increase over felony submissions**
- **Electronic Interface to all 100 NC Counties**
- **Electronic Response Within 30 Minutes**

ATT 6

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 11/19/97

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Joe Stewart	CCPS.
Doug Ape	SHP
Chris Young	FBI
Bill Deck	National Institute of Justice.
[illegible]	SHP
W. M. [illegible]	SHP
MIKE BAKHAM	CC&PS
HOLT WATTS	MOTOROLA
FRED DAVIS	NC SHP
Laura DeVivo	CCPS
[illegible]	SHP

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 11/19/97

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
MP Gaddes	NCSHP
Jane O. Gray	DOJ
Jack Cozort	Parker Poe Adams & Bernstein Raleigh
Ron Hawley	DOJ/SBI/DCB
Bob Brinson	Correction
Curtis Clark	IBM
Richard Moore	Secretary, CCPS
Joanne Bonds	AOC
Dudley Greene	AOC
Curt Williams	Governor's Office
David Jones	Governor's Crime Commission

VISITOR REGISTRATION SHEET

Appro. / Justice & Pub. Safety Subcom. — 11/19/91
Name of Committee — Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK.

NAME	FIRM OR AGENCY AND ADDRESS
Max Hopper	Motorola 3037 Southampton Gastonia NC 28056
Richard Little	AOC
Carolyn Nichols	SBI / DCI
LARRY WILKIE	SBI / DCI
John Carriker	DA - New Hanover Co.
Richard Stith	Admin Office Courts

SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Thursday, November 20, 1997 – 9:00a.m.
Room 612, Legislative Office Building

AGENDA

I. **CALL TO ORDER**

Chairmen: Senator Wib Gulley, Presiding

Representative Larry Justus
Representative Gregg Thompson
Representative Joe Kiser

II. **PRESENTATIONS**

1. Follow-up on Member Requests from October Meeting

   Jim Mills, Fiscal Research Division
   Gregg Stahl, Assistant Secretary, Department of Correction

2. Overview of Performance/Program Budgeting System and JPS Agency Performance Budgets

   John Dorman, Office of State Planning
   Chuck Craven, Office of State Planning

3. Overview of Highway Patrol Budget and Performance/Program Budget

   Andy Willis, Fiscal Research Division

4. Review of Highway Patrol Performance/Program Budget -- Goals, Objectives, Strategies, and Performance Measures -- and Staffing Formula/Manpower Allocation

   Crime Control and Public Safety Staff
   Highway Patrol Staff

III. **OTHER BUSINESS**

IV. **ADJOURNMENT**

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
INTERIM STUDY 1997-98
November 20, 1997

House Members Present: [9] Representatives Justus, Thompson, Kiser, McCrary, Hardy, Kinney, Redwine, Sexton, and Easterling

Senate Members Present: [5]

The Joint Appropriations Subcommittee on Justice and Public Safety met on Thursday, November 20, 1997, in Room 612 of the Legislative Office building. Representative Kiser called the meeting to order at 9:10 AM. Jim Mills, Fiscal Staff, proceeded with

- **Follow-up on Member Requests from October Meeting.**

Attachment 1 covers the questions that committee members asked at the October meeting and the answers. Representative Kiser asked for the number of inmates who have died in prison hospitals in the last twelve months and the reasons for their deaths. Gregg Stahl, Assistant Secretary, DOC, replied that in 1995, thirty-six inmates died. (One was executed, sixteen from HIV, and five from heart conditions.) In 1996, forty-three inmates died. (Two from suicide, seventeen from HIV, one by stabbing, and other causes.) In 1997 there have been twenty-eight inmate deaths. (One from suicide and seven from HIV.) **Representative Kiser asked for a listing of inmate deaths resulting in legal action against DOC or DOC staff. Senator Gulley asked that the causes of death be included with each action**. Gregg Stahl will provide this information.

Representative Justus asked that staff provide information on the salary comparison of private vs. DOC physician salaries. Representative Justus also requested a copy of the autopsy report on the inmate who died from dehydration. Gregg Stahl will provide this information. Senator Gulley asked that item 2 -- Salaries for Doctors in DHR and DOC -- be flagged and added that we may need some flexibility for paying for health care personnel differential for Central Prison employees.

Gregg Stahl covered the material in Attachment 2 -- *Aids & HIV Summary*. Attachment 3 -- *Resident Prison Population Age Projections* -- was distributed. Senator Ballance asked if the cost of medical liability insurance was included in the figures for physicians. Mr. Stahl replied that the liability insurance was not included but **he will provide information on the cost. Representative Thompson asked that thirty to forty-five minutes be spent on the process of hiring correctional officers at the December**

meeting. Senator Ballance commented that citizens do not want a state-of-the-art medical facility at prisons. They do not want prisoners to have better medical treatment than they have.

Representative Justus asked that the committee be provided with copy of the test for correctional officers and an application. Representative Sexton asked that the handout on AIDS population be provided to the committee members in a more readable copy.

Representative Kiser asked if inmates can collect Medicaid. Gregg Stahl will check on this. Representative Thompson asked if inmates collect Social Security.

Representative Sexton asked if there has been consideration to releasing elderly inmates. Representative Thompson replied that society has decided the inmate should be in prison and not released. Representative Kiser added that releasing the elderly would be the first break in structured sentencing. Once a bar is let down, then others fall.

Jim Mills, Fiscal Staff, reported that items 1 - 3 on Attachment 1:

1. Cost of prison construction in other states.
2. Federal Funds for Prison Construction
3. Central Prison Master Plan -- Total Cost by Phase through 2007

will be on the agenda for December's meeting.

The committee took a five minute break.

Senator Gulley reconvened the meeting.

John Dorman, Office of State Planning, presented an *Overview of Performance/Program Budgeting System and JPS Agency Performance Budget.* A slide presentation was presented to the committee. Attachment 5 -- ***1997-98 Certified State Budget by Program Areas*** -- was presented. Chuck Craven, Office of State Planning, continued with Attachment 6 -- *Performance Budgeting Level -- Justice and Public Safety.*

Andy Willis, Fiscal Staff, continued with Attachment 7 -- *State Highway patrol Budget Highlights.* Mr. Willis s stated that the Highway Patrol has 1764 positions in 97-98. Of these positions, 1380 positions are sworn law enforcement officers. **Representative Thompson requested the number of troopers in the last ten years, the population increase in the last ten years, and the number of registered vehicles in the last ten years.**

- **Review of Highway Patrol Performance/Program Budget -- Goals, Objectives, Strategies, and Performance Measures -- and Staffing Formula Manpower Allocation.**

Joe Stewart, Crime Control and Public Safety, introduced Captain Autry, Lt. Sexton, and Captain Davis to present this report. Captain Autry explained that the Highway Patrol: 1. tries to educate the public on how to drive more safely; 2. Train the personnel on law, policy, and procedure changes, and 3. Enforce oral and written citations. This goal is to reduce motor vehicle collisions. Eighty-seven percent of the Highway Patrol budget is in personnel and equipment.

Lieutenant Sexton proceeded with Response and Planning by the Highway Patrol as covered in Attachment 9 -- *Motor Vehicle Travel Statistics*. Lieutenant Sexton stated that since 1974 the road mileage has increased 3.8%, while the number of drivers has increased 63.67%. Representative Kiser commented that Justice and Public Safety realizes the need for more highway patrol officers, but transportation will not agree. Senator Wellons questioned where DMV officers fit in the performance audit.

Captain Davis covered *Manpower Allocations and Staffing Requirements* as outlined in Attachment 10 and *Patrol Automated Manpower Allocation* (PAMA) in Attachment 11. Attachment 12 -- *Weekly Report of Daily Activity* -- is filled out weekly.

Senator Gulley announced that this committee will meet December 16, 17, and 18. The meeting was adjourned at 1:10 PM.

Larry T Justus

Representative Larry Justus
Chairman

Carolyn Justus

Carolyn Justus
Committee Clerk

ATT. 1
11-20-97

LIST OF FOLLOWUP ITEMS/MEMBER REQUESTS FROM OCTOBER MEETING OF HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

DOC Medical

1. Cost of Consultant Study – Long Range Medical Plan for DOC

   $195,000

2. Salaries for Doctors in DHR and DOC – Are they the same ?(**See Attachment 1)**

   DOC and DHR general physician job classes (physician I, II, etc.) are the same grade and salary range.

   FRD reviewed average salaries for the most comparable class. Physician III -A (9 positions) average salary in DOC is $117,220; in DHR,
   Physician III - A average salary is $116,948 (47 positions).

3. Statutory Definition of "extraordinary" medical costs that DOC is required to pay for state inmates held in local jails. **(Attachment 2)**

4. Savings from hiring in-house medical staff versus contracting for staff (See **Attachment 3** for 1996 list; DOC to update)

5. Turnover Rate for DOC doctors and nurses (DOC to follow-up).

6. Prison AIDS population by prison unit (DOC to follow-up)

7. Status of DOC regional medical facilities in Georgia (DOC to follow-up).

Other Requested Information

1. Cost of prison construction in other states (FRD is working with State Construction and DOC on comparisons).

2. Federal Funds for Prison Construction ($25.4 million to date and estimated $14 to 15 million additional in 97-98 for approximate total of $40 million – in December, DOC will provide information on national fund allocations by state, final DOC 3 year total, and recommended project allocation of federal funds in North Carolina).

3. Central Prison Master Plan – Total Cost by Phase through 2007 (DOC will provide and discuss at December meeting).

4. Substance Abuse – Waiting List for DART Prison programs (DOC will follow-up)

5. Central Prison Population in 1997 by month. (Standard Operating Capacity is 947; Central operates, as do all prisons, at Expanded Operating Capacity which is listed below; population count based on daily population report for first or second day of each month)

Jan - 1177 (124% of SOC)
Feb - 1227 (129%)
March - 1255 (132%)
April - 1210 (127%)
May - 1270 (134%)
June - 1249 (131%)
July - 1235 (130%)
Aug. - 1282 (135%)
Sept. - 1291 (136%)
Oct. - 1319 (139%)

A review of 1996 monthly population at Central showed a lower monthly population with the average EOC at120%.

FRD 11/18/97

APPENDIX "D"

ATTACH. 1

STATE OF NORTH CAROLINA
PHYSICIAN SALARY SCHEDULE
July 1, 1997

Grade	Hiring Rate	Minimum	Midpoint	Maximum
1	$57,745	$60,632	$79,231	$100,716
2	$60,605	$63,635	$83,164	$105,723
3	$63,608	$66,789	$87,294	$110,980
4	$66,762	$70,100	$91,631	$116,500
5	$70,072	$73,575	$96,183	$122,295
6	$73,548	$77,225	$100,964	$128,380
7	$77,198	$81,059	$105,984	$134,770
8	$81,030	$85,083	$111,254	$141,478
9	$85,055	$89,308	$116,789	$148,523
10	$89,281	$93,744	$122,600	$155,919
11	$93,717	$98,404	$128,702	$163,686
12	$98,375	$103,294	$135,108	$171,840
13	$103,267	$108,431	$141,835	$180,402
14	$108,403	$113,824	$148,898	$189,393
15	$113,797	$119,485	$156,315	$198,833

Sch. Code	Class	Grade
4905	Physician II	4
4906	Physician III - A	8
4907	Physician III - B	10
4908	Physician III - C	11
4925	Physician IV - A	9
4926	Physician IV - B	11
4927	Physician IV - C	12
4935	Public Health Physician I	1
4936	Public Health Physician II	4
4937	Public Health Physician III	8
4938	Public Health Physician IV	9
4939	Physician Director I	7
4942	Physician Director II - A	9
4943	Physician Director II - B	11
4944	Physician Director II - C	12
4945	Physician Director III - A	11
4946	Physician Director III - B	13
4947	Physician Director III - C	14
4948	Physician Director IV - A	11
4949	Physician Director IV - B	13
4950	Physician Director IV - C	14
4954	Forensic Pathologist I	1
4956	Forensic Pathologist II	8
4958	Associate Chief Medical Examiner	11
4959	Chief Medical Examiner	14
4960	Assistant Secretary Health/State Health Director	13

A = Pediatrics, Family, and Internal Medicine
B = General Psychiatry, Neurology, Radiology, General Surgery, and OB/Gyn

ATTch. 2

§ 148-32.1. Local confinement, costs, alternate facilities, parole, work release.

(a) The Department of Correction shall pay each local confinement facility a standard sum set by the General Assembly in its appropriation acts at a per day, per inmate rate, for the cost of providing food, clothing, personal items, supervision and necessary ordinary medical services to those inmates committed to the custody of the local confinement facility to serve sentences of 30 days or more. This reimbursement shall not include any period of detention prior to actual commitment by the sentencing court. The Department shall also pay to the local confinement facility extraordinary medical expenses incurred for the inmates, defined as follows:

(1) Medical expenses incurred as a result of providing health care to an inmate as an inpatient (hospitalized);

(2) Other medical expenses when the total cost exceeds thirty-five dollars ($35.00) per occurrence or illness as a result of providing health care to an inmate as an outpatient (nonhospitalized); and

(3) Cost of replacement of eyeglasses and dental prosthetic devices if those eyeglasses or devices are broken while the inmate is incarcerated, provided the inmate was using the eyeglasses or devices at the time of his commitment and then only if prior written consent of the Department is obtained by the local facility.

(b) In the event that the custodian of the local confinement facility certifies in writing to the clerk of the superior court in the county in which said local confinement facility is located that the local confinement facility is filled to capacity, or that the facility cannot reasonably accommodate any more prisoners due to segregation requirements for particular prisoners, or that the custodian anticipates, in light of local experiences, an influx of temporary prisoners at that time, or if the local confinement facility does not meet the minimum standards published pursuant to G.S. 153A-221, any judge of the district court in the district court district as defined in G.S. 7A-133 where the facility is located, or any superior court judge who has jurisdiction pursuant to G.S. 7A-47.1 or [G.S.] 7A-48 in a district or set of districts as defined in G.S. 7A-41.1 where the facility is located may order that the prisoner be transferred to any other qualified local confinement facility within that district or within another such district where space is available, including a satellite jail unit operated pursuant to G.S. 153A-230.3 if the prisoner is a non-violent misdemeanant, which local facility shall accept the transferred prisoner, if the prison population has exceeded a manageable level as provided for in G.S. 148-4.1(a). If no such local confinement facility is available, then any such judge may order the prisoner transferred to such camp or facility as the proper authorities of the Department of Correction shall designate, notwithstanding that the term of imprisonment of the prisoner is 90 days or less. In no event, however, shall a prisoner whose term of imprisonment is less than 30 days be assigned or ordered transferred to any such camp or facility.

(c) When a prisoner sentenced for a conviction of impaired driving under G.S. 20-138.1 is assigned to a local confinement facility pursuant to this section, the clerk of the superior court in the county in which the sentence was imposed shall immediately forward a copy of the commitment order to the Post-Release Supervision and Parole Commission so that the prisoner will be eligible for parole pursuant to G.S. 15A-1371.

(d) When a prisoner serving a sentence of 30 days or more in a local confinement facility is placed on work release pursuant to a recommendation of the sentencing court, the custodian of

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the facility shall forward the prisoner's work-release earnings to the Department of Correction, which shall disburse the earnings as determined under G.S. 148-33.1(f). When a prisoner serving a sentence of 30 days or more in a local confinement facility is placed on work release pursuant to an order of the sentencing court, the custodian of the facility shall forward the prisoner's work-release earnings to the clerk of the court that sentenced the prisoner or to the Department of Correction, as provided in the prisoner's commitment order. The clerk or the Department, as appropriate, shall disburse the earnings as provided in the prisoner's commitment order. Upon agreement between the Department of Correction and the custodian of the local confinement facility, however, the clerk may disburse to the local confinement facility the amount of the earnings to be paid for the cost of the prisoner's keep, and that amount shall be set off against the reimbursement to be paid by the Department to the local confinement facility pursuant to G.S. 148-32.1(a).

(e) Upon entry of a prisoner serving a sentence of imprisonment for impaired driving under G.S. 20-138.1 into a local confinement facility pursuant to this section, the custodian of the local confinement facility shall forward to the Post-Release Supervision and Parole Commission information pertaining to the prisoner so as to make him eligible for parole consideration pursuant to G.S. 15A-1371. Such information shall include date of incarceration, jail credit, and such other information as may be required by the Post-Release Supervision and Parole Commission. The Post-Release Supervision and Parole Commission shall approve a form upon which the custodian shall furnish this information, which form will be provided to the custodian by the Department of Correction.

(1977, c. 450, s. 3; c. 925, s. 2; 1981, c. 859, s. 25; 1985, c. 226, s. 3(1), (2); 1985 (Reg. Sess., 1986), c. 1014, ss. 199, 201(e); 1987, c. 7, s. 2; 1987 (Reg. Sess., 1988), c. 1037, s. 120; c. 1100, s. 17.4(a); 1989, c. 1, s. 2; c. 761, s. 3; 1991, c. 217, s. 6; 1993, c. 538, s. 33; 1994, Ex. Sess., c. 14, s. 65; c. 24, s. 14(b); 1995, c. 324, s. 19.9(f).)

Editor's Note. - Session Laws 1987, c. 7, s. 6, as amended by Session Laws 1989, c. 1, s. 2, had provided that the amendment to subsection (b) of this section by s. 2 of the act would expire July 1, 1991, unless reenacted by the General Assembly. However, the expiration provision was deleted by Session Laws 1991, c. 217, s. 6.

Session Laws 1993, c. 538, which amended this section, in s. 56, as amended by Session Laws 1994, Extra Session, c. 24, s. 14(b), provides: "This act becomes effective October 1, 1994, and applies only to offenses occurring on or after that date. Prosecutions for, or sentences based on, offenses occurring before the effective date of this act are not abated or affected by the repeal or amendment in this act of any statute, and the statutes that would be applicable to those prosecutions or sentences but for the provisions of this act remain applicable to those prosecutions or sentences."

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N.C. Department of Corr[redacted]
Summary of Permanent Po[redacted]s
Created from Use of Contractual Funds
For FY's 1995-96, and Thru Dec. 31, of FY 1996-97

Approval Date	606 #	Position Title	Position #	Annual Budgeted Salary	Fringe on Salaries	Total Sal and Fringe	Annual $ Cancelled Contracts	COST REDUCTION
18-Jun-96	120067	Nurse Clinician II	14023	36,728	8,523	45,251	46,680	1,429
01-Mar-96	120042	Pharmacy Technician	14217	18,735				
01-Mar-96	120042	Pharmacist II	14215	42,676				
01-Mar-96	120042	Pharmacist II	32598	42,676				
01-Mar-96	120042	Pharmacy Technician	32599	18,735				
01-Mar-96	120042	Pharmacy Services Mgr. I	32597	46,759				
01-Mar-96	120042	Staff Psychologist II	22451	34,296				
Total on 606 # 120042				203,877	48,092	251,969	268,080	16,111
29-Nov-95	120031	Physician III-B	31416	67,248	14,163	81,411	95,960	14,549
23-Oct-95	120021	Physician III-A (reallocation)	31076	106,413	21,401	127,814	154,619	26,805
04-Oct-95	120019	Pharmacist II	31214	41,838				
04-Oct-95	120019	Pharmacy Technician	31216	18,368				
Total on 606 # 120019				60,206	14,598	74,804	78,028	3,224
04-Oct-95	120018	Pharmacist II	14212	41,838				
04-Oct-95	120018	Pharmacist II	14213	41,838				
Total on 606 # 120018				83,676	18,935	102,611	109,484	6,873
04-Oct-95	120010	Physician III-A	52087	94,444	19,189	113,633	200,316	86,683
GRAND TOTAL								155,672

ATT. 3

ATT 2
11/20/97

[redacted]315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
10:48:48
PAGE 1

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
ECO (2010)										
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
NC CI WOMEN (3010)										
AIDS	11	1	10	0	0	2	9	0	0	0
AIDS/HTB	2	0	2	0	0	0	1	0	1	0
TOTAL AIDS	13	1	12	0	0	2	10	0	1	0
HIV	36	4	31	1	0	5	29	2	0	0
TOTAL HIV & AIDS	49	5	43	1	0	7	39	2	1	0
[redacted]CCW (3020)										
AIDS	3	0	3	0	0	0	3	0	0	0
TOTAL AIDS	3	0	3	0	0	0	3	0	0	0
HIV	3	0	3	0	0	0	2	1	0	0
TOTAL HIV & AIDS	6	0	6	0	0	0	5	1	0	0
RALEIGH CCW (3030)										
HIV	2	0	2	0	0	0	2	0	0	0
TOTAL HIV & AIDS	2	0	2	0	0	0	2	0	0	0
NEUSE CI (3040)										
AIDS	3	0	3	0	0	0	3	0	0	0
AIDS/HTB	1	0	0	1	0	0	1	0	0	0
TOTAL AIDS	4	0	3	1	0	0	4	0	0	0
HIV	4	0	4	0	0	0	4	0	0	0
TOTAL HIV & AIDS	8	0	7	1	0	0	8	0	0	0

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
JAN RIVER WORK FARM (3080)										
AIDS	2	0	1	1	0	0	2	0	0	0
TOTAL AIDS	2	0	1	1	0	0	2	0	0	0
HIV	6	0	6	0	0	1	5	0	0	0
TOTAL HIV & AIDS	8	0	7	1	0	1	7	0	0	0
CENTRAL PRISON (3100)										
AIDS	17	0	17	0	0	1	15	0	0	0
TOTAL AIDS	17	0	17	0	0	1	15	0	0	0
HIV	28	1	24	1	0	2	26	0	0	0
TOTAL HIV & AIDS	45	1	41	1	0	3	41	0	0	0
CALEDONIA CI (3305)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	8	0	5	0	0	1	7	0	0	0
TOTAL HIV & AIDS	9	0	6	0	0	1	8	0	0	0
ODOM CI (3310)										
AIDS	3	0	3	0	0	2	2	1	0	0
TOTAL AIDS	3	0	3	0	0	2	2	1	0	0
HIV	1	0	0	1	0	0	1	0	0	0
TOTAL HIV & AIDS	4	0	3	1	0	2	3	1	0	0

MSSR315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
10:24.40
PAGE 3

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
TILLERY CC (3320)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	6	0	5	1	0	0	5	0	0	0
TOTAL HIV & AIDS	7	0	6	1	0	0	7	0	0	0
EASTERN CI (3400)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	8	0	7	1	0	0	8	0	0	0
TOTAL HIV & AIDS	9	0	8	1	0	0	9	0	0	0
PIEDMONT CI (3500)										
AIDS	4	0	3	1	0	1	3	0	0	0
TOTAL AIDS	4	0	3	1	0	1	3	0	0	0
HIV	8	0	8	0	0	6	2	0	0	0
TOTAL HIV & AIDS	12	0	11	1	0	7	5	0	0	0
BROWN CREEK CI (3510)										
AIDS	7	0	6	1	0	0	7	0	0	0
TOTAL AIDS	7	0	6	1	0	0	7	0	0	0
HIV	10	0	8	2	0	0	10	0	0	0
TOTAL HIV & AIDS	17	0	14	3	0	0	17	0	0	0

MSSR315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
10:24:40
PAGE 4

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
SOUTHERN CI (360C)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	6	1	3	2	0	1	5	0	0	0
TOTAL HIV & AIDS	7	1	4	2	0	1	6	0	0	0
MCCAIN HOSPITAL (3700)										
AIDS	9	0	9	0	0	0	9	0	0	0
AIDS/HIB	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	10	0	10	0	0	0	10	0	0	0
HIV	4	0	4	0	0	1	3	0	0	0
TOTAL HIV & AIDS	14	0	14	0	0	1	13	0	0	0
NASH CI (3710)										
AIDS	5	0	5	0	0	1	4	0	0	0
TOTAL AIDS	5	0	5	0	0	1	4	0	0	0
HIV	11	0	10	1	0	1	10	0	0	0
TOTAL HIV & AIDS	16	0	15	1	0	2	14	0	0	0
MARION CI (3730)										
AIDS	7	0	6	1	0	3	4	0	0	0
TOTAL AIDS	7	0	6	1	0	3	4	0	0	0
HIV	10	1	8	1	0	3	7	0	0	0
TOTAL HIV & AIDS	17	1	14	2	0	6	11	0	0	0

MSSR315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

12/31/97
10:24:40
PAGE 5

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
PASQUOTANK CI (3740)										
AIDS	10	0	9	1	0	1	7	0	0	0
TOTAL AIDS	10	0	9	1	0	1	7	0	0	0
HIV	16	1	14	1	0	7	8	0	0	1
TOTAL HIV & AIDS	26	1	23	2	0	8	17	0	0	1
HARNETT CI (3805)										
AIDS	4	0	2	2	0	1	3	0	0	0
TOTAL AIDS	4	0	2	2	0	1	3	0	0	0
HIV	13	0	13	0	0	1	12	0	0	0
TOTAL HIV & AIDS	17	0	15	2	0	2	15	0	0	0
WESTERN YI (3905)										
AIDS	1	1	0	0	0	0	1	0	0	0
TOTAL AIDS	1	1	0	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	1	0	0	0	0	1	0	0	0
MORRISON YI (3930)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	1	0	0	1	0	0	1	0	0	0
TOTAL HIV & AIDS	2	0	1	1	0	0	2	0	0	0

MSSR315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
10:24:40
PAGE 6

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
POLK YI(NEW)	(3980)									
HIV	1	1	0	0	0	1	0	0	0	0
TOTAL HIV & AIDS	1	1	0	0	0	1	0	0	0	0
[redacted] CC	(4110)									
AIDS	2	0	2	0	0	1	1	0	0	0
TOTAL AIDS	2	0	2	0	0	1	1	0	0	0
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	3	0	3	0	0	1	2	0	0	0
DUPLIN CC	(4125)									
AIDS	1	0	1	0	0	1	0	0	0	0
TOTAL AIDS	1	0	1	0	0	1	0	0	0	0
HIV	4	0	4	0	0	0	3	1	0	0
TOTAL HIV & AIDS	5	0	5	0	0	1	3	1	0	0
GATES CC	(4130)									
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
GREENE CC	(4140)									
AIDS	7	1	4	2	0	0	7	0	0	0
TOTAL AIDS	7	1	4	2	0	0	7	0	0	0
HIV	10	1	8	0	1	1	9	0	0	0
TOTAL HIV & AIDS	17	2	12	2	1	1	16	0	0	0

MSSR315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
10:24:40
PAGE 7

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
PENDER CI (4150)										
AIDS	7	0	6	1	0	0	7	0	0	0
AIDS/MOTI	2	0	2	0	0	0	2	0	0	0
TOTAL AIDS	9	0	8	1	0	0	9	0	0	0
HIV	8	0	6	2	0	3	5	0	0	0
TOTAL HIV & AIDS	17	0	14	3	0	3	14	0	0	0
NEW HANOVER CC (4170)										
AIDS	2	0	2	0	0	1	1	0	0	0
TOTAL AIDS	2	0	2	0	0	1	1	0	0	0
HIV	3	0	2	1	0	1	2	0	0	0
TOTAL HIV & AIDS	5	0	4	1	0	2	3	0	0	0
WAYNE CC (4175)										
AIDS	1	0	0	1	0	0	1	0	0	0
TOTAL AIDS	1	0	0	1	0	0	1	0	0	0
HIV	5	1	4	0	0	1	4	0	0	0
TOTAL HIV & AIDS	6	1	4	1	0	1	5	0	0	0
HYDE CC (4180)										
AIDS	3	0	2	1	0	1	2	0	0	0
TOTAL AIDS	3	0	2	1	0	1	2	0	0	0
HIV	7	1	6	0	0	0	7	0	0	0
TOTAL HIV & AIDS	10	1	8	1	0	1	9	0	0	0

NSSR315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
10:34:40
PAGE 8

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
DURHAM CC (4210)										
HIV	2	0	2	0	0	0	2	0	0	0
TOTAL HIV & AIDS	2	0	2	0	0	0	2	0	0	0
[redacted] CC (4215)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	6	1	4	1	0	0	6	0	0	0
TOTAL HIV & AIDS	7	1	5	1	0	0	7	0	0	0
JOHNSTON CC (4230)										
AIDS	3	0	3	0	0	0	3	0	0	0
TOTAL AIDS	3	0	3	0	0	0	3	0	0	0
HIV	15	0	12	3	0	1	14	0	0	0
TOTAL HIV & AIDS	18	0	15	3	0	1	17	0	0	0
ORANGE CC (4240)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	3	0	3	0	0	0	3	0	0	0
TOTAL HIV & AIDS	4	0	4	0	0	0	4	0	0	0
[redacted] CC (4255)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0

HSSR315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
17:44:40
PAGE 9

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
AKE CC (4265)										
AIDS/HOIT	1	0	1	0	0	0	0	0	0	1
TOTAL AIDS	1	0	1	0	0	0	0	0	0	1
HIV	2	0	1	1	0	0	1	0	0	1
TOTAL HIV & AIDS	3	0	2	1	0	0	1	0	0	2
ARREN CI (4290)										
HIV	3	0	3	0	0	0	3	0	0	0
TOTAL HIV & AIDS	3	0	3	0	0	0	3	0	0	0
OKE CI (4320)										
AIDS	2	0	2	0	0	0	2	0	0	0
TOTAL AIDS	2	0	2	0	0	0	2	0	0	0
HIV	2	1	1	0	0	0	2	0	0	0
TOTAL HIV & AIDS	4	1	3	0	0	0	4	0	0	0
ROBESON CC (4340)										
AIDS	1	0	0	1	0	0	1	0	0	0
TOTAL AIDS	1	0	0	1	0	0	1	0	0	0
HIV	2	0	2	0	0	1	1	0	0	0
TOTAL HIV & AIDS	3	0	2	1	0	1	2	0	0	0
S C1 (4345)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	6	0	5	0	0	1	5	0	0	0
TOTAL HIV & AIDS	7	0	6	0	0	1	6	0	0	0

MSSR315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
10:24:40
PAGE 10

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
OLUMBUS CI (4355)										
HIV	9	1	8	0	0	0	8	1	0	0
TOTAL HIV & AIDS	9	1	8	0	0	0	8	1	0	0
ANSOM CC (4360)										
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
UMBERTON CI (4365)										
AIDS	2	0	1	1	0	0	2	0	0	0
TOTAL AIDS	2	0	1	1	0	0	2	0	0	0
HIV	8	0	7	1	0	3	4	1	0	0
TOTAL HIV & AIDS	10	0	8	2	0	3	6	1	0	0
LAMANCE CC (4410)										
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
ASWELL CC (4415)										
AIDS	5	0	4	1	0	1	4	0	0	0
TOTAL AIDS	5	0	4	1	0	1	4	0	0	0
HIV	5	0	5	0	0	0	5	0	0	0
L HIV & AIDS	10	0	9	1	0	1	9	0	0	0

MSSR315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
10:24:40
PAGE 13

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
DAVIDSON CC (4420)										
AIDS	6	0	4	2	0	2	4	0	0	0
TOTAL AIDS	6	0	4	2	0	2	4	0	0	0
HIV	6	1	5	0	0	0	6	0	0	0
TOTAL HIV & AIDS	12	1	9	2	0	2	10	0	0	0
RANDOLPH CC (4445)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	2	0	2	0	0	0	2	0	0	0
STOKES CC (4455)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
YADKIN CC (4460)										
AIDS	1	0	1	0	0	0	0	0	0	1
TOTAL AIDS	1	0	1	0	0	0	0	0	0	1
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	2	0	2	0	0	0	1	0	0	1

NSSR315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
10:24:40
PAGE 12

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
ABARRUS CC (4510)										
AIDS	2	0	2	0	0	1	1	0	0	0
TOTAL AIDS	2	0	2	0	0	1	1	0	0	0
HIV	3	0	3	0	0	1	2	0	0	0
TOTAL HIV & AIDS	5	0	5	0	0	2	3	0	0	0
GASTON CC (4515)										
AIDS	1	0	1	0	0	1	0	0	0	0
TOTAL AIDS	1	0	1	0	0	1	0	0	0	0
HIV	2	0	1	1	0	0	2	0	0	0
TOTAL HIV & AIDS	3	0	2	1	0	1	2	0	0	0
IREDELL CC (4520)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
LINCOLN CC (4525)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0

MSSR315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
13:24:40
PAGE 13

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
CHARLOTTE CC (4530)										
AIDS	2	0	1	1	0	1	1	0	0	0
TOTAL AIDS	2	0	1	1	0	1	1	0	0	0
HIV	5	0	5	0	0	0	5	0	0	0
TOTAL HIV & AIDS	7	0	6	1	0	1	6	0	0	0
MECKLENBURG CC (4535)										
HIV	1	0	1	0	0	1	0	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	1	0	0	0	0
PIEDMONT CC (4540)										
AIDS	3	0	3	0	0	1	2	0	0	0
TOTAL AIDS	3	0	3	0	0	1	2	0	0	0
HIV	5	0	3	0	0	1	4	0	0	0
TOTAL HIV & AIDS	8	0	6	0	0	2	6	0	0	0
STANLY CC (4545)										
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
UNION CC (4550)										
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0

MSSR315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
10:34:40
PAGE 14

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
LEVELAND CC (4560)										
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
NSON CC (4570)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	5	0	4	1	0	0	4	1	0	0
TOTAL HIV & AIDS	6	0	5	1	0	0	5	1	0	0
ALDWELL CC (4625)										
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
RAGGY CC (4630)										
AIDS	2	0	2	0	0	1	1	0	0	0
TOTAL AIDS	2	0	2	0	0	1	1	0	0	0
HIV	2	0	2	0	0	1	1	0	0	0
TOTAL HIV & AIDS	4	0	4	0	0	2	2	0	0	0
HAYWOOD CC (4640)										
HIV	2	0	2	0	0	1	1	0	0	0
L HIV & AIDS	2	0	2	0	0	1	1	0	0	0

MSSR315(83)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
10:38:40
PAGE 15

FACILITY: - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
RUTHERFORD CC (4655)										
HIV	1	0	1	0	0	1	0	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	1	0	0	0	0
SANCEY CC (4670)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
BUNCOMBE CC (4675)										
AIDS	1	0	1	0	0	1	0	0	0	0
TOTAL AIDS	1	0	1	0	0	1	0	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	1	0	0	0	0
MARY FRANCES CENTER (4810)										
HIV	3	1	2	0	0	1	2	0	0	0
TOTAL HIV & AIDS	3	1	2	0	0	1	2	0	0	0
RIGHT TURN OF NC (4820)										
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0

MSGR315(93)

NORTH CAROLINA DEPARTMENT OF CORRECTION
HEALTH SERVICES SECTION
AIDS & HIV SUMMARY
C O N F I D E N T I A L

10/31/97
13:24:40
PAGE 16

CILITY: - STATEWIDE

ACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
AIDS	157	3	136	18	0	23	132	1	0	1
AIDS/MTB	4	0	3	1	0	0	3	0	1	0
AIDS/NOTI	3	0	3	0	0	0	2	0	0	1
TOTAL AIDS	164	3	142	19	0	23	137	1	1	2
HIV	327	17	265	24	1	49	267	2	3	2
TOTAL HIV & AIDS	491	20	407	43	1	72	404	10	4	4

ATT. 3
11/20/97

North Carolina Department of Correction
Research and Planning
P. O. Box 29540 • Raleigh, North Carolina 27626-0540
James B. Hunt Jr., Governor Kenneth L. Parker, Manager Franklin Freeman, Secretary

MEMORANDUM
April 30, 1996

TO: Bob Greene/Warren Light

FROM: Frank Proctor

RE: Resident Prison Population Age Projections

Per your request, I have reviewed prison population projections in terms of age groupings. Some explanation of the approach used in the exercise is appropriate.

The overall age distribution of the prison population has been consistent in past years. As such, the initial assumption for this exercise is that the historical age distribution will continue in future years. Arguments can be made that this assumption is overly conservative, in that some aspects of the Structured Sentencing law could contribute to an overall shift to an older population at some point. However, the bulk of prison admissions have convictions in the less serious crime classes and as such will not serve long sentences. The biggest majority of admissions are under age 35. The Fair Sentencing Law, implemented in the early 1980's lengthened parole eligibility for Life Sentences to 20 years. Although none of these Lifers has become eligible for parole as of yet, there has been no observed shift to an older population. Lastly, the general population age proportion as a consequence of children born to "baby boomers" has resulted in a shift toward a younger population which may be reflected in future prison admissions. In short, while Structured Sentencing creates the potential for population aging, other factors exist which may counter balance that potential.

For this exercise, population projections developed by the Sentencing Commission were used, with a straight line projection added for years 2006 through 2010 (reference attachment). Population age groups for the past five years were tabulated, and the proportion of each age group was averaged. The resulting average was then applied to the overall population projections to project future population by age group. The results are outlined in the attached table.

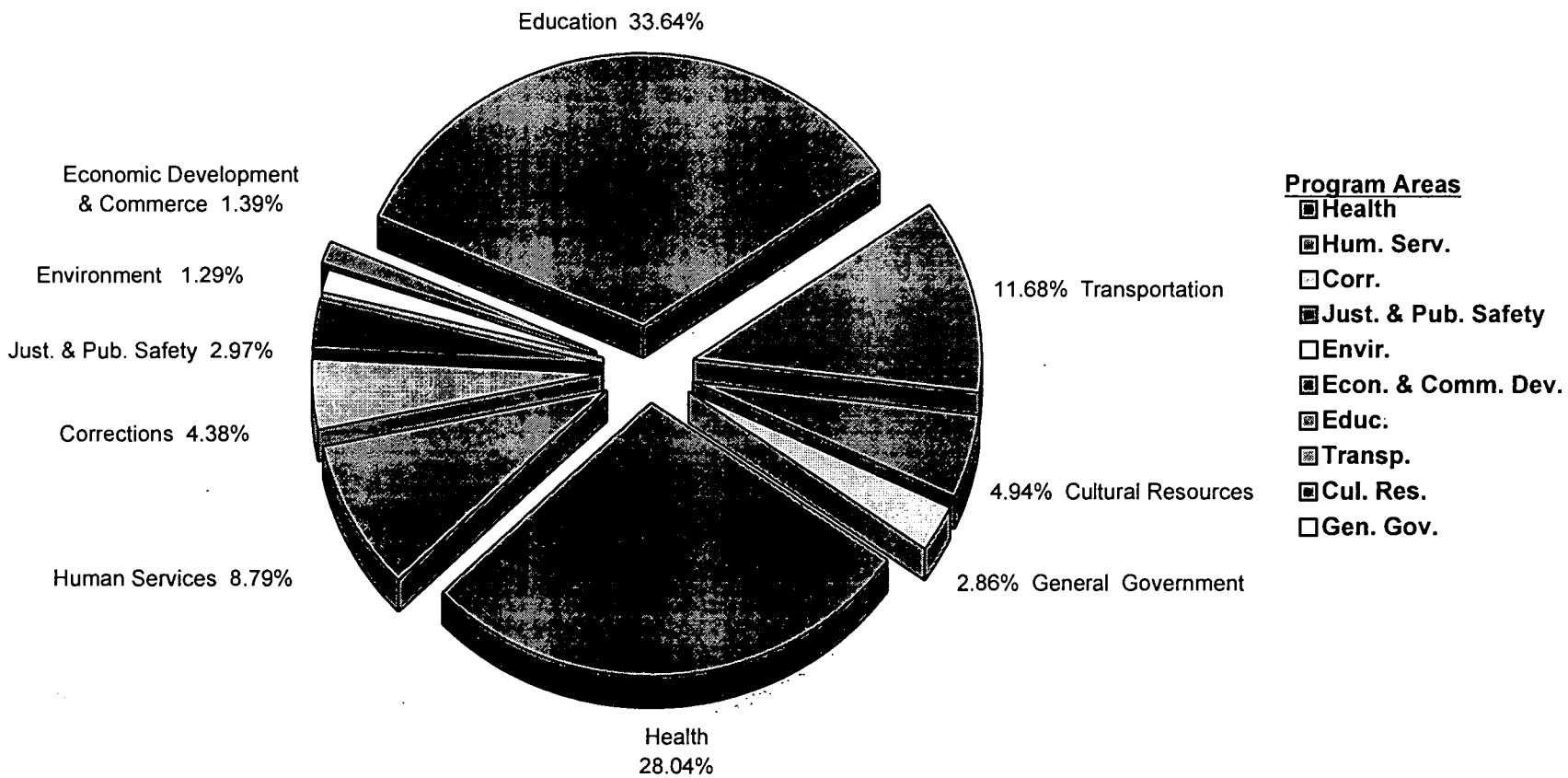
Please advise if further information is needed. I hope this data will meet your immediate needs.

cc: file

Projected Resident Population By Age Group
(Based on Historical Trend and Overall Population Projections)

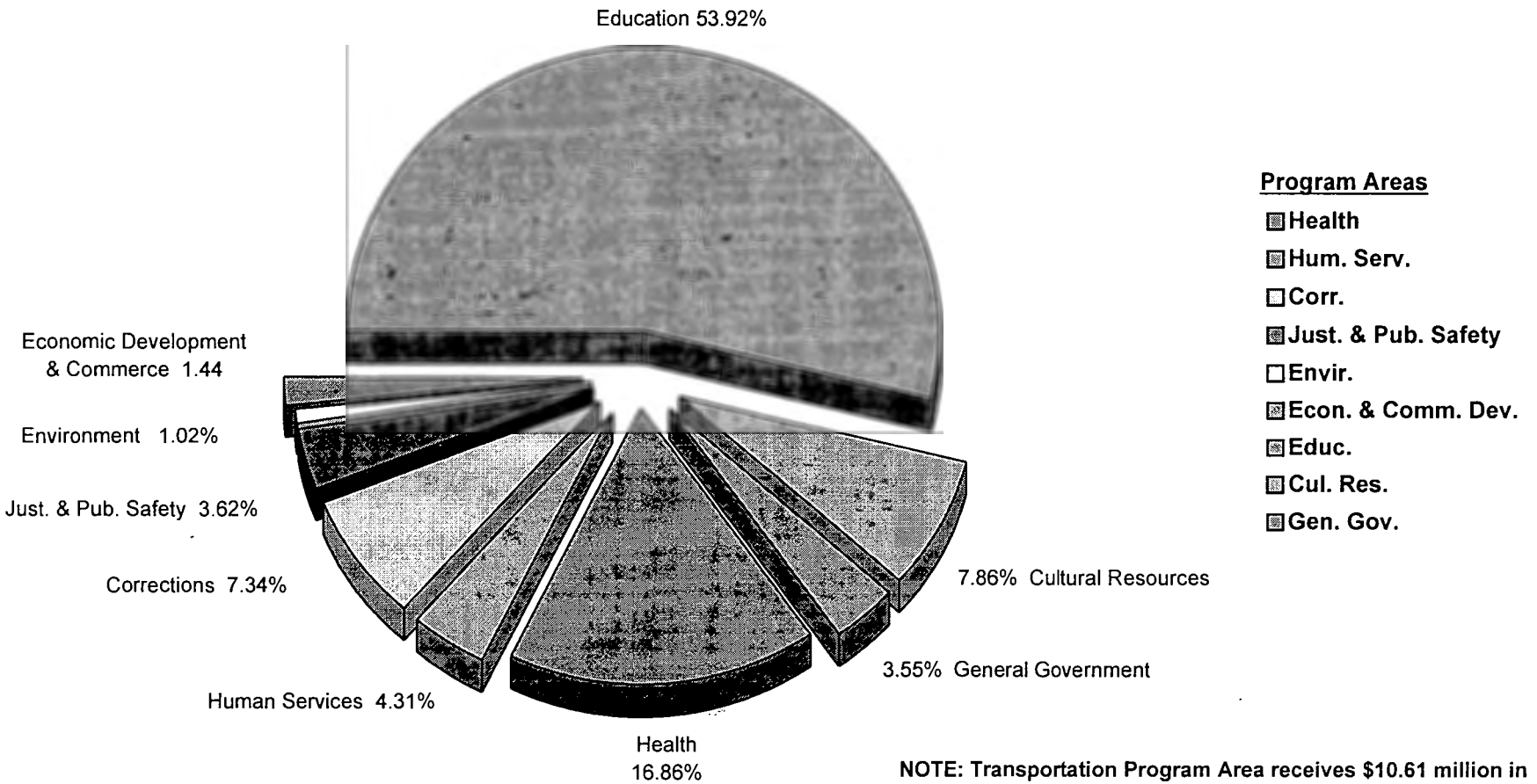
	< 18	18-21	22-25	26-30	31-35	36-40	41-45	46-50	51-55	> 55
Age Group Percentages (Historical)										
1991	1.5%	13.8%	16.7%	22.6%	18.4%	12.1%	7.4%	3.5%	1.9%	2.1%
1992	1.7%	14.6%	16.7%	21.5%	18.4%	12.5%	7.2%	3.4%	1.8%	2.1%
1993	1.6%	13.6%	17.6%	20.9%	18.8%	12.6%	7.5%	3.6%	1.8%	2.0%
1994	1.9%	12.9%	17.6%	20.0%	18.8%	13.1%	7.6%	4.1%	2.0%	2.1%
1995	1.5%	12.3%	17.4%	20.0%	18.9%	13.6%	8.0%	4.2%	2.0%	2.2%
Average	1.6%	13.4%	17.2%	21.0%	18.7%	12.8%	7.5%	3.8%	1.9%	2.1%
Age Group Projections (Population totals for years 1996-2005 based on Sentencing Commission Projections)										
1996 (33408)	548	4,490	5,746	7,016	6,234	4,270	2,519	1,256	635	702
1997 (35522)	583	4,774	6,110	7,460	6,628	4,540	2,678	1,336	675	746
1998 (33626)	551	4,519	5,784	7,061	6,275	4,297	2,535	1,264	639	706
1999 (32814)	538	4,410	5,644	6,891	6,123	4,194	2,474	1,234	623	689
2000 (32466)	532	4,363	5,584	6,818	6,058	4,149	2,448	1,221	617	682
2001 (32600)	535	4,381	5,607	6,846	6,083	4,166	2,458	1,226	619	685
2002 (33781)	554	4,540	5,810	7,094	6,304	4,317	2,547	1,270	642	709
2003 (35163)	577	4,726	6,048	7,384	6,561	4,494	2,651	1,322	668	738
2004 (36401)	597	4,892	6,261	7,644	6,792	4,652	2,745	1,369	692	764
2005 (37803)	620	5,081	6,502	7,939	7,054	4,831	2,850	1,421	718	794
(Projections beyond 2005 are 'straight line' based on trend)										
2006 (39142)	644	5,261	6,732	8,220	7,304	5,002	2,951	1,472	744	822
2007 (40482)	664	5,441	6,963	8,501	7,554	5,174	3,052	1,522	769	850
2008 (41821)	686	5,621	7,193	8,782	7,804	5,345	3,153	1,572	795	878
2009 (43161)	708	5,801	7,424	9,064	8,054	5,516	3,254	1,623	820	906
2010 (44500)	730	5,981	7,654	9,345	8,304	5,687	3,355	1,673	846	935

1997-98 Certified State Budget
by Program Area
(Total requirements)



ATT. 5
11/20/97

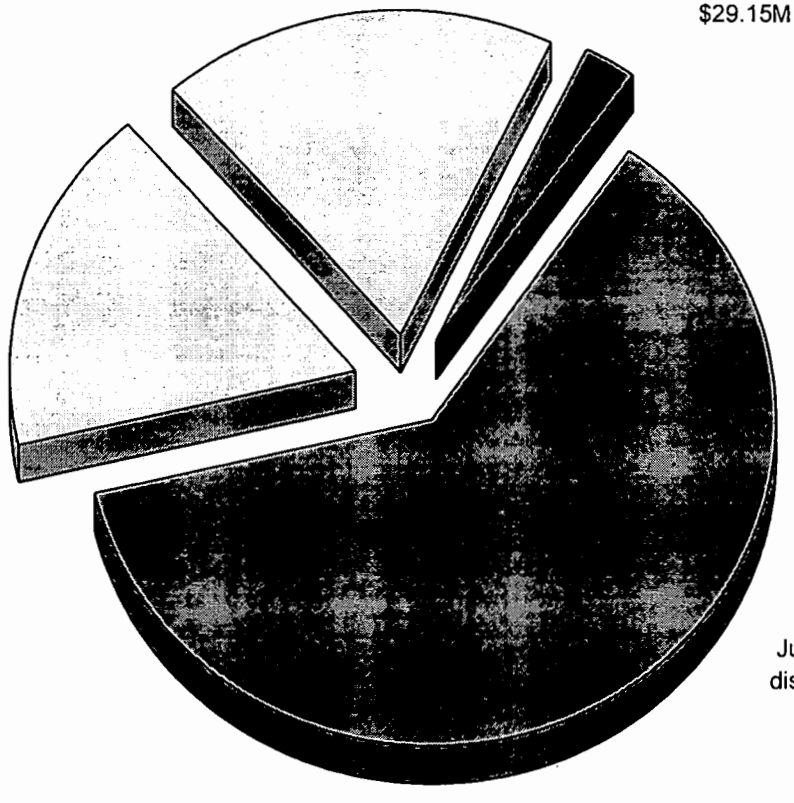
1997-98 Certified State Budget
by Program Area
(Appropriations)



NOTE: Transportation Program Area receives $10.61 million in state appropriations.

1997-98
Justice and Public Safety Program Area
by Program

(Total requirements / Certified / In millions)



NOTE: Support services and administrative functions as well as reserves and other accounting funds total $ 47.20 M, or 7.29% of program area total.

FY 1997-98 Certified State Budget
by
Program Area
(in millions)

Program Area	Total Requirements	Percentage	Receipts	Percentage	Appropriations	Percentage
Health	$6,110.01	28.05	$4,164.30	50.62	$1,945.71	16.83
Human Services	$1,915.02	8.79	$1,416.51	17.22	$498.51	4.31
Corrections	$954.08	4.38	$105.38	1.28	$848.70	7.34
Justice & Public Safety	$647.45	2.97	$228.66	2.78	$418.79	3.62
Environment	$281.46	1.29	$163.54	1.99	$117.92	1.02
Econ. Dev. & Commerce	$302.62	1.39	$135.42	1.65	$167.20	1.45
Education	$7,328.33	33.64	$1,093.01	13.29	$6,235.32	53.92
Transportation	$2,543.91	11.68	$539.73	6.56	$10.61	0.09
Cultural Resources	$1,076.91	4.94	$167.32	2.03	$909.59	7.87
General Government	$623.79	2.86	$213.00	2.59	$410.79	3.55
Total	**$21,783.58**	**100.00**	**$8,226.87**	**100.00**	**$11,563.14**	**100.00**

ATT. 6
11/20/97

PERFORMANCE BUDGETING LEVEL: JUSTICE & PUBLIC SAFETY

Program Area: Justice and Public Safety
P/PB Goal 2: Protect Public Safety
Program: 4300 Protect Society Against Crime
Subprogram: 4310 Prevent Crime

P/PB Objective 1 (4300.03): Reduce rate of motor vehicle *accidents* (attributable to unlawful acts)
Associated Departmental Goal(s): 1, 2, 5
Associated Divisional Goal(s): 1, 2, 3, 4
P/PB Objective 2 (4300.04): Reduce rate of *fatalities* attributable to motor vehicle accidents
Associated Departmental Goal(s): 1, 2, 5
Associated Divisional Goal(s): 1, 2, 3, 4
P/PB Objective 3 (4300.05): Reduce rate of *injuries* attributable to motor vehicle accidents
Associated Departmental Goal(s): 1, 2, 5
Associated Divisional Goal(s): 1, 2, 3, 4
Fund(s) contributing to objective(s): 4900-2610
Organization unit(s): State Highway Patrol

DEPARTMENT LEVEL: DEPARTMENT OF CRIME CONTROL and PUBLIC SAFETY

Mission Statement

The mission of the Department of Crime Control and Public Safety is to ensure public safety; to plan, prepare and coordinate response and recovery efforts in the event of a disaster due to natural or man-made causes; to control crime, through fostering cooperation among law enforcement agencies; to enforce those regulations and laws within its jurisdiction; to manage its resources to support crime prevention efforts, and to assist innocent victims of crime (G.S. 143B-474).

Goals

The department has six primary goals:

1. Prevent and reduce crime and enhance the effectiveness of the criminal justice system in North Carolina.
2. Assure the safe, convenient and efficient transportation of people and products on state highways.
3. Improve and enhance victims' services in North Carolina.
4. Coordinate emergency management functions during man-made emergencies and natural disasters statewide, and facilitate the location of missing persons.
5. Allocate departmental resources in an efficient manner so as to provide the best service possible for North Carolina citizens.
6. Improve and enhance the quality of life and protect the rights and liberties of patients, employees, inmates, students, and citizens in the Butner jurisdiction.

DIVISION LEVEL: NORTH CAROLINA STATE HIGHWAY PATROL

Mission Statement

The mission of the North Carolina Highway Patrol is to ensure safe, efficient transportation on our streets and highways, respond to natural and manmade disasters, and to reduce crime throughout our state. This mission will be accomplished in partnership with the citizens of North Carolina, through reasonable and prudent law enforcement and quality service based upon high ethical, professional and legal standards.

Goals

The division has four primary goals:

1. Prevent and reduce crime throughout North Carolina.
2. Ensure safe and efficient transportation on North Carolina streets and highways.
3. Maximize and improve personnel resources and services.
4. Expand the use of technology to increase effectiveness and utilize resources more effectively.

Example 1

P/PB Goal:	(Protect Public Safety)
P/PB Objective1 (4310-03):	Reduce rate of motor vehicle accidents
Departmental Goal 1:	Prevent and reduce crime
Departmental Goal 2:	Ensure safe transportation
Divisional Goal 1:	Prevent and reduce crime
Divisional Goal 2:	Ensure safe transportation
Divisional Objective:	*Reduce alcohol-related collisions by 2% by 1999*
Divisional Strategy:	*Selective enforcement targeting drinking drivers*
Divisional Activity1:	*Implement use of B.A.T.mobile for DWI efforts*
Divisional Activity2:	*Implement zone operations information programs*
Divisional Activity3:	*Coordinate activities with Highway Safety project*

Example 2

P/PB Goal:	(Protect Public Safety)
P/PB Objective1 (4310-03):	Reduce rate of motor vehicle accidents
Departmental Goal 1:	Prevent and reduce crime
Departmental Goal 2:	Ensure safe transportation
Divisional Goal 1:	Prevent and reduce crime
Divisional Goal 2:	Ensure safe transportation
Divisional Objective:	*Reduce aggressive driver incidents by 2% by 1999*
Divisional Strategy:	*Selective enforcement targeting aggressive drivers*
Divisional Activity1:	*Specified zone operations programs implemented*

Innovations: Maximize technology (e.g., Mobile Data Network, 800 MHz voice network statewide, CJIN, digital mapping, Global Positioning Communications System, computerized DMV collision data, link SHP-TSI and CC & PS-PIO, link SHP and DOT, vehicle video cameras, FLIR, LAN, etc.).

Performance Budgeting Classification

P/PB Goal : Protect Public Safety
P/PB Program: 4300 Protect Against Crime
P/PB Subprogram: 4310 Prevent Crime
Department: 4900 Crime Control & Public Safety
Division: 4960 State Highway Patrol
Fund(s): 2610 Highway Patrol
1997-98 Certified: $119.46
1998-99 Certified: $116.22

Performance Budgeting Funding (requirements)			**1997-98**	**1998-99**
PROGRAM AREA:	**4000**	**Justice & Public Safety**	**$647.45**	**$643.36**
PROGRAM GOAL:	********	**Protect Public Safety**	**$240.37**	**$233.64**
PROGRAM:	**4300**	**Protect Against Crime**	**$211.22**	**$204.49**
SUBPROGRAM:	**4310**	**Prevent Crime**	**$150.70**	**$147.45**
DEPARTMENT:	**4900**	**Crime Control**	**$196.52**	**$193.48**
DIVISION:	**4960**	**State Highway Patrol**	**$119.46**	**$116.22**

State Highway Patrol Budget Highlights

1997-98 Budget Overview

Joint Interim Appropriations Subcommittee on Justice and Public Safety
November 20, 1997

ATT. 7
11/20/97

State Highway Patrol Budget

Highlights

- **There are 1,764 positions within the State Highway Patrol for 1997-98.**
  - *Of the 1,764 positions, 1,380 are sworn law enforcement officers.*
- **The 1997-98 Certified Budget for the State Highway Patrol is $120,902,289.**
  - *98% of these funds for the 1997-98 Budget are transferred from the Highway Fund to the State Highway Patrol.*

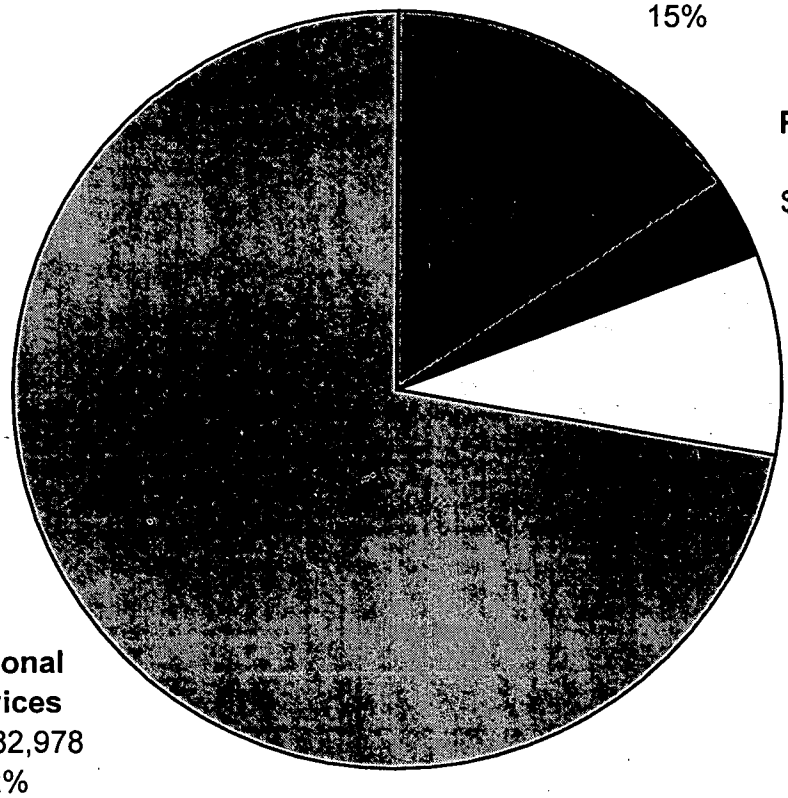
State Highway Patrol Budget

Highlights (Continued)

- **Reserves of $1,445,215 transferred from Highway Fund to pay for automatic merit increase of 5% for all Troopers that have not reached the top of their pay scale.**
  - *677 Troopers will receive this merit increase in 1997-98.*

1997-98 Highway Patrol Certified Budget

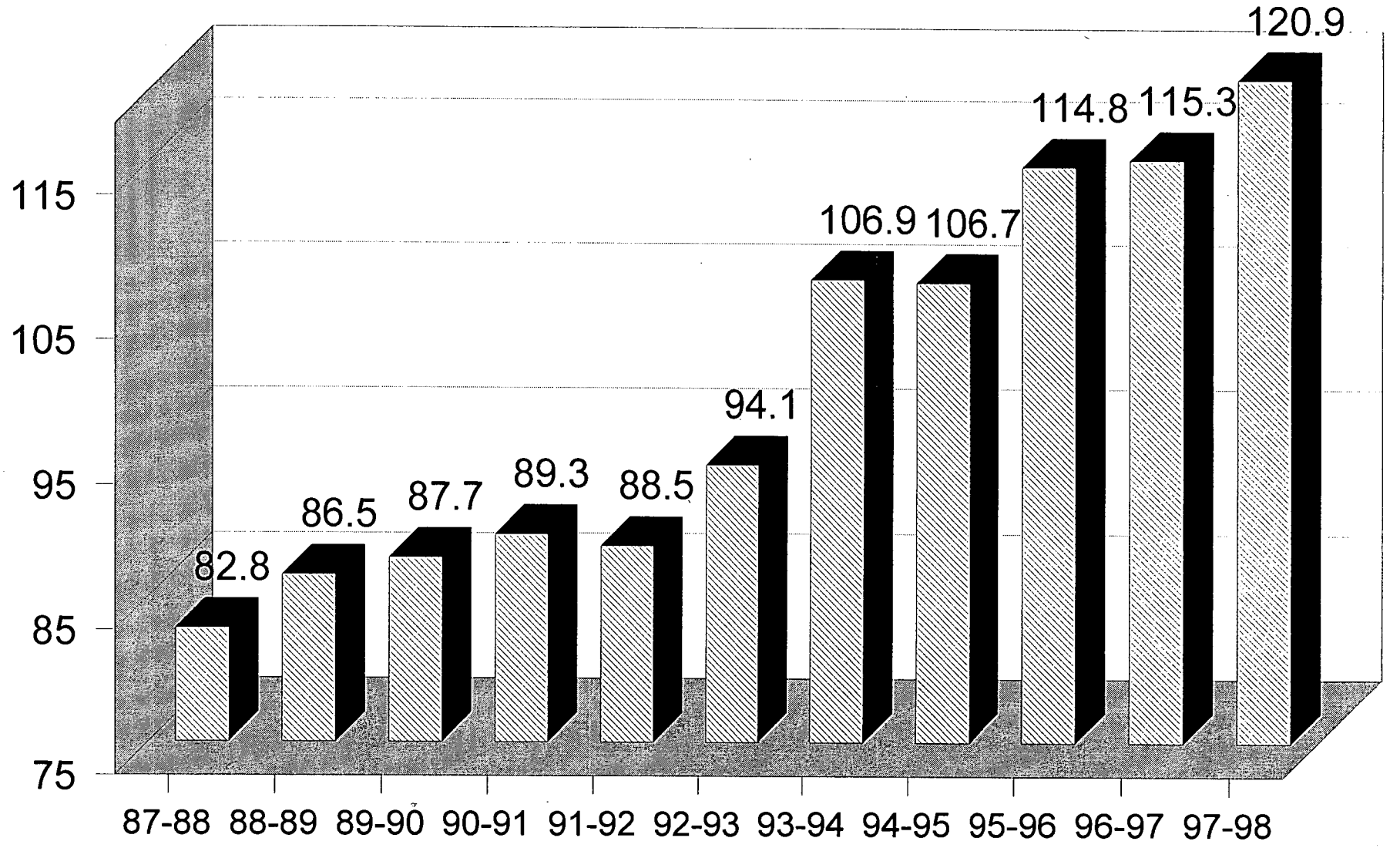
Total Budget: $120,902,289 (Highway Fund)



NORTH CAROLINA HIGHWAY PATROL

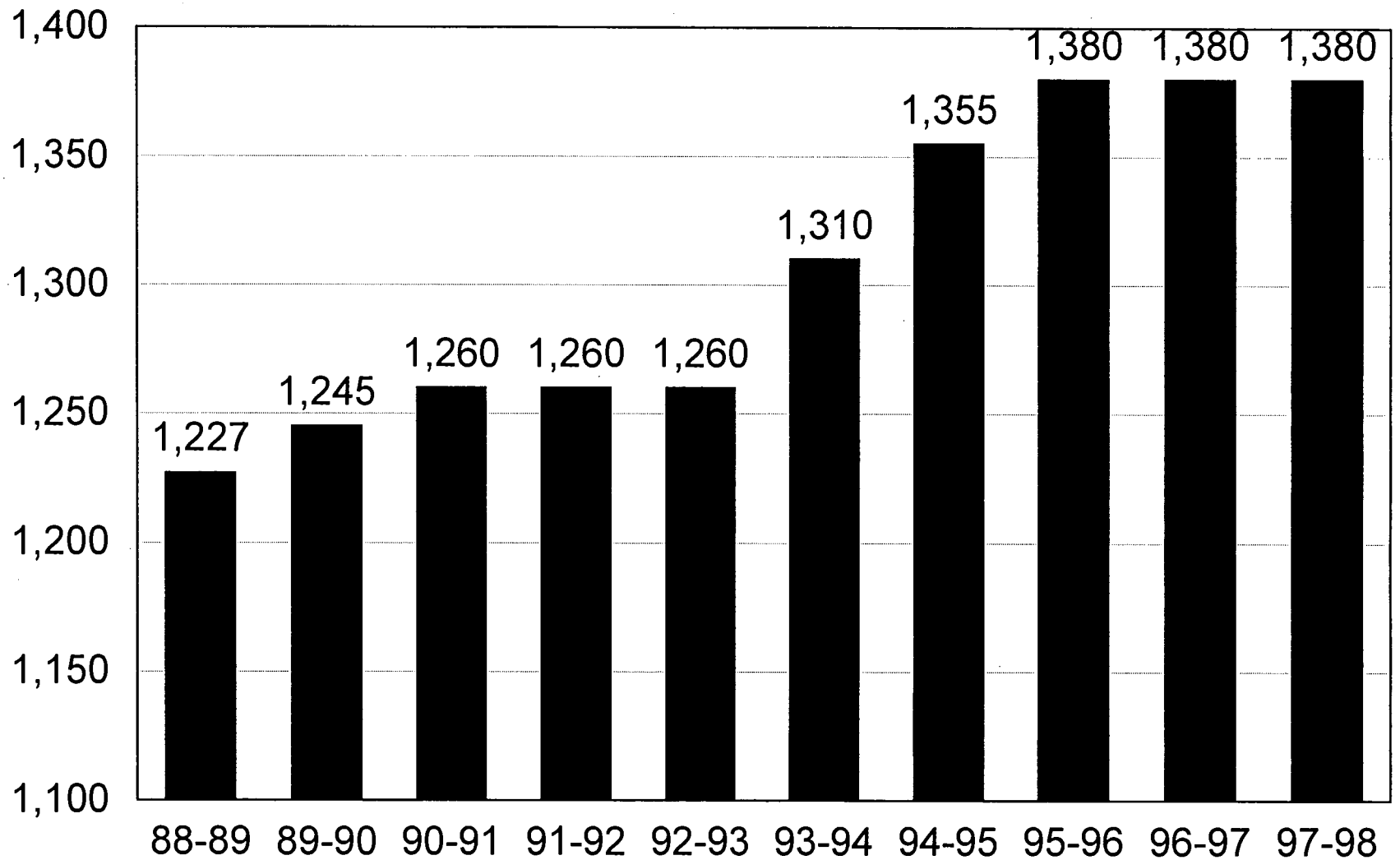
(Highway Fund)

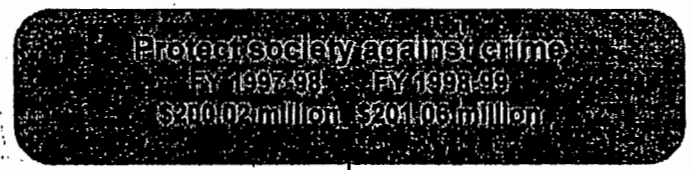
OPERATING BUDGET FY 87/88-97/98



HIGHWAY PATROL

AUTHORIZED TROOPER STRENGTH





Subprograms

Prevent crime	Investigate crime
FY 1997-98 FY 1998-99	FY 1997-98 FY 1998-99
$146.68 million $147.40 million	$ 53.34 million $53.66 million

Objectives

Prevent crime	Investigate crime
1. Increase development of crime prevention projects	1. Increase rate of resolving reported crimes
2. Increase community involvement	2. Increase rate of recovery of stolen property
3. Reduce rate of property damage accidents	3. Increase compliance with regulations and laws (ALE)
4. Reduce rate of deaths caused by motor vehicle accidents	4. Increase enforcement of regulations and laws (ALE)
5. Reduce rate of injuries caused by motor vehicle accidents	5. Increase effectiveness of law enforcement
	6. Increase effectiveness of criminal justice assistance services

4310 Prevent crime

Purpose

The purpose of this sub-program is to provide mechanisms for protecting society from present and future unlawful behavior through the prevention of criminal actions and infractions.

Expected outcomes

The expected outcome of this sub-program is the reduction of unlawful activity (and its impact) through the improved crime-fighting effectiveness of law enforcement agencies and state residents.

Background and trends

Crime remains a major concern among the public. Nationally, the rate of violent crime per 100,000 inhabitants has increased by 41 percent since 1983. North Carolina has experienced similar increases in criminal activity. Although the number of people in the segment of the population that is traditionally viewed as most likely to commit violent crimes (ages 18-25) is declining, the rate of violent crime in North Carolina increased 38 percent from 1980 to 1990 (from 456 per 100,000 to 625 per 100,000). The rate of property crime increased over the same period by 16 percent. As reported in the *1995 Uniform Crime Report for North Carolina* (NC Department of Justice; July 1995), since 1990, there has been a 4.3 percent increase in arrests of women and a 51.3 percent increase in arrests of juveniles.

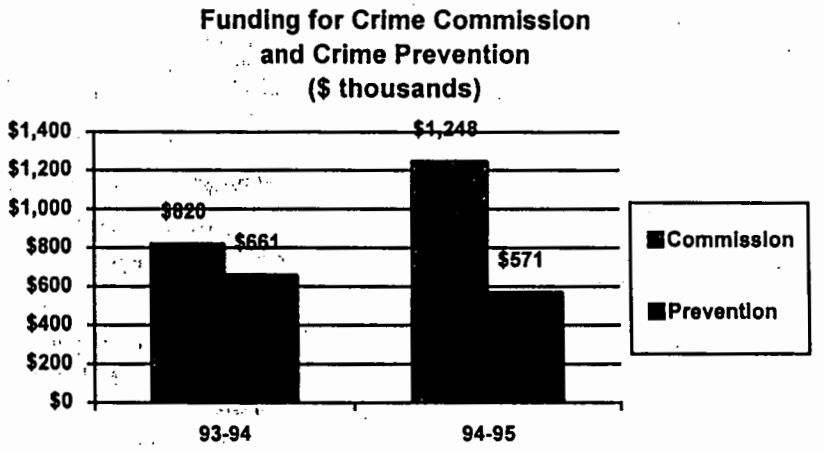
The nature of cases entering the criminal justice system has become increasingly complicated. Multiple factors have contributed to this trend, including the pervasive influence of substance abuse, demands for stricter punishments, and increased effects of poverty. Further, technology-related crime, information technologies (e.g., DNA-typing in the development of evidence), reliance on expert witnesses, involvement of the media, and the complexity of the law have all served to increase the potential for complexity in the criminal justice system.

General demands that may be made upon the state's criminal justice system include the need for more (and better trained) law enforcement officers; the need for more efficient information systems; the increased necessity for forensics, DNA testing, and other methods to analyze criminal evidence; and the heightened need for community involvement in crime prevention efforts.

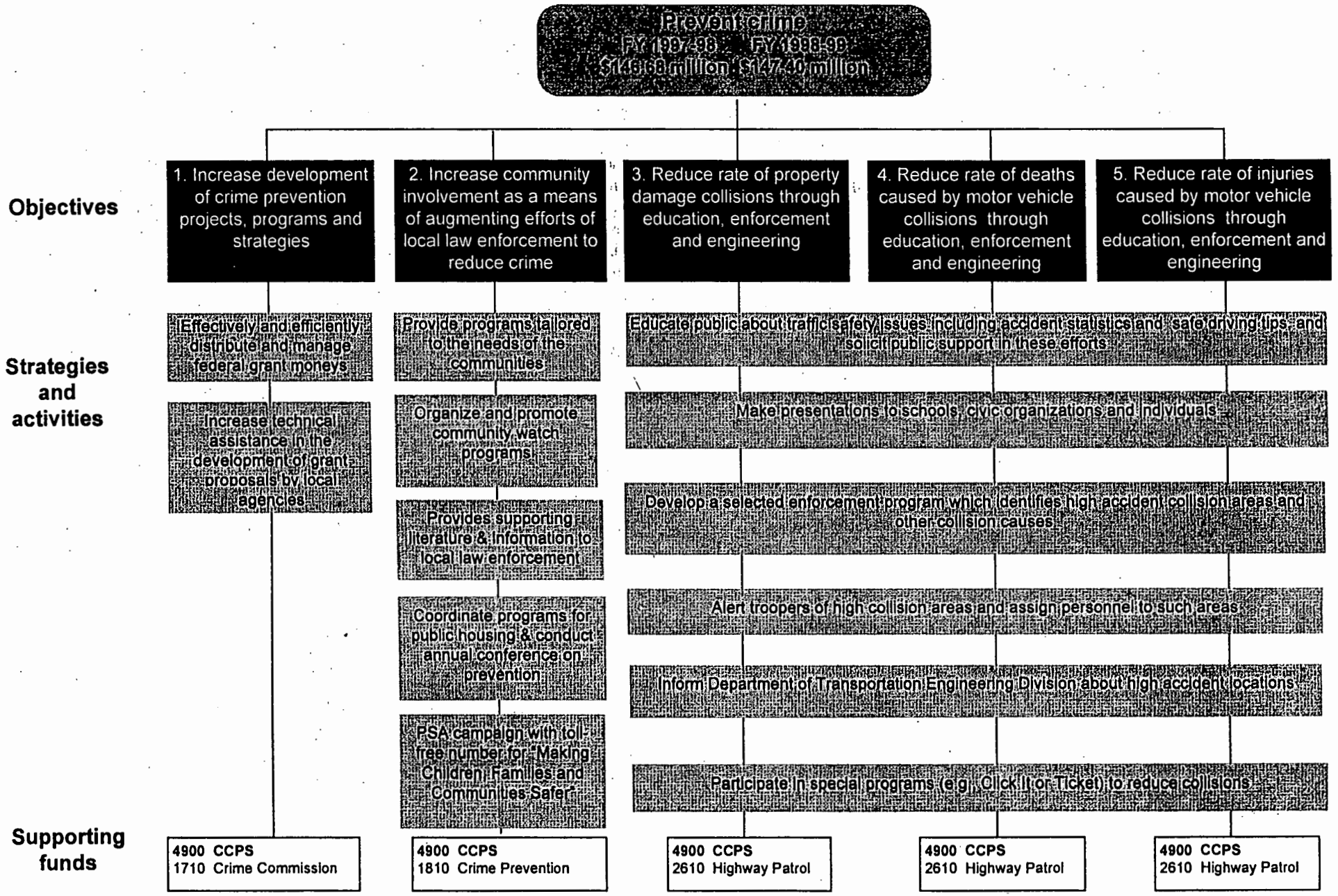
North Carolina has several agencies that attempt to prevent criminal activity in various ways. The Governor's Crime Commission serves as the chief advisory board for the governor and the secretary of Crime Control and Public Safety on issues and policies in the areas of crime and justice. To promote cooperation and mutual understanding, the commission is made up of law enforcement, court and correction officials, members of the legislature, and private citizens. The division administers block grants from the Bureau of Justice Assistance, for Drug Control and System Improvement, Victims of Crime Act, Juvenile Justice and Delinquency Prevention, and Human Services (Children's Justice).

The Division of Crime Prevention assists local law enforcement agencies and other groups to involve citizens in crime prevention. Staff members work with local agencies and community groups to develop prevention programs, organize Community Watch groups, and teach crime prevention techniques. Examples of crime prevention activities are: Crime Stoppers, Business Crime Prevention, Church Watch, Ham Radio Watch, and child safety programs.

The Highway Patrol provides supervision for the safe and expeditious movement of vehicular and pedestrian traffic on the state's 71,600 miles of highways and roads outside of municipal jurisdictions. It performs additional law enforcement duties (e.g., drug traffic interdiction, crowd and motor vehicle control evacuations, manhunts, searches, etc.) as needed and/or as directed by the governor.



4310 Prevent crime



4310 Prevent crime

Objective 3: Reduce rate of motor vehicle accidents.

Measure	Actual 1991-92	1992-93	1993-94	1994-95	1995-96	Estimated 1996-97	Expected 1997-98	Expected 1998-99
Outcome Measures:								
Rate of motor vehicle accidents	n/a	n/a	265.5	277.0	288.6	*285.4*	*282.1*	*278.9*
Performance Measures:								
Number of rural motor vehicle accidents	77,697	82,769	88,382	92,629	96,916	*95,535*	*96,988*	*98,441*
Number of preventative patrol hours	n/a	n/a	1,116,749	1,102,389	1,095,819	*1,087,461*	*1,079,103*	*1,070,745*
Investigating accidents hours	n/a	n/a	190,023	201,342	242,653	*248,975*	*255,297*	*261,619*
Special assignment hours	n/a	n/a	144,228	139,802	150,063	*153,212*	*156,360*	*159,509*
Office hours	n/a	n/a	309,858	311,687	330,596	*337,608*	*344,621*	*351,633*

Current Situation:

Funds:

4900 CCPS
2610 Highway Patrol

Objective 4: Reduce rate of deaths caused by motor vehicle accidents.

Measure	Actual 1991-92	1992-93	1993-94	1994-95	1995-96	*Estimated 1996-97*	*Expected 1997-98*	*Expected 1998-99*
Outcome Measures:								
Rate of deaths caused by motor vehicle accidents	n/a	n/a	2.0	2.0	1.9	*1.8*	*1.7*	*1.6*
Performance Measures:								
Number of rural deaths caused by motor vehicle accidents	1,080	1,039	1,129	1,139	1,137	*1,129*	*1,124*	*1,119*
Number of rural injuries casused by motor vehicle accidents	59,236	62,670	66,165	69,293	70,959	*72,340*	*73,863*	*75,387*
Number of rural motor vehicle accidents	77,697	82,769	88,382	92,629	96,916	*95,535*	*96,988*	*98,441*
Miles driven by population (in billions)	n/a	n/a	69.49	71.92	74.44	*76.34*	*78.24*	*80.15*
Licensed drivers	n/a	n/a	4,684,874	5,099,809	5,138,594	*5,230,819*	*5,323,044*	*5,415,269*

Current Situation:

Funds:

4900 CCPS
2610 Highway Patrol

Objective 5: Reduce rate of injuries caused by motor vehicle accidents.

Measure	Actual 1991-92	1992-93	1993-94	1994-95	1995-96	*Estimated 1996-97*	*Expected 1997-98*	*Expected 1998-99*
Outcome Measures:								
Rate of injuries caused by motor vehicle accidents	n/a	n/a	186.4	193.0	198.3	*198.1*	*197.8*	*197.6*
Performance Measures:								
Number of rural injuries casused by motor vehicle accidents	59,236	62,670	66,165	69,293	70,959	*72,340*	*73,863*	*75,387*
Number of rural motor vehicle accidents	77,697	82,769	88,382	92,629	96,916	*95,535*	*96,988*	*98,441*
Number of DWI citations issued	n/a	n/a	46,821	48,792	46,108	*46,365*	*46,622*	*46,878*
Speeding citations issued	n/a	n/a	345,209	382,790	383,454	*386,725*	*395,995*	*402,266*
Warning tickets issued	n/a	n/a	303,025	299,993	313,813	*321,038*	*328,264*	*335,489*

Current Situation:

Funds:

4900 CCPS
2610 Highway Patrol

STATE HIGHWAY PATROL

MOTOR VEHICLE TRAVEL STATISTICS

Year	Road Mileage	% Change	Registered Vehicles	% Change	Licensed Drivers	% Change	Miles Driven (IN BILLIONS)	% Change	Rural Reportable Accidents	% Change	Authorized SHP Complement	% Change
1974	74,914		4,145,821		3,161,146		36.01		65,851		1,164	
1984	76,453	2.05%	5,397,870	30.20%	4,490,269	42.05%	48.05	33.44%	63,515	-3.55%	1,137	-2.32%
1992	77,258	1.05%	5,800,608	7.46%	4,684,874	4.33%	66.79	39.00%	82,769	30.31%	1,260	10.82%
1994	77,540	0.37%	6,175,964	6.47%	5,099,809	8.86%	71.90	7.65%	92,629	11.91%	1,355	7.54%
1995	77,699	0.21%	6,314,599	2.24%	5,138,594	0.76%	74.44	3.53%	96,916	4.63%	1,380	1.85%
1996	77,758	0.08%	6,420,033	1.67%	5,173,891	0.69%	78.61	5.60%	99,158	2.31%	1,380	0.00%
22-year Trend 1974-1994		**3.80%**		**54.86%**		**63.67%**		**118.30%**		**50.58%**		**18.56%**

Revised 10-13-97

Designated County Population

County	Population 1974	Population 1994	Rate of Increase
Brunswick	32,227	58,518	81.6%
Currituck	9,629	15,402	60.0%
Dare	8,814	24,804	181.4%
Durham	139,636	191,148	36.9%
Johnston	64,070	91,552	42.9%
Wake	258,326	496,578	92.2%
Guilford	297,626	365,572	22.8%
Mecklenburg	373,497	561,223	50.3%
Buncombe	150,203	185,810	23.7%
Henderson	46,985	75,096	59.8%

North Carolina Population

Year	Population	Rate of Increase (from 1974)	Rate of Increase (from 1994)
1974	5,375,495		
1994	7,064,470	31.42%	
1995	7,165,298	33.30%	1.43%

NC SHP R&P
TRAVELST.XLS

11/19/97

ATT. 9
11/20/97

NORTH CAROLINA
STATE HIGHWAY PATROL

MISSION STATEMENT

The mission of the North Carolina State Highway Patrol, in partnership with the citizens of the State, is to assure the safe, convenient and efficient transportation of people and commodities on our streets and highways; and, to reduce crime in our communities across North Carolina. This mission will be accomplished through reasonable and prudent law enforcement and quality service to the public based upon high ethical, professional and legal standards.

ATT. 10
11/20/97

MANPOWER ALLOCATION
and
STAFFING REQUIREMENTS

INTRODUCTION:

The past several years have seen staggering increases in demands for services provided by police agencies on the local, state, and federal levels. To maintain a level of satisfactory compliance with these demands for service, police administrators have scrambled to modify methods of dealing with manpower reductions, various staffing requirements and budget shortfalls. Overall, the North Carolina State Highway Patrol has been very successful in doing "more with less" and utilizing available resources to their maximum potential. Individual production levels are currently at an all time high, resulting in a quality of work that has never been equaled in the history of the Patrol.

For years the Patrol has relied upon significant increasing trends in general factors such as population, registered vehicles, licensed drivers, and highway mileage to corroborate requests for increases in manpower. Even though requests have been graciously honored by the General Assembly, the Patrol has remained without an objective measuring tool upon which to justify requests for additional manpower.

Recently the Research and Planning Unit was requested to provide justification for increases in manpower and staffing levels. In searching for applicable factors on which to base personnel allocations requests, the fact became increasingly apparent that as an organization we did not have standards or benchmark data on which to measure manpower requirements against.

In June 1988, a project was initiated to address the problem state law enforcement agencies were dealing with regarding manpower allocations. The Office of Traffic Safety of the National Highway Traffic Safety Administration, U.S. Department of Transportation contracted with The Traffic Institute of Northwestern University to

develop a Police Allocation Manual (PAM). The purpose was to provide a method of allocating manpower by determining the number of required staff based on an analysis of trooper workload in terms of the amount of time required to complete various tasks. Phase I of this project, including field testing in several state agencies, was completed in February 1990. Phase II involved fine tuning the model, and was completed in July 1991 with PAM Version 4.0 as the final results.

The North Carolina State Highway Patrol has embarked upon a plan to incorporate the PAM 4.0 as the primary method of projecting manpower and staffing level requirements. Although the entire process is rather complex, the basic formula in the PAM model, used to derive the average daily number of on-duty troopers, is given by:

$$N = \frac{N_r + N_p}{1 - \frac{m_a}{60} - \frac{m_s}{60}}$$

where:

- N = the average number of on-duty troopers per day (i.e., per 24 hour period),
- N_r = the average number of on-duty troopers required per day for reactive activities,
- N_p = the average number of on-duty troopers required per day for patrol activities,
- m_a = average number of minutes spent per hour per trooper on administrative activities, and
- m_s = average number of minutes spent per hour per trooper on self-initiated activities.

The following overview explains the methodology and applicability of the Police Allocation Manual.

OVERVIEW
OF THE
POLICE ALLOCATION MANUAL
METHODOLOGY

Time Based Model

The procedures that are used in the PAM model to determine the total staff requirements for the delivery of statewide police traffic services are based on an analysis of workload requirements and performance objectives, measured in time, associated with major field activities. The PAM model divides all trooper activities into four time components:

1. REACTIVE TIME (Calls for service),
2. PROACTIVE TIME (Self initiated activities),
3. PROACTIVE TIME (Patrol on uncommitted time),
4. ADMINISTRATIVE TIME.

Reactive Time:

Reactive Time refers to trooper time spent on activities that can be described as service on demand. These are usually calls for service (CFS) that are assigned by radio dispatch. For many state agencies, the most important CFS activities are requests for police assistance at traffic accidents. Since most agencies also provide services beyond traffic related activities, the PAM model classifies all CFS as either "Accidents" or "Other CFS." The total time spent answering CFS is referred to as "Obligated Time."

Proactive (Self-Initiated) Time:

Proactive (Self-Initiated) Time refers to the time spent by troopers on non-CFS activities. In the PAM model, self-initiated activities include the issuance of citations and warnings for driving violations, assisting motorist, providing traffic direction and control, and conducting field interrogations.

Proactive (Patrol) Time:

Proactive (Patrol) Time refers to the time spent by troopers patrolling the highway system within the jurisdiction. The patrol function provides two benefits: "Visibility" for the general deterrence of traffic and criminal violators, and "availability" for self initiated activities and for the timely response to CFS. Patrol time includes time spent on both moving and stationary patrol.

Administrative Time:

Administrative Time refers to trooper activities that do not fall into the reactive, self initiated, or patrol time categories. Typical administrative activities include on duty court time, personal time (meals), patrol car maintenance, training, and agency administrative duties.

Autonomous Patrol Areas (APA)

The PAM procedures are designed to determine total staffing requirements for "Autonomous Patrol Areas"; that is, geographical areas which exhibit the following characteristics:

Virtually all of the CFS that originate in the area are handled by troopers assigned to the area.

Troopers assigned to the area are rarely assigned to CFS outside of the area.

Although troopers may be assigned to specific geographic subdivisions within the area for patrol purposes, a trooper may be dispatched, if required, to a CFS anywhere within the area.

Total Staff Requirements

To determine the total staff requirement for a statewide agency, the PAM model is used in the following way:

1. The entire state is subdivided into a number of autonomous patrol areas (APAs). The APAs should cover the entire state and should not overlap.

2. The PAM procedures are used to determine the total staffing requirements for each APA.

3. The total staffing requirement for the entire state is obtained by adding the staffing numbers for all of the APAs. (The resulting total may need to be supplemented with additional personnel assigned to central or regional headquarters of the agency.)

The PAM model uses the following steps to determine the total staffing requirements within each APA:

1. It determines the average daily on-duty police services staff requirement (i.e., the number of troopers required to meet the administrative, reactive, self initiated, and patrol requirements).

2. It determines the average number of on-duty field supervisors required to support the average daily on-duty trooper requirement. The number of troopers may be adjusted to account for patrol workload performed by field supervisors.

3. It determines the total staff requirement (i.e., the total number of personnel needed, both on and off-duty, to provide the required on-duty patrol presence) for the APA. The total staff requirement will include troopers, field supervisors, and staff and command personnel.

The calculations and procedures described in the Police Allocation Manual represent a "model" of police staffing in the sense that the steps in the worksheets are based on: mathematical and logical relationships between workload; patrol performance; characteristics of a patrol area; and, the total number of officers needed to provide services. Analysts divide models into two broad categories: (1) Descriptive and (2) Prescriptive. Identifying which category the PAM model belongs to is useful in recognizing how the model can be used and its limitations.

The PAM model is a prescriptive model; that is, based on information about the workload, the desired performance levels, and the characteristics of the jurisdiction, the model can be used to "prescribe" how may officers are needed. The PAM model is not a descriptive (or predictive) model; that is, it is not possible to specify a fixed number of troopers, the workload and other characteristics of a jurisdiction and then use the model to describe (or predict) what level of patrol performance can be expected. Similarly, it is not possible to use the PAM model to predict what the change in patrol performance or workload will be if the number of troopers is increased by a certain percent.

The prescriptive nature of the PAM model provides police administrators with a powerful tool. Not only can the Police Allocation Manual be used to determine appropriate staffing levels for current workload, performance objectives, and

jurisdictional characteristics, it can also be used to answer numerous "What if?" questions. For example, what will be the impact on staffing if the current workload increases by 20% or if the average travel time to accidents or other CFS is reduced by one (1) minute?

Model "failures" can occur. Perhaps the "failures" are not from the limitations of the model itself, but rather from incorrect or unrealistic expectations by police administrators about the capabilities of the procedures. The PAM model cannot provide the answers to all staffing and allocation questions; for example, as noted above, the model is not capable of predicting changes in performance as staffing levels change. Additional limitations are as follows:

1. The PAM model cannot correct or compensate for inaccurate or incomplete input data, i.e. "Garbage in, garbage out". The PAM model is more sensitive to the accuracy of some data items than other methods of personnel allocation. This sensitivity is important in determining what level of effort should be expended in data collection!

2. The PAM model can only prescribe how many officers are needed when performance objectives are provided; **that is, when someone or some group decides what level of service is desired.** Stated in another way, the PAM model is not a "silver bullet" or a method for determining staffing levels that can be completed without management involvement or input.

3. The PAM model cannot be used to predict the future workload of a patrol area.

4. The PAM model, by itself, will not convince legislators or policy makers to increase funding support for additional staff. Decisions on staffing levels eventually reflect fiscal and political realities that transcend the

specific methods used in any staffing procedure. The PAM model will strengthen requests for additional staff, but cannot guarantee their acceptance.

CONCLUSION:

As noted above, the PAM model requires that all regular trooper activities for patrol be classified into four categories. As a result, an essential first step in using the model is a "tailoring" process in which each type of trooper activity recorded by an agency is "assigned" to a particular category. While it is likely that all state-level law enforcement agencies define and use similar kinds of activities in each category, it is true that because of differences in operational practices and data definition and collection procedures, it is likely that no two agencies will define the data items to be included in each category in precisely the same way.

The lists below indicate the kinds of activities that were included in each of the categories by the field test agencies for the PAM project during phases I and II:

Administrative Time:

On-duty court time
Training (less than one day)
Meals
Auto maintenance
Equipment maintenance
Agency administrative duties
Relay of equipment
District meetings
Report writing (if not put into reactive time)

Reactive Time:

(Dispatches to accidents, criminal activities, emergencies, and non-emergencies)

Travel time
On-scene time
Report writing time
Follow-up investigation
Reactive time by all units dispatched
Assists to other agencies
Escorts and relay
Motorist assistance (if dispatched)
Traffic control (if dispatched)
Searches for missing and wanted persons
VIN verifications

Proactive Time - Self-Initiated Activities:

Traffic stops (traffic citations and warnings)
Motorist roadway assistance
Criminal investigations
Traffic control
Field interrogations

Proactive Time - Uncommitted Patrol:

Patrolling assigned roadways (includes both moving and stationary patrol)

The ability to tailor the PAM procedures to reflect the particular data collection practices of an agency is a strength of the model. Rather than requiring an agency to

re-define existing data collection procedures to "fit" the model, it is possible to tailor the PAM model to fit each agency. Experiences with the model in other agencies indicates the decision about which of the four categories each activity is assigned to has a relatively small impact of the final total staffing estimate. More important than the question of which category to use for each workload item is the need to insure that **all trooper patrol workload activities are included and accounted for somewhere in the PAM model.**

P A M A

PATROL AUTOMATED MANPOWER ALLOCATION

ATT. 11
11/20/01

POLICE ALLOCATION MANUAL

PAM 4.0

Dr. William Stenzel...

The Traffic Institute - Northwestern University

National Highway Traffic Safety Administration (NHTSA)

Initiated....June 1988 *Completed....July 1991*

Field Tested
by

Arizona DPS - Highway Patrol
California Highway Patrol
Colorado State Patrol
Florida Highway Patrol
Illinois State Police
Massachusetts State Police
Nebraska State Patrol
New York State Police

PAMA
Procedures

PAMA is based on an analysis of trooper workload per APA in terms of the amount of time required to complete various tasks.

All trooper activities are assigned to four "Time Categories":

1. ***Reactive Time*** ...
2. ***Proactive Time - Self-Initiated*** ...
3. ***Proactive Time - Patrol*** ...
4. ***AdministrativeTime***...

Data is captured from CAD/IMS files...

Reactive Time

Answering calls-for-service (CFS)
and
responding to traffic accidents

Data captured from:

Accident and HP-201 Files:

number of accidents and investigative time...

History Slip File:

calls-for-service and service time...

Proactive Time

Self-Initiated

Traffic enforcement; field interrogations
and
motorist assists

Data captured from:

HP-201 Files:

HP-320; HP-308's; D.L. checks; courtesies rendered...

Citation File:

number of citations written...

Proactive Time

Patrol

Patrol on uncommitted time

*Provides "**Visibility**" for the deterrence of traffic and criminal violators; and "**Availability**" for self-initiated activities*

Data captured from:

HP-201 Files:

operations and workoad...

D.O.T. File:

highway mileage...

Administrative Time

Office time, vehicle maintenance,
meal time, etc.

Data captured from:

HP-201 Files:

court, training given & received, office, public information, chemical test...

PAMA Procedures

(Cont)

Procedures in PAMA rely on

Historical Data

and

Performance Objectives

Historical Data from CAD/IMS is based on a 12-month period.

Performance Objectives are set at desired levels by the user.

Worksheets

Nine (9) seperate worksheets for each APA allocation...

Worksheet items used in the formula are determined by:

1. ***Data Collection***...
2. ***Policy Decisions***...
3. ***Referenced from a previous step in the formula***...
4. ***Mathematically calculated in the formula***...

Worksheets

(Cont)

Worksheet 1	Operations, workload, highway data	*(Raw data)*
Worksheet 2	Administrative time	*(Historical & Performance Objectives)*
Worksheet 3	Reactive time	*(Workload & Performance Objectives)*
Worksheet 4	Proactive time - Self Initiated	*(Historical & Performance Objectives)*
Worksheet 5	Proactive time - Patrol	*(Workload & Performance Objectives)*
Worksheet 6	Average daily number of on-duty troopers	
Worksheet 7	Special assignment and field supervisors	
Worksheet 8	Total Staff Requirements	
Worksheet 9	Allocation of Patrol Personnel among several APAs	

PAMA

is a powerful tool!

CAN

Can, based on information about workload, desired perfomance level, and certain APA characteristics, "prescribe" how many troopers are needed for each APA.

Can be used to answer "What-if" questions, i.e. if we change the performance objective or number of shifts, how many more troopers would we need?

Can scientifically strengthen management requests for additional manpower.

CANNOT

Cannot specify a fixed number of troopers, a fixed workload and other APA characteristics, and then "describe" or predict what level of patrol performance can be expected.

Cannot provide answers to all staffing or allocation questions, i.e. Troop I or Headquarters Staff.

Cannot correct or compensate for inaccurate or incomplete data (G.I.G.O.)

Cannot be completed without management involvement, i.e. policy decisions.

Cannot predict future workload.

Cannot, by itself, convince the legislature to automatically increase authorized strength of S.H.P.

HP-201
(Rev. 7/97)

ATT. 12
11/20/97

North Carolina
STATE HIGHWAY PATROL

WEEKLY REPORT OF DAILY ACTIVITY

[redacted]40	Fred	B.	Davis	Raleigh	XX	
Badge No.	First	M.I.	Last Name	Station	Trp/Dist	MM/DD/YY (Week Beginning Monday)

ACTIVITY (Duty Hours in Hrs. & Qt. Hr. Segments)

Day of Week	Hours Off	Miles Driven	Office	Acc. Inv.	Court	Special Assign.	Civil Dist.	Traffic Dir.		Process Service	Training		Public Info. Prog.	Chem. Testing	Prevent. Patrol	Hours Inv. Appli.	TOTALS
								Travel Time	Assign.		Rec.	Given					
Mon.																	
Tue.																	
Wed.																	
Thurs.																	
Fri.																	
Sat.																	
Sun.																	
TOTAL																	

RECORDED PERFORMANCES

Day of Week	Veh. Rec.	Value of Prop. Rec.	HP-308	HP-320	Chem. Tests	DMV-349		Process Served	Driver License Check	Vehicle Insp.	Courtesies Rend.	First Aid Rend.	Pub. Inf. Prog.	Appli. Inv.	Complaints Inv.		Felony Charges
						Reportable	Non-Reportable								Internal	External	
Mon.																	
Tue.																	
Wed.																	
Thurs.																	
Fri																	
[redacted]																	
[redacted]																	
TOTAL																	

CASES MADE

Day of Week	Implied Consent			Drug Vio.	R. D.	Speeding				Yield	Too Close	Imp. Pass.	S. S. or Light	Equip.	On Left	No D. L.	Susp. & Rev.	H & R & L.S.A.	Seat-belt	Child Rest.	Larc. of M. V.	Ped.	Other	TOTAL
	DWI	Prov. Lic.	Other I. C.			Below 65	From 65-75	Over 75	Other Spd.															
Mon.																								
Tue.																								
Wed.																								
Thurs.																								
Fri.																								
Sat.																								
Sun.																								
TOTAL																								

DUTY HOURS WORKED

Day of Week	Assigned Shift	Shift Worked	Shift Prem.	U-Time		D-Time		K-Time
				Worked	Credit		Prior HP-201	
Mon.								
Tue.								
Wed.								
Thurs.								
Fri.								
[redacted]								
[redacted]								
		TOTALS						
							Bal. Forward	

I certify that the information entered above is accurate to the best of my knowledge

AFFIDAVITS AND WARRANTS

1st Serial No. _____
Last Serial No. _____
1st Serial No. _____
Last Serial No. _____
GRAND TOTAL _____

VOIDED TICKETS

Ser. No. _____
Ser. No _____

☐ Approved

_____ Member's Signature

_____ Supervisor's Signature

CALCULATED MANPOWER NEEDS - STATEWIDE REPORT
BASED ON HISTORICAL DATA FOR 01/01/1996 - 12/31/1996

	TROOPERS				SUPERVISORS				
	CURR	REQU	INCREASE		CURR	REQU	INCREASE		TOTAL #
APA	#	#	#	%	#	#	#	%	REQUIRED
HALIF	10	16.7	6.7	67.0	1.000	2.4	1.4	140.0	19.1
NORTH	5	12.5	7.5	150.0	1.000	1.8	0.8	80.0	14.3
T/D A1:	15	29.2	14.2	94.0	2.000	4.2	2.2	110.0	33.4
BERTI	6	12.6	6.6	110.0	0.666	1.8	1.1	165.0	14.4
GATES	4	10.4	6.4	160.0	0.666	1.5	0.8	120.0	11.9
HERTF	5	11.5	6.5	130.0	0.666	1.6	0.9	135.0	13.1
T/D A2:	15	34.5	19.5	130.0	1.998	4.9	2.9	145.0	39.4
CAMDE	4	9.8	5.8	145.0	0.500	1.4	0.9	180.0	11.2
CHOWA	4	8.8	4.8	120.0	0.500	1.3	0.8	160.0	10.1
PASQU	4	9.2	5.2	130.0	0.500	1.3	0.8	160.0	10.5
PERQU	4	9.0	5.0	125.0	0.500	1.3	0.8	160.0	10.3
T/D A3:	16	36.8	20.8	130.0	2.000	5.3	3.3	165.0	42.1
BEAUF	9	13.6	4.6	51.0	0.750	2.0	1.3	173.0	15.6
HYDE	3	6.8	3.8	126.0	0.750	1.0	0.3	40.0	7.8
TYRRE	3	6.5	3.5	116.0	0.750	0.9	0.2	26.0	7.4
WASHI	4	8.7	4.7	117.0	0.750	1.2	0.5	66.0	9.9
T/D A4:	19	35.6	16.6	87.0	3.000	5.1	2.1	70.0	40.7
[redacted]I	6	13.2	7.2	120.0	1.500	1.9	0.4	26.0	15.1
PITT	14	18.9	4.9	35.0	1.500	2.7	1.2	80.0	21.6
T/D A5:	20	32.1	12.1	60.0	3.000	4.6	1.6	53.0	36.7
CRAVE	10	16.5	6.5	65.0	1.000	2.4	1.4	140.0	18.9
PAMLI	3	8.6	5.6	186.0	1.000	1.2	0.2	20.0	9.8
T/D A6:	13	25.1	12.1	93.0	2.000	3.6	1.6	80.0	28.7
JONES	4	9.6	5.6	140.0	1.000	1.4	0.4	40.0	11.0
LENOI	9	12.7	3.7	41.0	1.000	1.8	0.8	80.0	14.5
T/D A7:	13	22.3	9.3	71.0	2.000	3.2	1.2	60.0	25.5
CARTE	10	14.6	4.6	46.0	2.000	2.1	0.1	5.0	16.7
T/D A8:	10	14.6	4.6	46.0	2.000	2.1	0.1	5.0	16.7
CURRI	6	10.3	4.3	71.0	1.000	1.5	0.5	50.0	11.8
DARE	4	9.6	5.6	140.0	1.000	1.4	0.4	40.0	11.0
T/D A9:	10	19.9	9.9	99.0	2.000	2.9	0.9	45.0	22.8
TRP A:	131	250.1	119.1	90.0	19.998	35.9	15.9	79.0	286.0
CUMBE	27	31.3	4.3	15.0	5.000	4.5	0.5-	10.0-	35.8
T/D B1:	27	31.3	4.3	15.0	5.000	4.5	0.5-	10.0-	35.8
SAMPS	13	16.4	3.4	26.0	2.000	2.4	0.4	20.0	18.8
[redacted]B2:	13	16.4	3.4	26.0	2.000	2.4	0.4	20.0	18.8

CALCULATED MANPOWER NEEDS - STATEWIDE REPORT
BASED ON HISTORICAL DATA FOR 01/01/1996 - 12/31/1996

	TROOPERS				SUPERVISORS				
APA	CURR #	REQU #	INCREASE #	INCREASE %	CURR #	REQU #	INCREASE #	INCREASE %	TOTAL # REQUIRED
ONSLO	16	21.3	5.3	33.0	2.000	3.1	1.1	55.0	24.4
T/D B3:	16	21.3	5.3	33.0	2.000	3.1	1.1	55.0	24.4
DUPLI	11	18.9	7.9	71.0	1.000	2.7	1.7	170.0	21.6
PENDE	10	19.2	9.2	92.0	1.000	2.8	1.8	180.0	22.0
T/D B4:	21	38.1	17.1	81.0	2.000	5.5	3.5	175.0	43.6
BLADE	10	14.4	4.4	44.0	1.000	2.1	1.1	110.0	16.5
COLUM	13	19.1	6.1	46.0	1.000	2.7	1.7	170.0	21.8
T/D B5:	23	33.5	10.5	45.0	2.000	4.8	2.8	140.0	38.3
BRUNS	10	16.6	6.6	66.0	1.000	2.4	1.4	140.0	19.0
NEW H	9	20.1	11.1	123.0	1.000	2.9	1.9	190.0	23.0
T/D B6:	19	36.7	17.7	93.0	2.000	5.3	3.3	165.0	42.0
ROBES	20	29.3	9.3	46.0	3.000	4.2	1.2	40.0	33.5
T/D B7:	20	29.3	9.3	46.0	3.000	4.2	1.2	40.0	33.5
HARNE	13	25.0	12.0	92.0	2.000	3.6	1.6	80.0	28.6
T/D B8:	13	25.0	12.0	92.0	2.000	3.6	1.6	80.0	28.6
T[redacted]B:	152	231.6	79.6	52.0	20.000	33.4	13.4	67.0	265.0
EDGEC	10	14.1	4.1	41.0	1.000	2.0	1.0	100.0	16.1
NASH	13	23.7	10.7	82.0	1.000	3.4	2.4	240.0	27.1
T/D C1:	23	37.8	14.8	64.0	2.000	5.4	3.4	170.0	43.2
WAYNE	13	14.3	1.3	10.0	2.000	2.0	0.0	0.0	16.3
T/D C2:	13	14.3	1.3	10.0	2.000	2.0	0.0	0.0	16.3
WAKE	39	37.0	2.0-	5.0-	5.000	5.3	0.3	6.0	42.3
T/D C3:	39	37.0	2.0-	5.0-	5.000	5.3	0.3	6.0	42.3
FRANK	8	14.4	6.4	80.0	0.666	2.1	1.4	210.0	16.5
VANCE	7	17.1	10.1	144.0	0.666	2.4	1.7	255.0	19.5
WARRE	4	11.5	7.5	187.0	0.666	1.6	0.9	135.0	13.1
T/D C4:	19	43.0	24.0	126.0	1.998	6.1	4.1	205.0	49.1
GREEN	5	10.8	5.8	116.0	1.000	1.5	0.5	50.0	12.3
WILSO	10	15.7	5.7	57.0	1.000	2.2	1.2	120.0	17.9
T/D C5:	15	26.5	11.5	76.0	2.000	3.7	1.7	85.0	30.2
JOHNS	17	24.1	7.1	41.0	2.000	3.4	1.4	70.0	27.5
T/D C6:	17	24.1	7.1	41.0	2.000	3.4	1.4	70.0	27.5
DURHA	15	20.8	5.8	38.0	1.500	3.0	1.5	100.0	23.8

CALCULATED MANPOWER NEEDS - STATEWIDE REPORT
BASED ON HISTORICAL DATA FOR 01/01/1996 - 12/31/1996

	TROOPERS				SUPERVISORS				
	CURR	REQU	INCREASE		CURR	REQU	INCREASE		TOTAL #
APA	#	#	#	%	#	#	#	%	REQUIRED
GRANV	8	17.0	9.0	112.0	1.500	2.4	0.9	60.0	19.4
T/D C7:	23	37.8	14.8	64.0	3.000	5.4	2.4	80.0	43.2
TRP C:	149	220.5	71.5	47.0	17.998	31.3	13.3	73.0	251.8
CHATH	10	17.9	7.9	79.0	1.000	2.6	1.6	160.0	20.5
LEE	6	12.1	6.1	101.0	1.000	1.7	0.7	70.0	13.8
T/D D1:	16	30.0	14.0	87.0	2.000	4.3	2.3	115.0	34.3
GUILF	29	31.6	2.6	8.0	5.000	4.5	0.5-	10.0-	36.1
T/D D2:	29	31.6	2.6	8.0	5.000	4.5	0.5-	10.0-	36.1
ROCKI	14	20.1	6.1	43.0	2.000	2.9	0.9	45.0	23.0
T/D D3:	14	20.1	6.1	43.0	2.000	2.9	0.9	45.0	23.0
CASWE	6	11.6	5.6	93.0	1.000	1.7	0.7	70.0	13.3
PERSO	6	10.6	4.6	76.0	1.000	1.5	0.5	50.0	12.1
T/D D4:	12	22.2	10.2	85.0	2.000	3.2	1.2	60.0	25.4
ALAMA	14	20.8	6.8	48.0	1.500	3.0	1.5	100.0	23.8
[redacted]G	11	16.9	5.9	53.0	1.500	2.4	0.9	60.0	19.3
[redacted]D5:	25	37.7	12.7	50.0	3.000	5.4	2.4	80.0	43.1
RANDO	18	21.5	3.5	19.0	2.000	3.1	1.1	55.0	24.6
T/D D6:	18	21.5	3.5	19.0	2.000	3.1	1.1	55.0	24.6
TRP D:	114	163.1	49.1	43.0	16.000	23.4	7.4	46.0	186.5
DAVID	18	19.9	1.9	10.0	2.000	2.8	0.8	40.0	22.7
T/D E1:	18	19.9	1.9	10.0	2.000	2.8	0.8	40.0	22.7
MONTG	6	10.6	4.6	76.0	1.000	1.5	0.5	50.0	12.1
STANL	9	12.0	3.0	33.0	1.000	1.7	0.7	70.0	13.7
T/D E2:	15	22.6	7.6	50.0	2.000	3.2	1.2	60.0	25.8
DAVIE	7	13.7	6.7	95.0	1.500	2.0	0.5	33.0	15.7
ROWAN	13	16.6	3.6	27.0	1.500	2.4	0.9	60.0	19.0
T/D E3:	20	30.3	10.3	51.0	3.000	4.4	1.4	46.0	34.7
FORSY	22	22.4	0.4	1.0	2.000	3.2	1.2	60.0	25.6
STOKE	9	12.7	3.7	41.0	2.000	1.8	0.2-	10.0-	14.5
T/D E4:	31	35.1	4.1	13.0	4.000	5.0	1.0	25.0	40.1
SURRY	12	18.1	6.1	50.0	1.000	2.6	1.6	160.0	20.7
YADKI	6	13.3	7.3	121.0	1.000	1.9	0.9	90.0	15.2
T/D E5:	18	31.4	13.4	74.0	2.000	4.5	2.5	125.0	35.9

CALCULATED MANPOWER NEEDS - STATEWIDE REPORT
BASED ON HISTORICAL DATA FOR 01/01/1996 - 12/31/1996

	TROOPERS				SUPERVISORS				
APA	CURR #	REQU #	INCREASE #	INCREASE %	CURR #	REQU #	INCREASE #	INCREASE %	TOTAL # REQUIRED
CABAR	12	17.0	5.0	41.0	2.000	2.4	0.4	20.0	19.4
T/D E6:	12	17.0	5.0	41.0	2.000	2.4	0.4	20.0	19.4
TRP E:	114	156.3	42.3	37.0	15.000	22.3	7.3	48.0	178.6
BURKE	11	17.3	6.3	57.0	2.000	2.5	0.5	25.0	19.8
T/D F1:	11	17.3	6.3	57.0	2.000	2.5	0.5	25.0	19.8
ALLEG	4	9.4	5.4	135.0	1.000	1.4	0.4	40.0	10.8
ASHE	6	9.9	3.9	65.0	1.000	1.4	0.4	40.0	11.3
WILKE	12	19.1	7.1	59.0	1.000	2.7	1.7	170.0	21.8
T/D F2:	22	38.4	16.4	74.0	3.000	5.5	2.5	83.0	43.9
CALDW	10	16.9	6.9	69.0	1.000	2.4	1.4	140.0	19.3
WATAU	7	12.2	5.2	74.0	1.000	1.7	0.7	70.0	13.9
T/D F3:	17	29.1	12.1	71.0	2.000	4.1	2.1	105.0	33.2
ALEXA	5	13.4	8.4	168.0	1.500	1.9	0.4	26.0	15.3
IREDE	16	25.9	9.9	61.0	1.500	3.7	2.2	146.0	29.6
T/D F4:	21	39.3	18.3	87.0	3.000	5.6	2.6	86.0	44.9
[redacted]	15	21.1	6.1	40.0	1.500	3.0	1.5	100.0	24.1
LINCO	9	12.6	3.6	40.0	1.500	1.8	0.3	20.0	14.4
T/D F5:	24	33.7	9.7	40.0	3.000	4.8	1.8	60.0	38.5
TRP F:	95	157.8	62.8	66.0	13.000	22.5	9.5	73.0	180.3
AVERY	4	8.7	4.7	117.0	0.750	1.2	0.5	66.0	9.9
MADIS	6	9.2	3.2	53.0	0.750	1.3	0.6	80.0	10.5
MITCH	4	8.6	4.6	115.0	0.750	1.2	0.5	66.0	9.8
YANCE	4	8.0	4.0	100.0	0.750	1.1	0.4	53.0	9.1
T/D G1:	18	34.5	16.5	91.0	3.000	4.8	1.8	60.0	39.3
MCDOW	8	12.7	4.7	58.0	1.000	1.8	0.8	80.0	14.5
RUTHE	10	13.0	3.0	30.0	1.000	1.9	0.9	90.0	14.9
T/D G2:	18	25.7	7.7	42.0	2.000	3.7	1.7	85.0	29.4
HENDE	11	13.7	2.7	24.0	1.000	2.0	1.0	100.0	15.7
POLK	4	8.2	4.2	105.0	1.000	1.2	0.2	20.0	9.4
TRANS	5	8.7	3.7	74.0	1.000	1.2	0.2	20.0	9.9
T/D G3:	20	30.6	10.6	53.0	3.000	4.4	1.4	46.0	35.0
BUNCO	21	22.8	1.8	8.0	4.000	3.3	0.7-	17.0-	26.1
T/D G4:	21	22.8	1.8	8.0	4.000	3.3	0.7-	17.0-	26.1
HAYWO	9	16.2	7.2	80.0	1.000	2.3	1.3	130.0	18.5

CALCULATED MANPOWER NEEDS - STATEWIDE REPORT
BASED ON HISTORICAL DATA FOR 01/01/1996 - 12/31/1996

	TROOPERS				SUPERVISORS				
	CURR	REQU	INCREASE		CURR	REQU	INCREASE		TOTAL #
APA	#	#	#	%	#	#	#	%	REQUIRED
JACKS	6	9.4	3.4	56.0	1.000	1.3	0.3	30.0	10.7
T/D G5:	15	25.6	10.6	70.0	2.000	3.6	1.6	80.0	29.2
CHERO	6	9.0	3.0	50.0	0.600	1.3	0.7	116.0	10.3
CLAY	3	6.3	3.3	110.0	0.600	0.9	0.3	50.0	7.2
GRAHA	3	6.9	3.9	130.0	0.600	1.0	0.4	66.0	7.9
MACON	6	8.7	2.7	45.0	0.600	1.2	0.6	100.0	9.9
SWAIN	4	7.9	3.9	97.0	0.600	1.1	0.5	83.0	9.0
T/D G6:	22	38.8	16.8	76.0	3.000	5.5	2.5	83.0	44.3
TRP G:	114	178.0	64.0	56.0	17.000	25.3	8.3	48.0	203.3
GASTO	18	23.0	5.0	27.0	2.000	3.3	1.3	65.0	26.3
T/D H1:	18	23.0	5.0	27.0	2.000	3.3	1.3	65.0	26.3
RICHM	8	17.0	9.0	112.0	1.000	2.4	1.4	140.0	19.4
SCOTL	6	13.8	7.8	130.0	1.000	2.0	1.0	100.0	15.8
T/D H2:	14	30.8	16.8	120.0	2.000	4.4	2.4	120.0	35.2
ANSON	7	10.5	3.5	50.0	1.000	1.5	0.5	50.0	12.0
[redacted]N	15	18.6	3.6	24.0	1.000	2.7	1.7	170.0	21.3
[redacted]H3:	22	29.1	7.1	32.0	2.000	4.2	2.2	110.0	33.3
CLEVE	14	19.3	5.3	37.0	2.000	2.8	0.8	40.0	22.1
T/D H4:	14	19.3	5.3	37.0	2.000	2.8	0.8	40.0	22.1
MECKL	33	25.2	7.8-	23.0-	4.000	3.6	0.4-	10.0-	28.8
T/D H5:	33	25.2	7.8-	23.0-	4.000	3.6	0.4-	10.0-	28.8
HOKE	6	12.1	6.1	101.0	1.000	1.7	0.7	70.0	13.8
MOORE	10	15.0	5.0	50.0	1.000	2.1	1.1	110.0	17.1
T/D H6:	16	27.1	11.1	69.0	2.000	3.8	1.8	90.0	30.9
TRP H:	117	154.5	37.5	32.0	14.000	22.1	8.1	57.0	176.6
STATE:	986	1511.9	525.9	53.0	132.996	216.2	83.2	62.0	1,728.1

CALCULATED MANPOWER NEEDS - STATEWIDE REPORT
BASED ON HISTORICAL DATA FOR 01/01/1996 - 12/31/1996

VARIABLES USED IN THE CALCULATIONS (* INDICATES DEFAULT)

THE INFORMATION BELOW REFLECTS STATEWIDE TOTALS/AVERAGES

1.2.2	AVERAGE NUMBER OF ON-DUTY HOURS PER YEAR PER TROOPER	1,840
1.2.3	AVERAGE NUMBER OF TROOPERS TO BE SUPERVISED BY EACH FIELD SUPERVISOR	7 *
1.2.4	PERCENTAGE OF FIELD SUPERVISOR ON-DUTY TIME SPENT ON PATROL, REACTIVE, AND SELF-INITIATED ACTIVITIES	43.969
1.2.5	PATROL OPERATIONS - CONTROLLED-ACCESS HIGHWAYS	
	1.2.5.1 COVERAGE PER WEEK (HOURS)	112
	1.2.5.2 AVERAGE PATROL SPEED (MPH)	43.33 *
	1.2.5.3 PATROL INTERVAL PERFORMANCE OBJECTIVE (HRS)	1.12 *
1.2.6	PATROL OPERATIONS - PRIMARY HIGHWAYS	
	1.2.6.1 COVERAGE PER WEEK (HOURS)	112
	1.2.6.2 AVERAGE PATROL SPEED (MPH)	33.58 *
	1.2.6.3 PATROL INTERVAL PERFORMANCE OBJECTIVE (HRS)	3.75 *
1.2.7	PATROL OPERATIONS - SECONDARY HIGHWAYS	
	1.2.7.1 COVERAGE PER WEEK (HOURS)	112
	1.2.7.2 AVERAGE PATROL SPEED (MPH)	30.38 *
	1.2.7.3 PATROL INTERVAL PERFORMANCE OBJECTIVE (HRS)	66.59 *
1.3.2	TOTAL NUMBER OF ACCIDENTS INVESTIGATED	124,451
1.3.3	AVERAGE SERVICE TIME (HOURS) PER ACCIDENT	2.111
1.3.4	TOTAL NUMBER OF OTHER CFS HANDLED	132,699
1.3.5	AVERAGE SERVICE TIME (HOURS) PER CFS	0.63
1.4.1	CONTROLLED-ACCESS HIWAYS (MILES)	1,028
1.4.2	PRIMARY HIGHWAYS (MILES)	11,127
1.4.3	SECONDARY HIGHWAYS (MILES)	59,423

CALCULATED MANPOWER NEEDS - STATEWIDE REPORT
BASED ON HISTORICAL DATA FOR 01/01/1996 - 12/31/1996

VARIABLES USED IN THE CALCULATIONS (* INDICATES DEFAULT)

THE INFORMATION BELOW REFLECTS STATEWIDE TOTALS/AVERAGES

2.2.1 TOTAL TIME (HOURS) SPENT BY TROOPERS ON ADMINISTRATIVE ACTIVITIES	507,780
2.2.2 TOTAL ON-DUTY HOURS BY PATROL TROOPERS	1,900,569
4.3.1 TOTAL TIME (HOURS) SPENT ON SELF-INITIATED CONTACTS BY ALL TROOPERS ON PATROL (HP320, HP308, DL CHECKED, COURTESIES RENDERED, AND CITATIONS WRITTEN)	379,598.58
5.2.6 PERFORMANCE OBJECTIVE, PERCENTAGE OF ACCIDENTS, CFS, IMMEDIATE RESPONSE (A NUMBER BETWEEN 50 AND 99)	90

*** END OF REPORT ***

The Charlotte Observer

HOSPITAL'S A POOR JAILHOUSE

ACTION ON SECURITY ISSUE DIED IN LEGISLATURE

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Section: METRO
Page: 1B

By JEN PILLA, Staff Writer

Robert Lundy would not have escaped from Broughton Hospital if state legislators had passed a provision earlier this year requiring county jails to send inmates who need psychiatric evaluations to the state's Central Prison, the state's mental health director said.

Lundy, who disappeared Nov. 6 from a locked patient ward at the Morganton psychiatric hospital, faces assault and drug charges in an incident last April in which he's accused of driving his car through a Charlotte-Mecklenburg police checkpoint. Police officers fired several shots into the car, killing Lundy's passenger, Carolyn Boetticher.

After Lundy tried to commit suicide in the Mecklenburg County jail last July, jail officials did what was routine: Send him to Broughton Hospital, the closest state psychiatric facility.

State Mental Health Director John Baggett said that under a provision that was removed from the state budget bill earlier this year, Lundy would have been sent instead to Central Prison, a maximum-security facility in Raleigh.

``We tried very hard to get some action to avoid this exact kind of situation," Baggett said. ``State hospitals are really not the right place for people facing criminal charges."

Currently, about half the counties in the state already send inmates who need psychiatric evaluations to Central Prison, where even on the psychiatric ward inmates stay in single, locked cells. They would have to get through several locked doors and over several tall fences to escape.

The other half go to one of the state's four low-security psychiatric hospitals, either because Central Prison is farther away or because the hospitals are cheaper. The prison charges $60 to $80 a day, while the hospitals are free.

As a result, Baggett said, Broughton Hospital gets a disproportionate share of the inmates because it serves the counties that are farthest away from Central Prison, and is the only state psychiatric hospital east of Durham.

Rep. Charlotte Gardner, R-Rowan, chairman of the Human Resources Appropriations subcommittee, said she supported the provision but it failed because of opposition from counties that send inmates to psychiatric hospitals.

``It's very disconcerting because you know these kinds of incidents are going to continue happening as long as we've got people facing charges in psychiatric hospitals," she said.

Baggett said he'll try to get the provision passed again.

``I can't blame a sheriff out in Asheville who would rather send an inmate to Morganton than have to have a deputy spend a whole day driving him to Raleigh," Baggett said. ``But it is unrealistic to expect that it's going to be as secure as a prison."

Some inmates prefer Broughton to prison too.

Broughton Hospital Director Seth Hunt Jr. said he is sure some jail inmates feign mental illness, because they know they will have more privileges at a psychiatric hospital.

Unlike jail inmates, Broughton Hospital patients have the right to withdraw $20 in cash a week from their patient bank account, which includes money given by relatives and friends and cash earned from chores. The hospital grounds look like a nursing home or college campus, with no bars, barbed wire fences or armed guards.

At any time, there are only two to three police officers patrolling Broughton's 750-acre campus.

``We're a treatment facility," Hunt said. ``We're charged with making people better. You can't do that in a repressive atmosphere like a jail."

*

Security on Ward R

On a typical day in Broughton Hospital's Ward R, where Lundy was last seen, there are five staff members watching 33 patients whose only barrier to the outside world is a single locked door.

On Thursday, a half-dozen patients in Ward R waited eagerly by that door for a single nurse to let them out for everything from smoking breaks to ceramics class.

``I need to get out first. I need to get out first," shouted one patient as the group spilled out onto the front porch.

Some of the men are at the hospital voluntarily for common psychiatric problems such as clinical depression. Others have committed serious crimes, including murder, and have been ruled unfit to stand trial or found not guilty by reason of insanity.

But all the patients wear the same type of modest street clothes, and it's impossible to know their history without seeing their medical charts. Last week, 16 of Broughton's about 560 patients were there awaiting trial for various crimes. Four had been found not guilty by reason of insanity on murder or attempted murder charges. An additional 44 had been found unfit to stand trial - 21 of them on murder charges.

Hunt said staff members are familiar with the status of patients on their wards. But he believes that a staff member may have mistakenly left Lundy alone on the Ward R porch after Lundy finished his duties folding laundry.

``Transporting patients from building to building is something we do all the time without any problem," Hunt said. ``But sometimes there's a breakdown and we pay the price."

Hunt said staff members reported that Lundy seemed upbeat the day he disappeared, and they thought he had ``snapped out of" his depression.

Now they think he might have been excited because he had figured out how to escape.

About 10 to 15 patients are reported missing from the hospital every month, but most of them are found within a few hours, having never left the grounds or gotten very far away.

As of Saturday, Lundy was still on the loose.

*

Fence built after incidents

Security has gotten better since a rash of disturbing incidents at Broughton last year.

After three patients escaped during a one-week period last November, Hunt ordered $40,000 worth of fencing to be installed around recreation areas. All staff members started wearing photo identification cards on campus, and $5,000 worth of radio equipment to communicate with local law enforcement agencies was installed.

Then in December, a patient who had come to the hospital to have his Alzheimer's medicine regulated was beaten to death by a patient who had been sent to Broughton after being found unfit to stand trial on murder charges.

Then-N.C. Mental Health Director Michael Pedneau asked for $8.2 million to establish high-security wards at all four state mental hospitals. Instead, he got $3.5 million for a single unit at Dorothea Dix Hospital in Raleigh with 72 beds.

``It's a good start," said Pedneau, now director of Dorothea Dix, the state's psychiatric hospital in Raleigh. ``It's only going to take care of about half of the folks who need to be segregated."

Even when the 72-bed unit opens next summer, that will leave about 70 more ``legal status" patients in state mental hospitals - who are either awaiting trial, unfit to stand trial or not guilty by reason of insanity.

Don Willis, chief of state mental health services, said if all mentally ill inmates from county jails were sent to Central Prison, the Dorothea Dix forensic unit could be used for patients unfit to stand trial or found not guilty by reason of insanity.

Then there would be no legal status patients in less secure wards of state psychiatric hospitals, Willis said.

Alan Harrop, the mental health director for the state Correction Department, said he supports the provision, even though it would force him to squeeze in an additional 18 to 24 beds into Central Prison's already crowded 144-bed in-patient psychiatric unit.

``It's too important to the safety of the people in this state not to do it," he said.

*

Reach Jen Pilla at (704) 324-0055.

HOSPITAL INCIDENTS

Here are some incidents in which patients convicted of crimes or facing criminal charges were involved in escapes or violent incidents at psychiatric hospitals:

December 1991

Incident: Michael Charles Hayes, who killed four people in a Forsyth County shooting spree, was temporarily missing from Dorothea Dix Hospital in Raleigh.

Outcome: State officials revoke pass privileges of all patients considered potentially dangerous. They fail to get funding for 30-bed secured units at Broughton and Cherry Hospital in Goldsboro.

November 1996

Incident: Three men - two with criminal charges against them - escape from Broughton Hospital in one week.

Outcome: Fencing installed in recreation areas and restricted patients must be accompanied by at least one staff member when outside locked patient wards.

December 1996

Incident: A patient in the hospital to have his Alzheimer's medication regulated is beaten to death by a patient found unfit to stand trial for murder.

Outcome: State mental health officials request $8.2 million to create a forensic units at all four state hospitals. Governor approves $3.5 million for one 72-bed unit at Dorothea Dix Hospital.

- Jen Pilla

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VISITOR REGISTRATION SHEET

APPROPRIATIONS/Subcommittee on Justice & Public Safety **November 20, 1997**

Name of Committee | Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Joe Hamilton	DOC
Gregg Stahl	DOC
Chris MARKS	AOC
Chuck Craven	OSPL
JOHN DORMAN	OSPL
Joe Stewart	CCPS
Laura DeVivo	CCPS
MIKE BARHAM	CCPS
Curt Williams	Boys Ranch
Lt. Sexton	SHP
Capt Autry	SHP
Capt Davis	SHP
STARR BATTLE	ACLU
Brad Ross	ACLU
Lindsay McCoy	West

HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Tuesday, December 16, 1997 10:00 am
Room 612, Legislative Office Building

I. CALL TO ORDER

Chairmen: Representative Joe Kiser, Presiding
Representative Larry Justus
Representative Gregg Thompson

II. PRESENTATIONS

1) Overview of Substance Abuse Programs for Offenders

- ***Department of Correction In-Prison Programs***
  DOC Roles and Responsibilities; In-prison DART and Private Treatment Beds.

  Jim Mills
  Fiscal Research Staff

- ***Community Corrections Programs on Substance Abuse***
  Overview of Programs in DOC, other JPS Agencies, and other state agencies.

  Elisa Wolper
  Fiscal Research Staff

- ***Evaluation/ Performance Measures for Substance Abuse Treatment***

  Fiscal Research Staff

  Office of State Planning Staff

  Department of Correction Staff

2) Report on DART Cherry Substance Abuse Program

Lattie Baker, Assistant Secretary
Department of Correction

Mike Rothwell, Director
Dart Cherry Substance Abuse Unit

Afternoon

3) Update on SBI Lab Construction and Occupancy

Jane Gray, Deputy Attorney General
Department of Justice

4) Use of Public Service Announcements by DOJ

Alan Hirsch, Special Deputy Attorney General
Department of Justice

III. OTHER BUSINESS

IV. ADJOURNMENT

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
INTERIM STUDY 1997-98
December 16, 1997

House Members Present: [10] Representatives Justus, Thompson, Kiser, McCrary, Hardy, Kinney, Redwine, Sexton, Smith and Easterling

The House Appropriations Subcommittee on Justice and Public Safety met on Tuesday, December 16, 1997, in Room 612 of the Legislative Office Building. Representative Kiser called the meeting to order at 10:15 AM. Representative Kiser recognized Jim Mills, Fiscal Research Staff, for his presentation.

Overview of Substance Abuse Programs for Offenders

- **Department of Correction In-Prison Programs**

Mr. Mills explained Attachment 1 -- *Overview of Offender Substance Abuse Treatment Programs.* Mr. Mills explained that the substance abuse treatment was established by the 1987 General Assembly. (DRUG/ALCOHOL Recovery Treatment Program [GS 143B-262 and 262.1]). The primary objectives of DOC substance abuse programs are the reduction of chemical dependency among offenders and to reduce the likelihood of recurring criminal activity and recidivism. Representative Justus asked for an explanation of the typical treatment. Laddie Baker, Director, Drug Treatment Program, DOC, explained that this is a twenty-eight day twelve step program made up of counseling. An inmate must complete each step before progressing to another level. Eight to twelve weeks of after care is included. Representative Kiser asked if there is a waiting list for the DART Cherry program. Mr. Baker replied there is a ninety day wait through March of 98.

Mr. Mills stated that the DART program is a continuum of care based on national research made up of three components: DART in-prison beds, DART private prison treatment beds, and DART community beds. The DART budget as described on page 3 of Attachment 1 was covered. Representative Justus asked how the success of the program is determined. Mr. Mills replied that this will be discussed during his presentation. **Representative Kiser asked for the percentage of repeaters in the DART program. Mr. Baker will provide this information.**

- **Community Corrections Programs on Substance Abuse**

Elisa Wolper, Fiscal Research Staff, began with pages 8 and 9 of Attachment 1 -- Community Substance Abuse Programs. Representative Justus asked how the Health and Human Services programs measure success. This will be answered during the meeting. **Representative Kiser asked for the total state, federal, and local money spent on substance abuse.** Representative Smith questioned whether any battles are being won in the area of substance abuse. Ms. Wolper replied that $60,000 was allocated to the Department of Corrections for an outside evaluation of this program. Representative Redwine questioned have Health and Human Services programs and Department of Corrections programs. Jim Mills responded that there is an executive order establishing a single substance abuse agency. The Department of Corrections is exempt from the executive order. Representative Smith added that he has some concerns about the money being spend on these programs. Representative Justus said that there is confusion because of the size of these programs. They should be under one umbrella where someone is accountable for the program. **Representative Redwine asked that a report be given to this committee on the interagency council work on substance abuse.**

Keith martin, health and Human Services Substance Abuse, reported that a report will be filed with Governmental Operations Committee in February on substance abuse. **Representative Justus asked that a copy of this report be provided to committee members. Representative Justus asked for daily schedules from the substance abuse programs in Health and Human Services and the Department of Corrections. Representative Sexton requested the statistics on testing positive for drugs on the way out of these programs.**

Report on DART Cherry Substance Abuse Program

Representative Kiser recognized Laddie Baker, Assistant Secretary, Department of Correction, for this report. Attachment 2 -- Dart/DWI Program at Cherry Hospital -- was distributed. Mr. Baker reported that the 1989 Special legislative Session authorized a 100 bed DART/DWI program for parolees on the campus of Cherry Hospital in Goldsboro. A twenty-eight day residential treatment program was developed to reduce the number of DWI offenders occupying prison beds by paroling offenders to treatment before their return to the community. The 1994 Extra Session expanded the capacity to 300 beds. The 1997 Legislative Session requested the Department of Correction to report on the DART/DWI Program to examine the utilization of capacity. Mike Rothwell has been director since 1996. Page 10 shows the completion rates for the program.

The committee recessed for lunch at 12:30 PM to reconvene at 1:30 PM..

Representative Kiser called the meeting back to order at 1:45 PM. Jim Coman, Director, SBI, was recognized for his report.

Update on SBI Lab Construction and Occupancy

Mr. Coman reported that in 1993 the General Assembly allocated 18.6 million dollars for the SBI forsenic lab for the entire criminal justice system. The contract was awarded to the low bidder, Trifalger House Construction Company. The building was to be complete by July of 1996. The original plan was for an operations center and lab in one building. The operations center was not funded. The SBI used $350,000 of forfeiture funds to reconfigure the lab and the construction was begun. In October of 1996 the building was not completed. Mr. Coman met with the building company and stated that the building should be finished by November 18, 1996. Trifler said the building would be complete. On November 26, 1996, a default letter was sent stating that the construction company had fifteen days to straighten out the building. On December 14, 1996, the officials of the construction company asked for a meeting. After discussion with the attorney general's office, it was decided that the default letter would not be withdrawn. The next day, two directors asked Trifler to leave the property. They left.

McDevitt, Street, and Bovis became the contractor in March of 1997. Shoddy work had to be replaced. The building will be occupied by January of 1998. Representative Kiser asked if there was additional cost. Mr. Coman replied that the additional cost was 1.8 million. Representative Thompson asked for the source of the 1.8 million. Representative Easterling asked if any of this money could be recovered. Mr. Coman said this is being considered.

Use of Public Service Announcements by DOJ

Alan Hirsch, Special Deputy Attorney General, Department of Justice, proceeded with a video clip from CBS news on telemarketing fraud and what it does to senior citizens. Representative Thompson asked about the Troopers Association case. Mr. Hirsch said there were many complaints concerning the Troopers Association. This is a volunteer organization of sixty to one hundred members. They conduct Bears Against Drugs. Two paid solicitors made over one million calls in six months. They represented themselves as members of the Highway Patrol. The solicitors kept 85% of the money raised. A small part (2-3%) went to charity. The Attorney General's office brought a suite against the Troopers Association and the two solicitors. Representative Sexton asked how much money was raised. Mr. Hirsch replied about two million. The association received fifteen percent. The settlement called for $150,000 for the Highway Patrol, $50,000 for the families of slain law enforcement officers, and $100,000 to charity. The committee questioned the settlement as to who makes a determination where the money goes.

Representative Sexton asked for a breakdown of money collected in settlements. Representative Smith ask if judges decide where the money in settlements goes. Representative Hardy responded that this was a consent order, therefore the judge did not decree the disposition of the money.

Representative Thompson asked how the Attorney General is funding the public service announcements. Mr. Hirsch replied that not one dime of tax money is used. Representative Hardy questioned the production costs for these public service

announcements. Mr. Hirsch replied that there was no production costs. Representative Kiser commented that perhaps public service announcement should be require to disclose where the funding came from.

Rob Nelson, State Budget Office, was recognized to report on where the 1.8 million dollars for the SBI lab came from. He stated that money from old capitol improvement projects was used.

Representative Kiser announced that this committee will meet jointly with the Senate in Room 4125 at 9:00 AM tomorrow. The meeting was adjourned at 3:30 PM.

Larry T. Justus
Representative Larry Justus
Chairman

Carolyn Justus
Carolyn Justus
Committee Clerk

12-16-97
ATT. 1

OVERVIEW OF OFFENDER SUBSTANCE ABUSE TREATMENT PROGRAMS

House Appropriations Subcommittee on
Justice and Public Safety

Fiscal Research Division
December 16, 1997

DEPARTMENT OF CORRECTION
SUBSTANCE ABUSE PROGRAM
DIVISION OF ALCOHOL AND CHEMICAL DEPENDENCY

BACKGROUND

- 1987 GENERAL ASSEMBLY ESTABLISHED DEPARTMENT OF CORRECTION SUBSTANCE ABUSE PROGRAM COMMONLY KNOWN AS **DART** (DRUG/ALCOHOL RECOVERY TREATMENT PROGRAM **(G.S. 143B - 262 AND 262.1)**

- KEY STATUTORY REQUIREMENTS:

  (1) Medium custody facility with separate area designated for substance abuse (prison programs).

  (2) Intensive in-patient treatment for four to six weeks

  (3) Develop effective treatment programs for inmates, parolees, and probationers.

  (4) Program shall include extensive follow-up after period of intensive treatment

- PRIMARY OBJECTIVES OF DOC SUBSTANCE ABUSE PROGRAM

  (1) Reduction of chemical dependency among offenders

  (2) Reduce likelihood of recurring criminal activity and recidivism

DOC SUBSTANCE ABUSE PROGRAM -- PROGRAM DESIGN

- PROGRAM GOAL IS A CONTINUUM OF CARE BASED ON NATIONAL RESEARCH INDICATING ONE-TIME TREATMENT NOT VERY EFFECTIVE WITHOUT FOLLOW-UP TREATMENT. THE THREE MAJOR DART PROGRAM COMPONENTS ARE:

  (1) **DART IN-PRISON BEDS** - DART IN-PRISON 28/35 DAY INTENSIVE TREATMENT PROGRAM AND 8 TO 12 WEEK STRUCTURED AFTERCARE. DART STAFFING IS A COMBINATION OF PERMANENT DOC SUBSTANCE ABUSE COUNSELORS; DOC CONTRACT COUNSELORS; AND PEER (Inmate) COUNSELORS.

  (2) **DART PRIVATE PRISON TREATMENT BEDS** - PRISON TREATMENT PROGRAM RUN ON CONTRACT BY PRIVATE VENDORS AS A LONG-TERM (6 TO 12 MONTH) RESIDENTIAL TREATMENT PROGRAM. INMATES ARE PROVIDED TREATMENT AND SKILLS FOR TRANSITION TO COMMUNITY.

  (3) **DART COMMUNITY BEDS** (PROBATION/PAROLE) - COMMUNITY BASED PROGRAMS FOR PAROLEES AND PROBATIONERS (DWI/SUBSTANCE ABUSE UNIT IN GOLDSBORO USES 28 DAY DART MODEL AND NEW 90 DAY MODEL; DART/DWI AFTERCARE PILOTS)

DEPARTMENT OF CORRECTION
SUBSTANCE ABUSE TREATMENT PROGRAMS
(FUND 1120-SUBSTANCE ABUSE)*

Program	1995-96 Expenditures	1995-96 Beds	1996-97 Estimated Budget*	1996-97 Expenditures	1996-97 Beds	1997-98 Budget	1997-98 Beds
1. DART Administration	$1,234,604 (26 positions)	0	$1,394,097 (22)	$954,841	0	$920,681 (22)	0
2. DART Regional Offices	585,717 (20)	0	789,208 (23)	666,174	0	851,541 (22)	0
3. DART In-Prison Treatment - NC Prisons	1,993,640 (112)	756	3,532,443 (114)	2,637,135	932	3,708,280 (115)	985
4. DART In-Prison Treatment- Private	4,851,097 (3)	275	6,655,251 (3)	6,505,435 (3)	350	7,596,716 (3)	350
5. DART - Community - Probation/Parole	2,504,944 (73)	500	3,719,892 (78)	3,526,274 --	500	3,718,452 (78)	400
TOTAL	**$11,170,002 (234)**	**1,531**	**$16,090,891 (240)**	**$14,289,859**	**1,782**	**$16,795,670 (240)**	**1,735**

* Excludes federal grant in 1996-97 and 1997-98 for "SARGE" Program of $818,433 and 19 positions. Also excludes funds originally budgeted for 150 additional beds in 1996-97 but never expended.

* **NOTE**: 1997-99 Recommended Continuation Budget was $19.2 million – actual 1997-98 budget decreased primarily due to eliminating Alamance/Guilford in 1997-98. (Pilot 100 beds) and 150 private beds.

SOURCE: DOC Substance Abuse Program

COMPONENTS OF DART IN-PRISON PROGRAM

- **35 DAY PROGRAM** (7 DAYS ORIENTATION/28 DAYS INTENSIVE TREATMENT) BASED ON 28 DAY MINNESOTA MODEL (12 steps) MODIFIED FOR SUBSTANCE ABUSE OFFENDERS IN A CORRECTIONAL SETTING. INMATES ARE TYPICALLY ASSIGNED TO UNITS AFTER INTAKE PROCESS.

- **8-12 WEEK AFTERCARE** PROGRAM IS CARRIED OUT AS NEEDED AFTER INMATE RETURNS TO GENERAL POPULATION. (Most highly-structured at Wayne)

- **CRITERIA FOR TREATMENT --** BASED ON CRITERIA IN STATUTE IN PRIORITY ORDER -- COURT RECOMMENDATION FOR TREATMENT; DIAGNOSTIC CENTER REFERRAL (Based on standardized test); DOC STAFF REFERRAL; AND, SELF REFERRAL.

- **CAPACITY** -- PRISON SYSTEM HAS 985 DART BEDS FOR 35 DAY PROGRAM AND CAPACITY OF 10,275 INMATES ANNUALLY (approximately 43% of admissions). DOC ESTIMATES 63% OF OFFENDERS HAVE SUBSTANCE ABUSE PROBLEMS. SERVING ALL OF THESE OFFENDERS LIMITED BY RESOURCES AND PROGRAM PRIORITY (Medium Custody)

- **FUNDING** – BUDGET FOR DART PRISON BEDS HAS INCREASED FROM $ 3.2 MILLION IN 1995-96 TO $3.7 MILLION IN 1997-98, PRIMARILY DUE TO ADDING DART BEDS IN NEW MEDIUM CUSTODY FACILITIES. 4 POSITIONS WERE CUT IN 1997-99 AS PART OF SPAN OF CONTROL STUDY (total staffing similar due to opening of new DART prison programs)

PRIVATE PRISON TREATMENT BEDS

PURPOSE

- PROVIDE THERAPEUTIC LONG-TERM RESIDENTIALTREATMENT FOR NON-ASSAULTIVE OFFENDERS. FOCUS IS ON SKILLS NEEDED FOR TRANSITION TO COMMUNITY

CHARACTERISTICS

- PROGRAM IS CONTRACTED WITH PRIVATE VENDORS.
- PROGRAMS MUST MEET CORRECTIONAL STANDARDS FOR A MINIMUM SECURITY PRISON; BEDS ARE COUNTED IN PRISON BED CAPACITY.
- OFFENDERS ARE PRIMARILY PAROLE ELIGIBLE AND ARE IDENTIFIED BY SUBSTANCE ABUSE PROGRAM STAFF AND/OR PAROLE COMMISSION.
- TREATMENT PLANS ARE NORMALLY 6 TO 12 MONTHS AND AFTERCARE, ALTHOUGH MARY FRANCIS CENTER HAS 35 DAY PROGRAM. AVERAGE LENGTH OF STAY IN 1997 IS APPROXIMATELY 5.7 MONTHS.
- LAST PHASE OF TREATMENT PARTIALLY IN COMMUNITY -- WORK RELEASE, EDUCATION, ETC.
- 5-YEAR CONTRACTS; DOC GUARANTEES 90% OF CAPACITY. (YEAR TO DATE ABOUT $9500 HAS BEEN PAID BY DOC FOR NOT MEETING 90% TARGET, PRIMARILY TO ONE VENDOR)
- IN 1996, 25% OF PARTICIPANTS WERE UNFAVORABLY DISCHARGED AND TRANSFERRED TO ANOTHER PRISON (E.G. Drug use; disciplinary problems etc.)

FUNDING HISTORY

(1) 1994 CRIME SESSION
- 50% OF FUNDS FOR 500 BEDS APPROPRIATED - $5,173,367

(2) 1995 LONG SESSION
- CONTINUATION BUDGET WAS $10,350,627 FOR 500 BEDS; ONE-TIME ONLY REDUCTION in 95-96 OF $3,500,000 DUE TO DELAYS IN CONTRACTING PROCESS.

(3) 1996 SHORT SESSION
- 1996-97 BUDGET ALLOWED $10.3 MILLION FOR 500 BEDS; ONE-TIME CUT OF $650,000 TAKEN BASED ON 10/1/96 DATE FOR OPERATING ALL 500 BEDS

(4) 1997 Long Session
- ELIMINATED FUNDING FOR 150 BEDS PRIVATE BEDS THAT WERE NEVER ESTABLISHED ($2.2 MILLION); RETAINED PORTION OF FUNDS FOR SUBSTANCE STUDY AND DART/DWI AFTERCARE

DOC Private Prison Treatment Contracts

Name/Location	Contracted Beds	Bed Utilization (1997) 9/1	10/1	11/1	11/15	96-97 Cost Per Day
Cornell (Durham)	75	73	73	73	73	$46.08
Evergreen (St. Pauls)	75	74	72	70	74	$55.00
Mary Francis (Tarboro)	100	98	93	88	92	$72.00
Right Turn (Charlotte)	100	95	98	98	97	$54.75
TOTAL	**350**	**340**	**336**	**329**	**336**	**$56.96 (Avg.)**

Source: DOC Prison Population Reports and Substance Abuse Budget Program Summary (12/15/97)

7

COMMUNITY SUBSTANCE ABUSE PROGRAMS

Agency	Program	Focus	Links with Other Programs	Annual Capacity	Cost (General Fund Dollars)
Department of Correction	DART-Cherry	Probationers and Parolees with DWI or Drug Offenses	Probation Parole Officers, TASC, Community Penalties, CJPP programs all refer	2,607 for 28 day 406 for 90 day	$3.06 Million
Correction	DART-Cherry Aftercare	90 day outpatient treatment for ffenders completing DART-Cherry	Utilize TASC and CJPP programs where possible	at least 400 offenders	$467,806 for 97-98 $454,715 for 98-99
Correction	Criminal Justice Partnership Program	Intermediate Offenders and Pre-Trial Release (monitor); parolees can be served if counties choose	Close cooperation with TASC and Probation and Parole	100 County Programs; 47 Day Reporting Centers, 19 Satellite Substance Abuse	$4.6 Million for grants plus $1.1M for administration Over $3 Million in grants to Substance Abuse for 97-98
Correction	IMPACT aftercare	Offenders completing IMPACT	Joint program/run by TASC	4 locations (about 150)	$350,000 available funds
Correction (Grant Funded Nonprofits)	John Hyman Summit House (res) Harriet's House(res) Women at Risk	Offenders in NE N.C. Mothers on Probation Mothers leaving prison Women on Probation		100 60 + DRC 10 families 120	$250,000 $1,103,458 $200,000 $125,000
Correction	SARGE Transitions	Youthful offenders completing in prison		50 offenders	federally funded pilot

Agency	Program	Focus	Links with Other Programs	Annual Capacity	Cost
Administrative Office of the Courts	Drug Treatment Courts	close supervision and treatment of non trafficking offenders	TASC provides some case management; PPO Supervise; send some to DART	5 locations; currently 190 clients; capacity about 250	$800,000 1994 pilot sunsets June 30, 1998
Health and Human Services -- MHDDSA	general substance abuse treatment—detox, residential, outpatient	population with substance abuse problems: about 50% court ordered		statewide through 40 Area Agencies; served 68,000 in 1996-7, 42% of them court ordered	Total Substance Abuse Services Budget $84 Million; local programs raise additional funds through fees, contracts, grants
HHS-MHDDSA	Drug Education Schools	Educational program for offenders charged with simple possession	In some cases, TASC runs schools	Statewide 3,400 in 1996-7	fee supported for most part
HHS-MHDDSA	Alcohol and Drug Education Traffic Schools (ADETS)	Required as minimum sanction for all DWI offenders as condition of restoring license		Statewide 800 completed program in first half of 1995-6	estimate 40% of 40,000 (1996) DWI offenders sent to ADETS
HHS-MHDDSA	TASC -Treatment Alternatives to Street Crime	Assessment and Case Management of offenders with Substance Abuse Problems	Participate in many CJPP programs, Drug Treatment Courts, DART aftercare. Run IMPACT aftercare. Do assessments.	In 25 Area Agencies covering 24 Prosecutor's Districts; 10,890 clients in 1996-97	State level funding of $3.96 Million ($2.28 M State funds). Individual programs raise additional funds with fees and contracts (eg Impact aftercare)

TREATMENT ALTERNATIVES TO STREET CRIME (TASC)

WHAT IS TASC

- TASC links substance abuse treatment with the criminal justice process as a way to force an abuser to receive treatment. TASC provides assessment and case management to offenders with substance abuse problems. Case management involves identifying the appropriate treatment, arranging for the treatment, monitoring the clients' participation, determining when changes in treatment levels are appropriate, arranging new treatment, etc.. The length of time an offender works with a TASC case manager varies but the goal is 12 consecutive months without any substance abuse.

- TASC assigns offenders to one of 7 treatment levels; no treatment (either because problems are minor or too severe to treat), education and screening, weekly outpatient treatment, intensive outpatient treatment, intensive residential, therapeutic community. An individual offender should move among treatment levels based on treatment needs and risk levels.

- TASC began as a federally funded program in North Carolina in 1978. The State began funding TASC programs in 1980 and the program was expanded in the Crime Session. The 1994 expansion also led to the development of Enhanced TASC as a more intensive program with lower caseloads (goal of 35:1)

- Current TASC funding is $1.68 Million in Federal Block Grant Funds and $2.28 Million in State funds for a total of $3.96 Million.

- TASC is administered through the 40 Area Mental Health Agencies. They apply for grants from the state Division of Mental Health, Developmental Disabilities and Substance Abuse Services. Local programs raise additional funds through fees, grants and contracts.

- Currently, 25 of the Area Agencies have TASC programs. In 1996-7, 10,890 clients were served.

HOW DOES TASC COORDINATE WITH OTHER OFFENDER PROGRAMS

- An offender may receive TASC services through one of several channels:
  self-referral
  court ordered (some judges have TASC assess an offender before sentencing)
  referred by Probation and Parole
  referred by Community Penalties
  as part of their sentence to a Day Reporting Center or other Criminal Justice Partnership Program

- In addition, TASC has several projects in conjunction with other JPS agencies.
  (1) The IMPACT aftercare program in 4 communities is a joint TASC-Probation and Parole project. The funds flow through DAPP but they contract with TASC and TASC staff and Probation Parole Officers work as a team.
  (2) TASC works closely with many Criminal Justice Partnership Program. Some TASC staff (33 full-time, 8 part time) provide services on site at Day Reporting Centers.
  (3) The aftercare program through DART-Cherry uses TASC for case management of some of their offenders.
  (4) TASC provides case management to some Drug Treatment Court offenders, depending on other resources available.
  (5) TASC is also involved in some pretrial and jail detention treatment programs.

HOW IS TASC EVALUATED

- TASC is part of the annual recidivism study by the Sentencing Commission

- Several performance measures on TASC are included in the Health Area Program Performance Budget.

- TASC collects tracking information on all their clients. That data is not yet being analyzed regularly.

ISSUES OF COORDINATION

- Potential Overlap: the role of a TASC case manager can be similar to the role of Probation Parole officers and/or case managers or other staff working with CJPP programs. Whether there is overlap depends on the resources available in that community, the organization of the CJPP programs, and the specific offenders' needs.

- Evaluation: DHHS and DOC substance abuse programs are evaluated separately although they serve many of the same clients.

- Targeting: TASC services are most appropriate for certain classes of offenders. Are their resources reaching the most appropriate cases?

1997-1998 REPORTS AND EVALUATIONS OF SUBSTANCE ABUSE TREATMENT FOR OFFENDERS

DEPARTMENT OF CORRECTION

OUTSIDE EVALUATION OF DOC'S SUBSTANCE ABUSE PROGRAMS—MAY 1. SB 352, Sec. 19.23 requires an outside evaluation of DOC's substance abuse programs including a review/update of the findings of the 1996 study, a study of DART-DWI aftercare, and the development of performance measures. The Secretary of DOC shall report the results of the study to Correction and Crime Control Oversight and Appropriations by May 1, 1998.

DART-Cherry Program ---December 1 and May 1. SB 352, Sec 19.24 requires the Department of Correction to report by December 1,1997 and May 1, 1998 on activity and expenditures on the DART-DWI program at Cherry Hospital. Report goes to CCC Oversight and Appropriations .

IMPACT BOOT CAMP REPORT—February 1 . Since 1995, DOC has been required to report annually to Governmental Operations and CCC Oversight on the IMPACT Boot Camp program and its aftercare pilot. Many of these offenders have substance abuse problems and these issues may be included in the report. The report is due January 1, 1998 but DOC has already notified Governmental Operations that the report will be available in February.

THREE YEAR EVALUATION OF CRIMINAL JUSTICE PARTNERSHIP PROGRAM—JUNE 1999 The Criminal Justice Partnership Program has begun a 3 year evaluation of their program, both process and outcomes. The study will look at recidivism and relapse to substance abuse compared to non-CJPP offenders, as well as program characteristics and targeting. The study is funded by National Institute of Justice.

GRANT FUNDED PROGRAMS REPORT--DEC 1 AND MAY 1
Harriet's House, Summit House and Women at Risk all include some substance abuse treatment in their programs for female offenders. They will report to Governmental Operations on their use of state funds and the effectiveness of their programs on May 1, 1998.

PERFORMANCE PROGRAM BUDGETING--The Department of Correction includes several outcome and performance measures for substance abuse treatment for adult offenders as part of the Performance/Program Budget. These measures will be discussed and revised as part of the PPB process between now and 1999.

ADMINISTRATIVE OFFICE OF THE COURTS

EFFECTIVENESS OF DRUG TREATMENT COURTS—MAY 1. AOC is required to report on the effectiveness of the Drug Treatment Court program by May 1, 1998. Funding for this program sunsets on June 30, 1998. They have received a 2 year federal grant to fund this evaluation.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DWI SUBSTANCE ABUSE ASSESSMENT REPORT—FEB 1
The Substance Abuse Services Section reports annually (Feb 1) on the program of mandatory substance abuse assessments of DWI offenders. They report on the number who have completed the assessments and required treatment, the kind of treatment provided, and the fees collected.

PERFORMANCE PROGRAM BUDGET The Health program area includes several outcome and performance measures for substance abuse treatment via Mental Health as part of the Performance/Program Budget. These measures will be discussed and revised as part of the PPB process between now and 1999.

LRC ON SUBSTANCE ABUSE AFERCARE There is currently a Legislative Research Commission looking at Substance Abuse Aftercare. Their study may or may not include some programs that work with offenders.

OTHER

RECIDIVISM REPORT—APRIL 1
The Sentencing Commission reports annually on recidivism among criminal offenders. This report will cover community corrections programs as well as TASC and is due April 1, 1998.

FEBRUARY	APRIL	MAY
Impact	Recidivism	Evaluation DOC Programs
DWI Assessment Report		DART-Cherry
		Drug Treatment Courts
		Grant Funded Programs

DOC SUBSTANCE ABUSE PROGRAM -- POSSIBLE ISSUES FOR EVALUATION

- ***TARGETING – MATCHING OFFENDERS TO RIGHT TREATMENT RESOURCES AND DETERMINING OPTIMAL LENGTH OF TREATMENT –*** *ARE APPRORIATE OFFENDERS* ENTERING 35 DAY/ 90 DAY AND LONG TERM PRIVATE PROGRAMS? DOES DOC HAVE RIGHT TYPE OF TREATMENT PROGRAMS THAT MATCH NEEDS OF INDIVIDUAL OFFENDERS? ARE THERE SITUATIONS WHEN DART PRISON BEDS ARE INAPPROPRIATELY USED AS PRISON BED MANAGEMENT TOOLS?

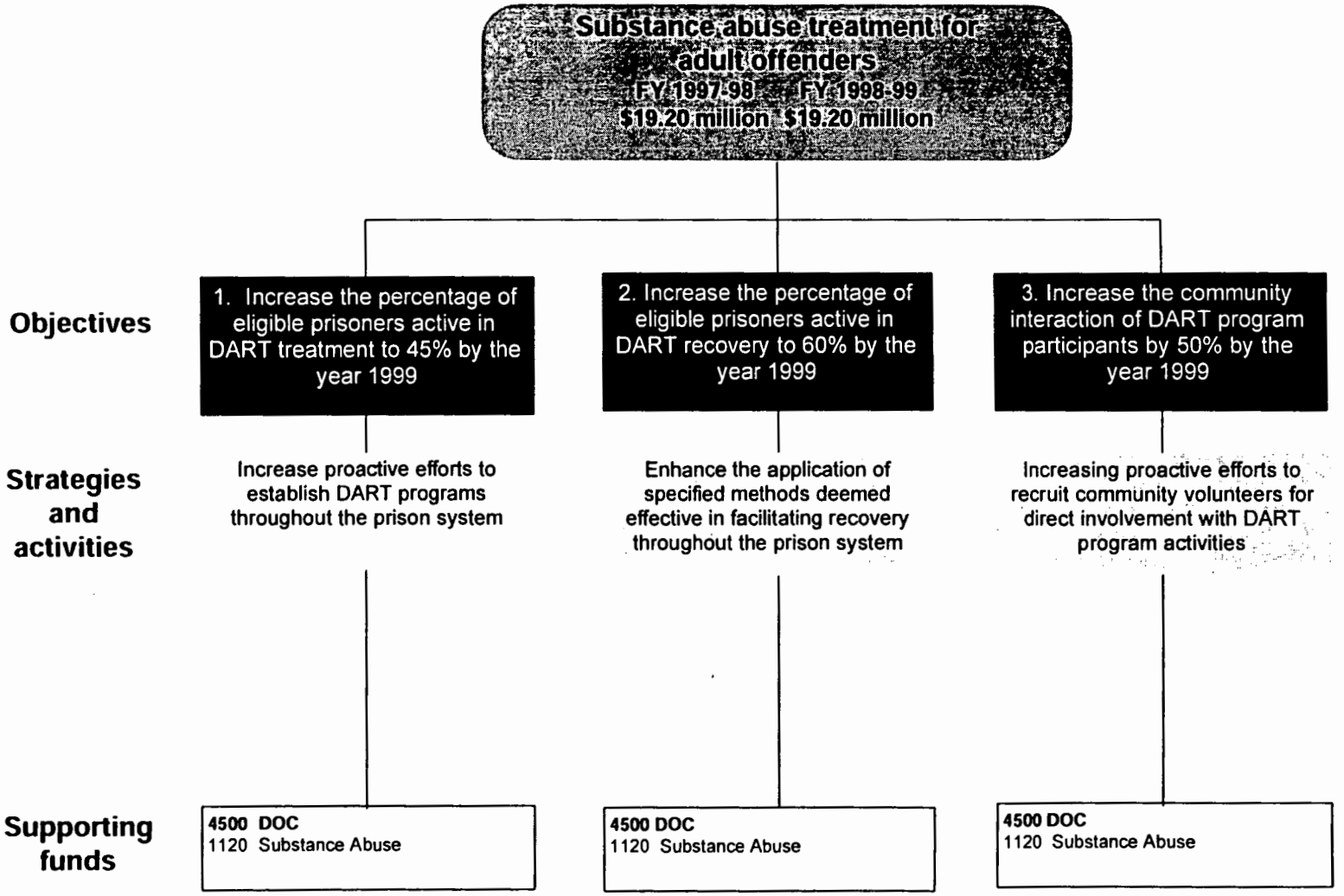
- ***SUBSTANCE ABUSE PROGRAM PROCESS AND PROCEDURES*** – ARE ALL DOC PROGRAMS FOLLOWING PROCEDURES AS OUTLINED IN PROGRAM MANUALS? TO WHAT EXTENT SHOULD DOC PROGRAMS BE CONSISTENT WITH HEALTH AND HUMAN SERVICES SUBSTANCE ABUSE TREATMENT PROGRAMS?

- ***ORGANIZATION AND STAFFING*** – IS DOC PROPERLY STAFFED AND ORGANIZED TO DELIVER EFFECTIVE TREATMENT? WHAT SHOULD OFFENDER/STAFF RATIOS BE? ARE SUPERVISOR/STAFF RATIOS APPROPRIATE?

- ***COST EFFECTIVENESS*** – HOW DO DOC SUBSTANCE ABUSE COSTS COMPARE TO OTHER PRISON SYSTEMS? ARE DOC FUNDS ALLOCATED TO MOST EFFECTIVE PROGRAMS?

- ***LINKAGES TO COMMUNITY PROGRAMS*** – HAS DOC DEVELOPED EFFECTIVE WORKING RELATIONSHIPS WITH OTHER AGENCIES?

- **PERFORMANCE MEASURES** – ARE OFFENDERS COMPLETING PROGRAMS? ARE DOC PROGRAMS REDUCING CHEMICAL DEPENDENCY AND CRIMINAL BEHAVIOR? DOES DOC HAVE MANAGMENT INFORMATION SYSTEM IN PLACE TO TRACK OFFENDERS THROUGH PRISON AND COMMUNITY PROGRAMS? WHAT ARE OTHER KEY PERFORMANCE INDICATORS FOR EVALUATING A SUBSTANCE ABUSE PROGRAM?


Substance abuse treatment for adult offenders
FY 1997-98 $19.20 million
FY 1998-99 $19.20 million
Objectives
1. Increase the percentage of eligible prisoners active in DART treatment to 45% by the year 1999
2. Increase the percentage of eligible prisoners active in DART recovery to 60% by the year 1999
3. Increase the community interaction of DART program participants by 50% by the year 1999
Strategies and activities
Increase proactive efforts to establish DART programs throughout the prison system
Enhance the application of specified methods deemed effective in facilitating recovery throughout the prison system
Increasing proactive efforts to recruit community volunteers for direct involvement with DART program activities
Supporting funds
4500 DOC
1120 Substance Abuse
4500 DOC
1120 Substance Abuse
4500 DOC
1120 Substance Abuse

Objective 1: Increase the percentage of eligible prisoners active in DART treatment to 45% by the year 1999.

Measure	Actual 1991-92	1992-93	1993-94	1994-95	1995-96	*Estimated 1996-97*	*Expected 1997-98*	*Expected 1998-99*
Outcome Measures:								
Percentage of eligible prisoners active in DART treatment	16.6%	15.6%	14.7%	18.9%	32.0%	*37.1%*	*43.2%*	*45.4%*
Performance Measures:								
Number of offenders treated in intensive residential program	3,248	3,213	3,300	3,583	9,600	*11,135*	*12,945*	*13,634*
Number of offenders treated in outpatient programs	1,624	1,537	1,650	1,642	7,840	*9,000*	*10,350*	*12,213*

Current Situation:

The state plans to accomplish this objective by maximizing the application of DART treatment services throughtout the North Carolina prison system.

Funds:

4500 DOC
1120 Substance Abuse

Objective 2: Increase the percentage of eligible prisoners active in DART recovery to 60% by the year 1999.

Measure	Actual 1991-92	1992-93	1993-94	1994-95	1995-96	*Estimated 1996-97*	*Expected 1997-98*	*Expected 1998-99*
Outcome Measures:								
Percentage of eligible prisoners active in DART recovery	22%	23%	23%	35%	45%	*50%*	*55%*	*60%*
Performance Measures:								
Number of offenders involved in self-help recovery	4,600	5,697	6,000	7,596	7,880	*8,000*	*8,400*	*8,750*

Current Situation:

The state plans to accomplish this objective by maximizing the application of DART recovery services throughtout the North Carolina prison system.

Funds:

4500 DOC
1120 Substance Abuse

Objective 3: Increase the community interaction of DART program participants by 50% by the year 1999.

Measure	Actual 1991-92	1992-93	1993-94	1994-95	1995-96	*Estimated 1996-97*	*Expected 1997-98*	*Expected 1998-99*
Outcome Measures:								
Number of participatory visits with DART volunteers (comprehensive measure under development)	n/a	n/a	n/a	n/a	n/a	*n/a*	*n/a*	*n/a*
Performance Measures:								
Number of active DART volunteers (comprehensive measure under development)	n/a	n/a	n/a	n/a	n/a	*n/a*	*n/a*	*n/a*

Current Situation:

The state plans to accomplish this objective by maximizing the application of DART volunteer services throughtout the North Carolina prison system. It is assumed that furthering the involvement of DART participants with DART volunteers will serve to facilitate the development of self-help recovery skills. It is also assumed that such involvement serves to further the offender's positive reintegration into the community.

Note: *These measures remain under development pending clarification of operational definitions for "participatory visits" and catagories of volunteers.*

Funds:

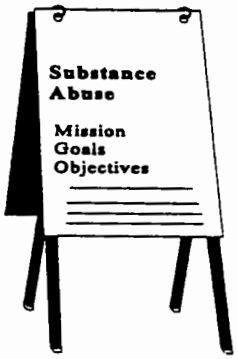
4500 DOC
1120 Substance Abuse

Punishment alone is of questionable effectiveness, but treatment without strict expectations and consequences is also likely to be ineffective. Punishment and treatment should not be seen as alternatives, but as complementary.

---National Task Force on Correctional Substance Abuse Strategies 1991

Substance Abuse Treatment Programs

Section 6



Mission ➡

To enhance public safety by collaborating in the provision of a comprehensive continuum of quality substance abuse services appropriate to the needs of individual offenders to assist them in leading a drug and crime-free lifestyle.

Goals ➡

Develop a comprehensive substance abuse treatment delivery system for offenders in the Texas criminal justice system

- ➡ Increase the rates of offenders who complete substance abuse programs in the criminal justice system
- ➡ Enhance collaborative relationships between divisions of TDCJ, CSCDs, and substance abuse providers
- ➡ Reduce relapse and recidivism rates among substance abusing offenders
- ➡ Improve access to information through improved technological capabilities

Objectives ➡

Establish a uniform screening/assessment methodology for agencies involved in the criminal justice system

- ➡ Improve information on substance abusing offenders throughout the criminal justice system and its service providers
- ➡ Develop standardized core elements in the treatment modalities available for criminal justice system offenders
- ➡ Develop a statewide network of information on substance abuse programming
- ➡ Implement regular regional meetings of all criminal justice agencies and vendors to exchange information, identify and eliminate gaps in substance abuse services, and resolve local and interagency problems
- ➡ Establish comprehensive staff training systems for skill development and team building
- ➡ Increase the accessibility of a continuum of substance abuse treatment to all areas of the state

Review Objectives and Recommended Performance Measures

Process Objectives		Process Measures
Objective 1	Verify compliance with the procedures for placing offenders into the program.	Percent of offenders in compliance with intake procedures.
Objective 2	Describe the types of services provided in the program.	
Objective 3	Verify that offenders are receiving required programming and services.	Percent of offenders receiving programming.
Objective 4	Document the extent to which staff are appropriately trained and certified.	Percent of staff trained in accordance with program requirements.
Objective 5	Document and verify post-discharge placement and services.	Percent of offenders in compliance with discharge procedures.
Objective 6	Describe the process employed for developing policies and procedures.	

Outcome Objectives

Objective 7 Document the characteristics and patterns of substance abuse and alcohol dependency problems.

Objective 8 Document the types of services provided to offenders.

Objective 9 Document the extent of criminal justice violations among participants.

Discharge Variables	Follow-Up Variables
Discharge Reason Percent discharged for various categories (e.g., graduate)	***Supervision Status*** Percent under supervision. Percent absconded. Percent discharged. Percent incarcerated (jail, prison, SAFPF, state jail).
Assessment Percent classified as chemically dependent. Percent classified as chemically abusive. Percent classified as dual diagnosis. Percent classified as special needs.	***Subsequent Drug Use*** Positive urine test rate. Self-reported use.
Rate of Positive Urinalysis ▸ Number of positive tests divided by the number of tests times 100.	***Recidivism*** Reoccurrence of criminal behavior.

12-16-97
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North Carolina Department of Correction
Division of Alcoholism & Chemical Dependency Programs

Report to the North Carolina General Assembly

on the

DART/DWI Program at Cherry Hospital

December 1, 1997

Submitted by: Lattie Baker, Jr., Assistant Secretary
Division of Alcoholism & Chemical Dependency Programs

James B. Hunt, Jr.
Governor

R. Mack Jarvis
Secretary

TABLE OF CONTENTS

Page No.

EXECUTIVE SUMMARY.....3

Background.....5

Population Versus Capacity.....8

Admissions Versus Completions.....10

New Initiatives.....11

Budget Expenditures By Purpose.....14

Summary.....15

Appendices

Appendix A	Ninety (90) Therapeutic Community	1 - 17
Appendix B	Therapeutic Community and Behavioral Science	74 - 98
Appendix C	Conceptualization of Alcoholism and Process of Treatment	11 - 37
Appendix D	Treatment Works	1 - 14

North Carolina Department of Correction

Report to the North Carolina General Assembly on the DART/DWI Program at Cherry Hospital

Executive Summary

The 1989 Special Legislative Session authorized a 100 bed DART/DWI (Driving While Impaired) program for parolees on the campus of Cherry Hospital in Goldsboro. A twenty-eight (28) day residential treatment program was developed to reduce the number of DWI offenders occupying prisons beds by paroling offenders to treatment before their return to the community. The primary mission of the program is to help parolees abstain from using mood-altering chemicals and to make lifestyle changes thus reducing involvement in the criminal justice system.

The 1994 Extra Session authorized expansion of the capacity to 300 beds. At the same time, the target population was expanded to include probationers with DWI convictions as well as other probationers in need of alcohol/drug treatment.

Utilization of the 300 bed capacity became problematic due to a declining parole population and the slow growth of probation referrals. Thus, from 1994 to 1996 the facility was underutilized.

The 1997 Legislative Session requested the Department of Correction to report on the DART/DWI Program to examine the utilization of capacity.

This report will show the current DART/DWI program has achieved the following:

UTILIZATION 98% of CAPACITY

	Admissions	Completion Rate
Probationers	59%	99%
Parolees	41%	100%

Utilization of capacity declined in July 1997 due to fewer parole referrals and seasonal factors. In August capacity was temporarily limited because of the need to train staff for the forthcoming ninety-day (90) therapeutic program. Overall utilization has increased dramatically indicating that capacity utilization problems have been resolved. Presently, DART Cherry has achieved nearly 100% capacity.

The 1997-98 DART Cherry budget is $3,628,035 and seventy-eight (78) positions. The projected fiscal year offender cost per day is estimated at $32.22.

Maintenance of optimal capacity utilization and the provision of comprehensive services has been and shall continue to be a major goal of the DART Cherry Program. The staff continues to nurture and develop linkages and coordination with its comprehensive statewide network of referral sources. The coordination of services between criminal justice agencies and community organizations will continue to be developed to insure proper utilization of DART services within budgetary mandates.

Background

The DART Cherry 100 bed "Parole-To-Treatment" Program was established by the 1989 Special Legislative Session. Driving While Impaired (DWI) inmates occupied more than 3,000 prison beds and were released from prison without treatment for chemical dependency.

Twenty-Eight Day Program

A twenty-eight (28) day "Minnesota Model" of chemical dependency and treatment program was implemented to help parolees achieve two long term goals: (1) abstinence from mood altering chemicals; and, (2) an improved lifestyle. The program considers the achievement of four (4) goals as satisfactory indication of progress:

1. Parolee recognizes the disease of addiction and its implications.

2. Parolee admits the need for help with an illness that cannot be cured and begins to learn how to live successfully with alcoholism and chemical dependency.

3. Parolee identifies specific life changes to be made in order to maintain sobriety.

4. Parolee develops an action plan and makes needed changes to achieve successful community transition.

Therapeutic Community Program

There are four major drug treatment modalities: (1) detoxification, (2) methadone maintenance, (3) outpatient drug-free settings, and (4) drug-free residential communities. Each modality impacts the abuser indifferent ways. Detoxification provides a temporary treatment for withdrawal. Methadone maintenance is an effective substitute for illicit opiate addiction and maintains treatment program involvement. Outpatient programs result in reductions in drug use, particularly for non-opiate abusers. The therapeutic community program is especially effective when rehabilitation is the aim of the program. Rehabilitation requires multi-disciplinary and multi-dimensional influences and training in a long term twenty-four hour residential setting.

National surveys on therapeutic communities show that 30 percent of clients achieve favorable outcomes (no crime, no illicit drug use and prosocial behaviors), an additional 40 percent show moderately favorable outcomes (Simpson and Sells 1982). Studies by De Leon in 1984 and 1986 show about fifty percent of offenders who remained in residence for one year or longer were successful across a three to six year follow-up. Appendix "B" provides a thorough review on the effectiveness of drug treatment in residential therapeutic community programs.

The Department approved a plan to implement a ninety (90) day therapeutic community program. The decision was made, internally, after a site review of several Department of Correction programs: the Stay'n Out Program in New York; the Key and Crest Program in Delaware; and subsequent correctional treatment program visits in South Carolina, Georgia, and Florida. The DART Cherry

ninety (90) day therapeutic community program is described in detail in appendix "A".

The ninety day therapeutic community program is followed by 90 days of community aftercare in an outpatient program setting. The DART Staff continues to develop coordination, and collaboration strategies to achieve community transition and 90 days of drug free outpatient program involvement for every offender completing the 28 day or 90 day treatment program.

In 1996, the Department by internal process approved a plan to implement a ninety (90) day therapeutic community model. The therapeutic community is a drug-free residential community with five (5) principal aims:

1. To assist the parolee/probationer adoption of a positive lifestyle change.
2. To promote the parolee/probationer continuing abstinence from illicit drug use.
3. To eliminate parolee/probationer involvement in criminal and antisocial activity.
4. To increase the parolee/probationer employability through education.
5. To help the parolee/probationer engage in the practice of prosocial attitudes and values.

The therapeutic community has been modeled after Stay'n Out, a prison-based, New York City program, which has been in operation for over 20 years. Two key features are:

- This model is highly structured and addresses the disease concept of addiction while offering a holistic approach that provides treatment for other problematic issues for the chemically dependent offender.

- The therapeutic community provides a structure in which the individual is held accountable for his actions in order to develop a sense of responsibility while learning positive ways of thinking about their substance abuse, anti-social behavior and involvement in the drug subculture.

Therapeutic communities have been widely utilized throughout North America for over twenty years. Research indicates this model can be effective in addressing substance abuse and its attendant issues (see appendix "B").

Driving While Impaired (DWI) laws sanction those who use any drug (including alcohol) which impairs the ability to drive. The choice of programs [twenty-eight (28) day versus ninety (90) day] depends on several factors:

- Court imposed conditions of probation
- Probation staff recommendations
- Parole Commission imposed conditions of parole
- Community providers' recommendations
- Probationer/parolees history of substance abuse
- Probationer/parolees request for treatment

Probationers and parolees can vary both in their drug of choice and severity of their addiction. The three most important factors when considering placement of an offender in the twenty-eight (28) day or ninety (90) day program are the history of treatment failure; the severity of addiction; and the offender's degree of social dysfunction. Offenders with less severe addiction, criminal and social problems are more appropriate for placement in the twenty-eight (28) day program, while offenders with more significant substance abuse issues can be assigned to the ninety (90) day program.

During January 1996, the Department adopted an aggressive statewide effort to maximize the utilization of DART Cherry services. The staff traveled throughout the state speaking to various groups regarding the treatment program in an effort to generate interest and support for the DART Cherry Program and increase collaborative linkages between agencies. This effort has resulted in increased referrals. From November 1994 through December 1995, only sixty-six (66) probationers were referred to the DART Cherry Program. In 1996, seven hundred and fifty (750) probationers were referred, and through August 1997, over one thousand (1,000) probationers have been referred.

The implementation of the ninety (90) day therapeutic community model was a component of this effort. The significant increase in population is due to the support of the Division of Adult Probation and Parole in making recommendations to judges for placement at DART Cherry and the efforts of the North Carolina Parole Commission to parole an average of thirty (30) inmates per week to the program. The DART Cherry staff coordinates referrals, services, and aftercare planning with many agencies, including Probation and Parole, the Courts, Community Mental Health Center. As a result of these special efforts capacity utilization of 98% has been achieved.

The Division of Alcoholism and Chemical Dependency has successfully implemented treatment for DWI offenders and other probationers/parolees in need of a structured residential treatment program in a correctional setting. There is a projected need for additional beds. In addition, court officials, local treatment providers and community leaders indicate a need for beds for female offenders.

Population vs. Capacity

The goal of the Department's DART Cherry Program is twofold: to provide alcohol and drug treatment services for offenders and to reduce the need for prison beds by paroling inmates to the DART/DWI facility. Utilizing 300 beds with a twenty-eight (28) day program design, the facility can treat approximately 3,900 offenders each year. It is obvious that the number of eligible parolees is inadequate to fully utilize the capacity of the facility. Consequently, probationers now comprise approximately 70% of the population.

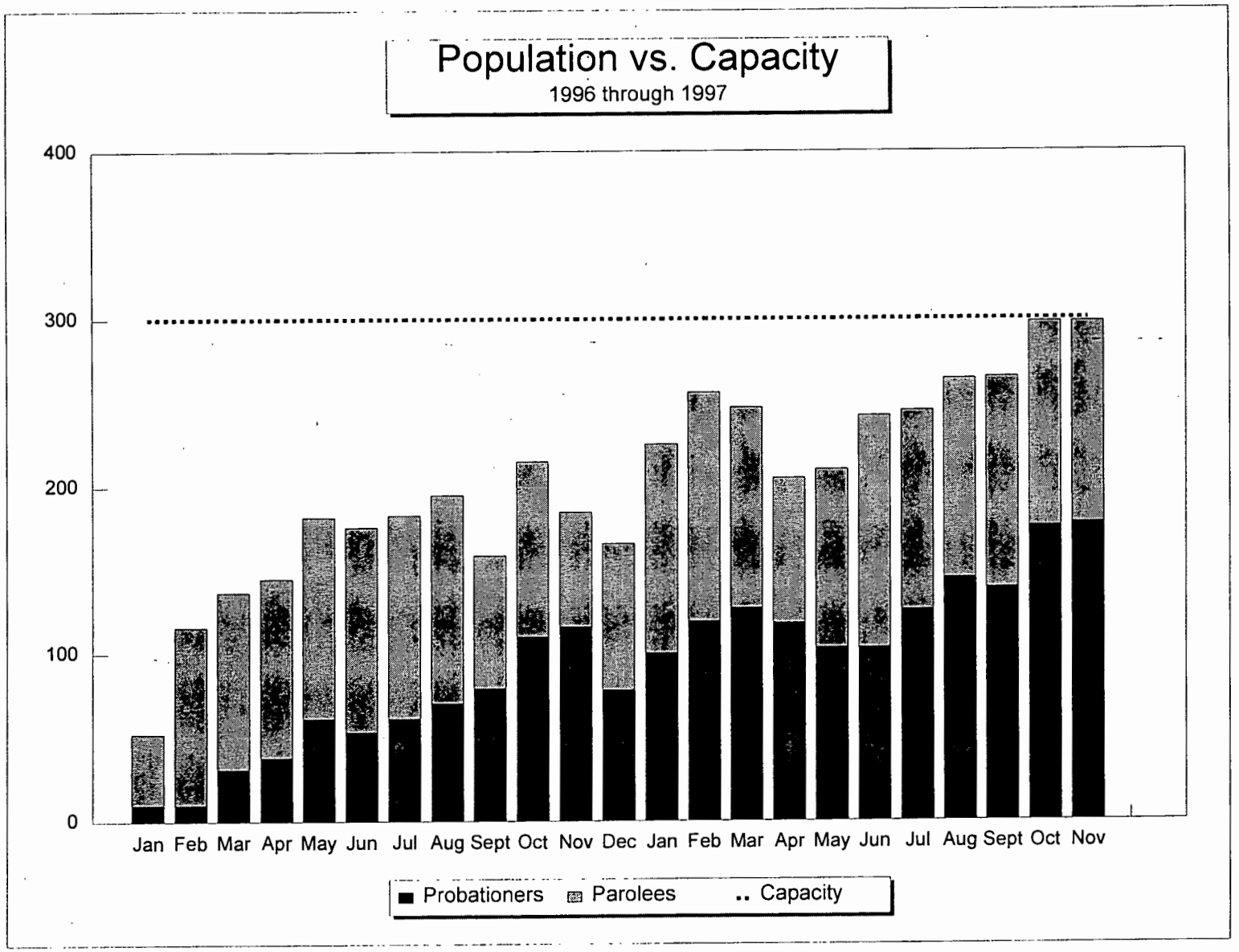
In the early years, parolees made up the majority of the population. In the later years, it became apparent that to fill the extra capacity created in 1994, the percentage of probationer must increase. In 1989, the capacity was 100 beds, the percentage of utilization by probationers has climbed from an average of 50% to a high of 95% in 1991 and declining to 91% in 1993.

When the capacity was increased to 300 beds in 1994, the average utilization fell to 39% then climbed to 61% by June 1997. With the increase in capacity in 1994, utilization rate became problematic due to a declining parole population and slow growth of probation referrals.

In 1996, the Division began to develop and implement a two year proactive strategy to increase the utilization rate. Significant efforts were directed at developing linkages between various criminal justice entities. DART Cherry staff held meetings and made presentations to staff at the Division of Adult Probation and Parole (DAPP), Criminal Justice Partnership Program (CJPP), Community Penalties Programs (CPP), Drug Treatment Courts (DTC), Treatment Alternatives to Street Crime (TASC), and Department of Health and Human Services (DHSS). The three main goals of the presentation were: to provide a thorough explanation of the treatment programs; twenty-eight and ninety days; to outline the procedure to get the offender into the program; and to raise the awareness in the criminal justice community of the treatment resources and alternatives that are available to offenders with drug/alcohol problems.

The results of these efforts have been rewarding. The probation referrals have increased from sixty-six (66) in 1995 to over one thousand (1,000) in 1997. This tremendous response is directly related to the enormous support and cooperation from Division of Adult Probation and Parole and other criminal justice agencies. The growth in the probationers referrals combined with the parole referrals has resulted in a rise in the utilization rate from 86% in July 1997 to a near capacity rate of 99% in November 1997.

To maintain the current level of utilization, the programs need the continued support of the Parole Commission, DAPP and all the other criminal justice organizations. Last years' DWI legislation is expected to have a positive impact on utilization rates. As more DWI offenders enter the judicial system there should be a corresponding increase in the number of referrals to the facility. Maintaining and enhancing the cooperative efforts that now exist between the various criminal justice groups is the only way to insure that the pool of referrals will be adequate to maintain the present near capacity utilization level.


Population vs. Capacity
1996 through 1997
400
300
200
100
0
Jan Feb Mar Apr May Jun Jul Aug Sept Oct Nov Dec Jan Feb Mar Apr May Jun Jul Aug Sept Oct Nov
Probationers
Parolees
Capacity

Admissions vs. Completions

Historical data on admissions versus completions reveals that 95-99% of all offenders complete the program. Parolees have a slightly higher completion rate (100%) than probationers (95%). The level of completion has remained relatively constant over the years. The unsuccessful completions are mainly offenders who refuse to participate in treatment, have various medical needs, and have engaged in unacceptable conduct.

1997	Classification	Entering	Completions	Completion Rate
July	Probationer	172	169	98%
	Parole	146	146	100%
Aug	Probationer	95	92	97%
	Parole	84	83	98%
Sept	Probationer	70	64	91%
	Parole	127	126	99%
Oct	Probationer	57	54	94%
	Parole	123	122	99%
Nov	Probationer	208	203	98%
	Parole	121	120	99%

New Initiative

The Department has reviewed a number of new initiatives designed to increase capacity utilization and improve program outcomes. Initiatives include:

- Aftercare
- Case Management and review of all DWI Prison Admissions
- Coordination and collaboration (statewide) with Program and Services Providers
- Neltrexane and URD (Ultra Rapid Detoxification) protocols
- Facility Master Plan (Preliminary Planning Activity)

Aftercare

It is widely recognized that aftercare is a vital component in every treatment continuum of care for the alcoholic and addicted. The gains in self-perception, diminishing of denial, behavior changes, and acceptance of the need for continuing recovery activities are new to the offender and need bolstering and practice in the community. Given this reality and the goal that these inmates not relapse, planning for aftercare occurred.

An alternative to provide no aftercare services would result in a higher recidivism rate. A solution to the statewide need pointed to local services. Through extensive collaboration and coordination, a network of contractors performed aftercare services and maintained reporting mechanisms to DART-Cherry.

The establishment of a comprehensive Aftercare Plan providing outpatient services for DART Cherry residents is essential to their recovery. This process should occur in the community through the involvement of local providers over a ninety (90) day period. Providers have been identified who offer outpatient treatment for those who complete the DART Cherry Program. The services last ninety (90) days with treatment groups meeting twice a week in two hour sessions each. Aftercare is a cost effective and efficient model of community intervention based on the individual need of the offender. These services also represent an innovative way to assist DAPP field staff in the supervision of offenders thereby enhancing public safety.

Case Management and Review of DWI Prison Admissions

Upon assignment to a diagnostic center new admissions to prison are screened to determine if they are in need of alcoholism or drug treatment. Two screening instruments are used, the SMAST and CDST. Inmates scoring three (3) or above are referred for treatment program admissions. DWI admissions are not provided treatment in the in-prison twenty (28) day programs, but are paroled-to-treatment, and assigned to the DART Cherry Facility. A small number of cases are identified by the Parole commission as in need of long term treatment program involvement before

parole; and are assigned to private Drug/Alcohol treatment centers. There are no DWI beds for female paroles/probationers therefore the Mary Francis Private facility may receive a significant number DWI sentenced, parole eligible female inmates.

An initiative was attempted to review all DWI prison admissions and develop a case plan (Case Management) for each. A lack of computer access and staff resources prevents this from being an ongoing initiative. When these resources are available case management of DWI prison admissions should result in each DWI inmate being referred to an appropriate treatment program before community release and with community aftercare involvement. Additional attention will be given this initiative during the 1998 calendar year.

Coordination and Collaboration

The statewide effort to promote program coordination and collaboration made by DART Cherry staff is supported by a number of national, state, regional and local initiatives. Appendix "D" presents "Treatment Works!," which describes initiatives developed by the Executive Office of the President/Office of National Drug Control Policy. In July of 1997, Governor Hunt issued Executive Order No. 115 which calls for a "Single State Agency to Set Standards and Models of Care for Alcohol and Drug Prevention and Treatment Services." The DART Cherry program utilizes elements from national and state initiatives to improve coordination and collaboration with regional and local program providers.

This initiative has resulted in a stream of probation referrals. Additional referrals can be anticipated for appropriate cases subject to revocation of probation or parole. Additional training and written interagency agreements will be used to strengthen these collaborative arrangements. Collaboration and coordination reduces program duplication and results in maximum efficiency in the use of scarce public resources. The DART Cherry Program will share information and assist the Single State Agency in considering standards and models of care for offenders who are engaged in multi-agency programs. Program linkage and coordination initiatives have been instrumental in increasing the utilization of DART Cherry beds, and at the same time providing residential treatment to probationers who fail to achieve the goals of outpatient community programs.

Neltrexan and URD (Ultra Rapid Detox)

The above referenced are pharmacological interventions/modalities for which the Department has approved exploration of their potential use. Significant work has been accomplished through the East Carolina Medical School to develop appropriate medical and treatment guidelines in order to implement a pilot Neltrexan program. The purpose of this project is to determine if Neltrexan will improve outcomes for alcoholics with repeated treatment experiences and little or no progress towards sustained periods of recovery. Neltrexan has been used successfully to block or reduce alcoholic craving. Dupont Pharma, the East Carolina Medical School, DART Cherry staff and local physicians and treatment/recovery staff will coordinate the development of program

protocols for Departmental approval. In order to reduce the amount of state funds expended for the pilot project, funding from a number of sources is proposed.

Ultra rapid detoxification protocols have been explored; however, it appears that this program is best coordinated by community based providers specializing in drug detoxification. Offenders who successfully complete detox programs and are in need of residential treatment may be referred to the DART Cherry Program.

Facility Master Plan Initiative

The DART Cherry facility was transferred from the Department of Human Resources in 1988 to the Department of Correction. Several reviews of buildings have been made to assure building code compliance, asbestos abatement and operational efficiency. A preliminary Master Plan includes a proposal to increase total capacity to 460 beds, schematic drawings, and cost estimates for the following:

- site improvements
- construction of a kitchen/dining and multi-purpose building
- renovations and repairs to buildings A, B, C, D, O'Berry and McFarland
- construction of connectors for buildings A/B, C/D, B/D, C/O'Berry

One hundred thousand ($100,000) dollars has been allocated for the development of the DART Cherry Master Plan.

Budget Expenditures By Purpose

The total 1997-98 budget for DWI DART Cherry is $3,628,035. This includes $100,000 of architectural fees to revise the master plan for the DWI DART Cherry complex. The 1997-98 budget went down by $223,699 but was offset by $467,806 of additional resources for statewide DWI aftercare services.

There are seventy-eight positions assigned to the DWI DART Cherry program. The staffing pattern is composed of the following classifications:

Facility Manager	1
Program Director	1
Maintenance Workers	2
Medical	3
Food Service	6
Administrative Support	8
Substance Abuse Workers	22
Substance Abuse Counselors	35
Total Positions	78

The average daily cost per bed, excluding capital expenditures, for 1997-98 is $32.22. This represents a slight increase of $2.23 over last years's budget of $29.99. The increase was a result of the additional funding for the statewide DWI aftercare services. See chart below for more details.

	1996-97	1997-98
Personnel	$2,267,747	$2,375,295
Services	317,922	401,816
Aftercare	125,000	467,806
Supplies	482,519	274,964
Equipment	76,196	6,000
Other	14,544	2,154
Sub-Total	$3,283,928	$3,528,035
Capital	1,618,868	100,000
Totals	$4,902,796	$3,628,035
Bed Cost/Per Day Excluding Capital	$29.99	$32.22
Total Positions	78	78

Summary

Maintaining the appropriate capacity and providing the most comprehensive services has been and will always be a major goal of the DART Cherry Program. The linkages that have been developed between many of the agencies previously identified will ensure that the population remains high and that there is a demand for the services that are provided by the DART Cherry Program. As we continue to look at population issues, we will continue to balance the need for treatment as appropriate correctional sanction.

Description of Unsuccessful Completion from DART/Cherry Program 28 Day Model

1997	Medical		Behavioral		Absconded	
	Probation	Parolee	Probation	Parolee	Probation	Parolee
July	1		1		1	
August	1		2	1		
September	2	1	4			
October			2		1	1
Totals	4	1	9	1	2	1

Description of Unsuccessful Completions from DART/Cherry Program 90 Day Model

1997	Medical		Behavioral		Absconded	
	Probation	Parolee	Probation	Parolee	Probation	Parolee
September	1				1	
October			2		2	
Totals	1		2		3	

Appendix A

DART Cherry Program
Chemical Dependency Treatment Facility
Ninety (90) Day Therapeutic Community

DRAFT

DART Cherry Program
Chemical Dependency Treatment Facility

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DART Cherry Program
P.O. Box 812
Goldsboro, NC 27533

PROGRAM NARRATIVE

The primary mission of the DART Cherry Program is to provide an intensive habilitation effort in the field of chemical dependency treatment. The Therapeutic Community (TC) provides a closed system in which such changes leading to effective drug-free functioning by the resident may best be facilitated. Effective functioning is defined as (a) assumption of personal responsibilities for feelings and behaviors of the resident, (b) demonstration of the ability to initiate and continue satisfactory interpersonal relationships, and (c) acquisition of the skills necessary to secure and maintain productive employment.

The DART Cherry Therapeutic Community is a three (3) month intensive, residential treatment program. The four-phase treatment program includes Phase I Orientation; Phase II Main Treatment; Phase III Re-Entry; and Phase IV Community Care. Phases I-III are an average of one month in length. Progression from one phase to another is based upon an individual's growth in treatment.

Resident's enter the Orientation phase and proceed through each phase of treatment by successful completion of treatment tasks, learning activities, and staff recommendation. The phase system is a developmental system in which each of the phases represents an improvement in the assumption of personal responsibilities and constructive behavioral changes by the resident. The Orientation phase is designed to acquaint the resident with the basic concept and philosophies utilized within the program including rules, regulations, and policies.

The resident is introduced to the concepts of substance abuse and the addiction process, relapse and relapse prevention, denial, and the development of the treatment plan.

The Main Treatment phase is focused on the exploration of both the problems faced by the resident in recovery and the options for their solution. The resident continues to learn the process of addiction and recovery. He also begins to identify the deficiencies in life skills which has made it difficult for him to deal with stress-producing situations. The resident learns to accept responsibility for his own behavior and begins to develop new positive attitudes and values. He also looks more closely at himself, identifies the changes that are taking place and formulates short- and long-term goals.

Phase III or Re-Entry provides a period for the resident to solidify changes from earlier work into lasting habits that maintain recovery from his chemical dependency. While preparing for discharge, careful attention is placed upon the development of a comprehensive relapse prevention and aftercare plan that includes outpatient treatment, employment, housing, sponsors, AA/NA and other community resources. Continuous emphasis will be placed on increasing self-worth, self-esteem and family values.

As the resident progresses through the phase system, privileges are acquired as rewards for productive and constructive hard work. Along with these privileges comes added responsibility.

Education and vocational programs are considered an integral part of the overall treatment provided in the therapeutic community. Tutorial, small and whole group instruction is utilized to provide a variety of methods that accommodate learning styles and modalities.

Education and vocational programs are developed to provide residents the opportunity to develop skills in reading, written communication, mathematics, science and social science needed to function successfully as an adult. The program is an innovative and individualized learning experience that fosters the resident's growth as a citizen, learner, worker and consumer.

By its design, a therapeutic community simulates, in a highly controlled and structured fashion, the experience of the larger society. It therefore requires the flexibility to create a total environment within which the substance abuser must confront emotional and practical problems in such a way as to produce a reordering of the resident's lifestyle to achieve a satisfying and productive drug-free existence.

Additional program opportunities will include:

Community Service: Each offender placed at DART Cherry will be required to perform eight (8) hours of community services during their stay. This has been arranged and supported through the Division of Victim and Justice Services. In an effort to enhance Restorative Justice, victims groups will be invited to meet with offender groups on a semi-annual basis.

At Risk Youth: Preliminary discussions have been held with Juvenile Probation staff to establish a program where youth are brought to the Facility to meet with highly motivated residents in the Re-Entry Phase to discuss the importance of staying in school, off drugs or alcohol, peer influence, and making good decisions.

Family Program: Special emphasis will be placed on involving spouses and children in the recovery process. Marriage Enrichment Seminars lasting twenty (20) hours will be scheduled quarterly to improve family relationships, communication, and recovery dynamics.

Project Reintegration: This will be the final activity in the Lifeskills and Job Readiness Program. Employers from across the state will be invited to the Facility to participate in a Job Fair. The employers will review resumes and discuss employment opportunities with residents in the Re-Entry Phase. Actual hiring may occur, but the emphasis will be on assessing the applicants strengths or weaknesses and suggesting employment possibilities.

Toys for Tots: As part of the community service project, residents will work in collaboration with United Way Agencies to collect and repair toys for children in the community who might not have the opportunity to receive toys otherwise. A party for the children will be held at the Facility with Santa Claus handing out presents.

Aftercare: The establishment of a comprehensive Aftercare Plan providing outpatient services for DART Cherry residents is essential to their recovery. This process should occur in the community through the involvement of local providers over a ninety (90) day period. Providers have been identified who would offer outpatient treatment for two hundred and ninety-eight (298) residents leaving the DART Cherry Program. The services would last for ninety (90) days with treatment groups meeting twice a week in two hour sessions each. Aftercare is cost effective and an efficient model of community intervention, based on the individual needs of the offender. These services also represent an innovative way to assist DAPP field staff in the supervision of offenders, thereby enhancing public safety.

Drug Education
Orientation Phase
Week One

Lecture Titles

Day 1		Client Admission	2hrs
Day 2	Lecture #1	TC Rules	2hrs
Day 3	Lecture #2	Introduction to TC, Tx Phases, PM Meetings, Act As If	
	Lecture #3	TC Terminology & Pull-Ups	2hrs
Day 4	Lecture #4	Tickets & Consequences	
	Lecture #5	TC Process & Intro to Small Group	2hrs
Day 5	Lecture #6	Intro to Encounter Group	
	Lecture #7	Intro to AA/NA & 12 Steps	2hrs

Drug Education
Orientation Phase
Week Two

Lecture Titles and Video Titles

Day 1	Lecture #8	Addictive Disease: A Bio-Psycho-Social Disease	
	Video #1	V-1 Brother Earl: "What Problem"	2hrs
Day 2	Lecture #9	Addictive Disease: The Addictive Cycle	
	Video #2	V-2 "Three Headed Dragon"	2hrs
Day 3	Lecture #10	Addictive Disease: Recovery From Addictive Disease	
	Video #3	V-3 "The Wall of Denial"	2hrs
Day 4	Lecture #11	Post Acute Withdrawal: Post Acute Withdrawal Symptoms	
	Video #4	V-4 "Denial - The Inside Story"	2hrs
Day 5	Lecture #12	P A W: Episode	
	Video #5	V-5 "So Long Pal"	2hrs

Drug Education
Orientation Phase
Week Three

Lecture Titles and Video Titles

Day 1	Lecture #13	Criminal Errors of Thought	2hrs
Day 2	Lecture #14	P A W: Stress &P A W	
	Video #6	V-6 "Learning How to Live"	2hrs
Day 3	Lecture #15	Managing P A W: Support Systems	
	Video #7	V-7 "Enjoying Sobriety"	2hrs
Day 4	Lecture #16	Managing P A W: Healthful Living	
	Video #8	V-8 Sylvia Cary: "Working The Problem"	2hrs
Day 5	Lecture #17	Managing P A W: Personal & Spiritual Growth	
	Video #9	V-9 Father Martin "Spiritual Aspects of Alcoholism"	2hrs

Main Treatment Phase
Week One

Lecture Titles and Video Titles

Day 1	Lecture #1 Video #1	Dealing With Change V-1 Father Martin "One Day At A Time"	2hrs
Day 2	Lecture #2	Motivating People To Change	2hrs
Day 3	Lecture #3 Video #2	Step 1 V-2 Father Martin "Step Two"	2hrs
Day 4	Lecture #4	Defense Mechanisms And What They Are	2hrs
Day 5	Lecture #5 Video #3	Willingness V-3 "Change is Possible"	2hrs

Main Treatment Phase
Week Two

Lecture Titles and Video Titles

Day 1	Lecture #6	The Recovery Process: The Developmental Model	
	Lecture #7	Introduction to Stress Management	2hrs
Day 2	Lecture #8	Shame and Guilt	
	Video #4	Bradshaw "Shame and Addiction"	2hrs
Day 3	Lecture #9	Step 2	
	Video #5	V-5 "Step Two"	2hrs
Day 4	Lecture #10	Spirituality	
	Video #6	Damien M. "Spiritual Awakening"	2hrs
Day 5	Lecture #11	Establishing A More	

Main Treatment Phase
Week Three

Lecture Titles and Video Titles

Day 1	Lecture #12	Depression	
	Lecture #13	Cultural Issues	2hrs
Day 2	Lecture #14	Family Dynamics	
	Video #7	"Recovery And The Family"	2hrs
Day 3	Lecture #15	Step 3	
	Video #8	Father Martin "Step Three"	2hrs
Day 4	Lecture #16	Anger Management	
	Video #9	"Why Are You So Angry"	2hrs
Day 5	Lecture #17	Communication Skills	
	Lecture #18	Assertiveness Training	2hrs

Main Treatment Phase
Week Four

Lecture Titles and Video Titles

Day 1	Lecture #19	Criminal Errors of Thinking	
	Lecture #20	Criminal Errors of Thinking	2hrs
Day 2	Lecture #21	Understanding Relapse	
	Lecture #22	Mistaken Beliefs About Relapse	2hrs
Day 3	Lecture #23	Step 4	
	Video #11	Father Martin "Step Four"	2hrs
Day 4	Lecture #24	The Relapse Syndrome	
	Lecture #25	Resentments	2hrs
Day 5	Lecture #26	Co-Dependency	
	Video #11	Melody B. "Caring For Ourselves"	2hrs

Main Treatment Phase
Week Five

Lecture Titles and Video Titles

Day 1	Lecture #27	Criminal Errors of Thought	
	Lecture #28	Criminal Errors of Thought	2hrs
Day 2	Lecture #29	Family Systems	
	Lecture #30	Dysfunctional Family Rules	2hrs
Day 3	Lecture #31	Step 5	
	Video #12	Father Martin "Step Five"	2hrs
Day 4	Lecture #32	HIV by DAPAA	
	Lecture #33	HIV by DAPAA	2hrs
Day 5	Lecture #34	Relationships	
	Lecture #35	Self-Esteem	2hrs

Main Treatment Phase
Week Six

Lecture Titles and Video Titles

Day 1	Lecture #36	Gender Myths and Realities	
	Lecture #37	Friendships	2hrs
Day 2	Lecture #38	Marriage and Romance	
	Lecture #39	Intimacy vs Isolation	2hrs
Day 3	Lecture #40	Families in Development	
	Video #13	Father Martin "Together Families in Recovery"	2hrs
Day 4	Lecture #41	Parenting Skills	
	Video #14	Father Martin "Alcoholism and the Family"	2hrs
Day 5	Lecture #42	Loneliness and Solitude	
	Lecture #43	Leisure and Recreation	2hrs

Re-Entry Phase
Week One

Lecture Titles and Video Titles

Day 1	Lecture #1	Wellness	
	Video #1	Tom Brady "The Solution"	2hrs
Day 2	Lecture #2	HIV	
	Video #2	"Truth About AIDS"	2hrs
Day 3	Lecture #3	Step 9	
	Video #3	Father Martin "Step Nine"	2hrs
Day 4	Lecture #4	Criminal Thinking Errors	
	Lecture #5	Criminal Thinking Errors	2hrs
Day 5	Lecture #6	Step 10	
	Video #4	Father Martin "Step Ten"	2hrs

Re-Entry Phase
Week Two

Lecture Titles and Video Titles

Day 1	Lecture #7 Video #5	Burnout "Detachment"	2hrs
Day 2	Lecture #8 Lecture #9	Phases and Warning Phases and Warning of Relapse Phases 1-7	2hrs
Day 3	Lecture #10 Video #6	Step 11 Father Martin "Step Eleven"	2hrs
Day 4	Lecture #11 Lecture #12	Phases and Warning Relapse Prevention Planning	2hrs
Day 5	Lecture #13 Lecture #14 Video #7	Relapse Prevention Planning 4-9 "Relapse Prevention"	2hrs

Re-Entry Phase
Week Three

Lecture Titles and Video Titles

Day 1	Lecture #15 Video #8	Family Involvement Father Martin "Enabling"	2hrs
Day 2	Lecture #16 Video #9	Family Involvement "Caring for Ourselves"	2hrs
Day 3	Lecture #17 Video #10	Step 12 V-10 Father Martin "Step Twelve"	2hrs
Day 4	Lecture #18 Video #11	Family Involvement "Feelings"	2hrs
Day 5	Lecture #19 Video #12	Happiness Father Martin "Humor"	2hrs

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Appendix B

Therapeutic Community and Behavioral Science

National Institute on Drug Abuse

Research 84

MONOGRAPH SERIES

Learning Factors in Substance Abuse

U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES • Public Health Service • Alcohol, Drug Abuse, and Mental Health Administration

(1988)

The Therapeutic Community and Behavioral Science

George De Leon

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SUBSTANCE ABUSE PROGRAM

INTRODUCTION

The therapeutic community (TC) has proven to be a powerful approach to rehabilitating substance abusers. As described in other writings (De Leon 1983; De Leon 1986; De Leon and Beschner 1977), the TC is fundamentally a self-help phenomenon whose evolution has proceeded primarily outside of mainstream psychiatry, psychology, and medicine. Nevertheless, the TC represents a unique demonstration of the application of behavioral science principles in a human service setting.

The purpose of this paper is to narrow the gap between laboratory and field settings through exposition of the TC as a unique behavioral science model. To contrast the TC with other approaches, the initial section offers a brief overview of the aims and effectiveness of major drug treatment modalities. Next, a more detailed description of the perspective and methods of the TC is provided, followed by an illustration of the relationship between key TC concepts/practices and behavioral science principles and methods. Highlighted is the use of shaping and explicit contingencies to facilitate behavior change within a community context. Lastly, possible interactions between behavioral science and the TC are discussed.

THE EFFECTIVENESS OF DRUG TREATMENT

There are four major drug treatment modalities: detoxification, methadone maintenance, outpatient drug-free settings, and drug-free residential communities. Each modality has its view of drug abuse, and each impacts the abuser in different ways.

Considerable literature documents the effectiveness of these modalities, evaluating each in terms of its principal aims (Sells 1979; Simpson and Sells 1982; Newman 1979; Kleber and Soblentz 1979; De Leon and Rosenthal 1979; De Leon 1985). The findings show that detoxification provides a temporary treatment for withdrawal; methadone maintenance is an effective substitute for illicit opiate addiction that can maintain treatment involvement; and services in outpatient settings yield reductions in drug use, particularly for nonopiate abusers.

The principal aim of the TC is a global change in lifestyle: abstinence from illicit substances, elimination of antisocial activity, employability, and prosocial attitudes and values. A critical assumption for the TC is that stable recovery depends upon a successful integration of both social and psychological goals. Rehabilitation, therefore, requires multidimensional influences and training, which for most can occur only in a 24-hour, long-term residential setting.

For traditional long-term TCs, national surveys indicate that 30 percent of clients achieve maximally favorable outcomes (no crime, no illicit drug use, and prosocial behavior), and an additional 40 percent reveal moderately favorable outcomes (Simpson and Sells 1982). Representative results are reported for Phoenix House. Success (no crime and no drug use) rates among graduates exceed 75 percent 5 to 7 years after treatment. Among dropouts, success rates average 31 percent, but the percentages relate directly to time spent in treatment (figure 1). About 50 percent of those who remained in residence for 1 year or longer were successful across 3 to 6 years of followup, compared to about 25 percent who stayed less than 1 year (De Leon 1984; De Leon 1986).

Overall, the four modalities appear reasonably effective, considering their aims. When rehabilitation is the aim, however, it is the TC which is particularly effective. A closer look at this modality will illuminate the TC as a unique illustration of a rehabilitation model grounded in behavioral science.

TCs

The TC can be distinguished from other major drug treatment modalities in two fundamental ways. First, the primary "therapist" and teacher in the TC is the community itself, which consists of peers and staff who, as role models of successful personal change, serve as guides in the recovery process. Thus, the community provides a

...is facilitated through the TC structure (social organization, staff, and daily regime) and the treatment process (the individual's passage through treatment phases) within that structure.

TCs are stratified communities composed of peer groups at levels of seniority that are led by staff. Together they constitute the community, or family, in a residential facility. This peer-to-community structure strengthens the individual's identification with a perceived, ordered network of others, and it arranges relationships of mutual responsibility to others at various levels of the program.

The operation of the community itself is the task of the residents, working under staff supervision. Work assignments, called job functions, are arranged in a hierarchy according to seniority achieved by progress and productivity. The new client enters a setting of upward mobility, where job assignments begin with the most menial tasks (e.g., mopping the floor) and lead vertically to levels of coordination and management. Indeed, clients come in as patients and can leave as staff. This social organization reflects the fundamental aspects of the rehabilitative approach: mutual self-help, responsible performance, and earned success.

The TC is managed as an autocracy, with the goal of teaching self-reliance. Staff serve as rational authorities who monitor and evaluate client status, supervise resident groups, assign and supervise resident job functions, and oversee house operations. Clinically, staff conduct all therapeutic groups, provide individual counseling, organize social and recreational projects, and confer with significant others. They decide matters of resident status, discipline, promotion, transfers, discharges, furloughs, and treatment planning. Key staff, who are recovered addicts, are visible role models who illustrate the reality of personal change. Their successful rehabilitative experience qualifies them to teach, to sanction, and to serve as guides and rational authorities.

Daily Regime. The daily regime is full and varied. A typical day in a TC is highly structured, beginning with a 7 a.m. wakeup and ending at 11 p.m. It includes a variety of meetings, job functions (work therapy), therapeutic groups, recreation, and individual counseling.

...conditions of drug abuse. The regime provides ...ment for many who customarily have lived in chaotic ...ruptive settings; reduces boredom and distracts from negative preoccupations which have, in the past, been associated with drug use; and offers the opportunity to achieve satisfaction from a busy schedule and the completion of daily chores. In short, it ensures that productive behaviors have a chance to replace self-destroying drug-related behaviors.

The TC Process

Within its structure, the TC prescribes explicit stages. These are sequenced to achieve incremental degrees of learning, each stage preparing the individual for learning at the next.

Stage I (Induction—0 to 60 Days). The main goals of this initial phase of residency are the assessment of individual needs and orientation to the TC. Important differences among clients generally do not appear until they experience some reduction in the circumstantial stress usually present at entry and have had some interaction with the treatment regime. Thus, observation of individuals continues during the initial residential period to identify special problems in their adaptation to the TC.

The goal of orientation in the initial phase of residency is to assimilate the individual into the community through full participation and involvement in all of its activities. Rapid assimilation is crucial at this point, when clients are most ambivalent about the long tenure of residency. Thus, the new resident is immediately involved in the daily residential regime. Emphasis, however, is placed not upon treatment but upon education and role induction into the community process. Therapeutic and educational activities focus on the TC perspective, its approach, and the rationale for long-term residential treatment.

Stage II (Primary Treatment—2 to 12 Months). During this stage, the main TC objectives of socialization, personal growth, and psychological awareness are pursued through all of the therapeutic and community activities. Primary treatment actually consists of three phases separated by natural landmarks in the socialization-developmental process. Phases roughly correlate with time spent in the program (1 to 4 months, 5 to 8 months, and 9 to 12 months), and these periods

are marked by plateaus of stable behavior, which signal further change.

In each phase, the daily regime of meetings, work, recreation and groups remains the same. Progress, however, can be seen in the client's profile at the end of each phase, which can be typified in terms of three interrelated dimensions: community status, developmental change, and psychological change.

Community status describes the degree to which residents become role models. Developmental change refers to the extent to which individuals alter their drug-involved profile in conduct, language, attitude, and outlook. This is an indication of the extent to which they internalize the TC's perspective and commitment to change. Psychological change describes the degree to which residents reveal personal growth in maturity, openness, insight and self-awareness, emotional stability, and self-esteem.

Stage III (Reentry—13 to 24 Months). Reentry is the stage at which the client must strengthen skills for autonomous decisionmaking and the capacity for self-management with less reliance on rational authorities or a well-formed peer network. There are two phases of the reentry stage.

Early Reentry (13 to 18 Months). The main goal of this phase, during which clients continue to live in the facility, is preparation for healthy separation from the community.

Emphasis upon rational authority decreases under the assumption that the client has acquired a sufficient degree of self-management. This is reflected in more individual decisionmaking about privileges, social plans, and life design. The group process involves fewer leaders at this stage, fewer encounters, and more shared decisionmaking. Particular emphasis is placed upon life skills seminars, which provide didactic training for life outside the community. Attendance is mandated for sessions on budgeting, job seeking, use of alcohol, sexuality, parenting, use of leisure time, etc.

During this stage, individual plans are shared tasks of the client, a key staff member, and peers. These plans are actually blueprints of educational and vocational programs which include goal attainment schedules and methods of improving interpersonal and family relationships as well as social and sexual behavior. Clients may attend school or hold full-time jobs either within or outside the TC at this

point. Still, they are expected to participate in house activities when possible and carry some community responsibilities (e.g., facility coverage at night).

Late Reentry (18 to 24 Months). The goal of this phase is to complete a successful separation from residency. Clients are on "live-out" status, involved in full-time jobs or education and maintaining their own households, usually with live-out peers. They may attend such aftercare services as Alcoholics Anonymous (AA) and Narcotics Anonymous (NA), or take part in family or individual therapy. This phase is viewed as the end of residency but not of program participation. Contact with the program is frequent at first and is only gradually reduced to weekly phone calls and monthly visits with a primary counselor.

Completion marks the end of active program involvement. Graduation itself, however, is an annual event conducted in the facility for completees at least 1 year beyond their residency.

THE TC AS BEHAVIORAL SCIENCE

The TC Vernacular

Behavioral science, in the broad sense of the term, is liberally reflected in the TC. However, the fit between behavioral science and TC concepts is clearly imperfect. This is most evident in the vernacular of the TC, which is an unusual mix of street idiom and language borrowed from various psychotherapeutic schools including psychoanalysis, gestalt therapy, and existential psychotherapy. The TC's vernacular reflects its view of the whole person. Self, feelings, thinking, and awareness are viewed as real dimensions of the individual. These, however, are always evident in, or inferred from, observable behavior. In this regard, the TC displays a rare behavioral bias in accepting the existence of "inner" aspects of the individual, but always addressing and/or modifying these aspects through observable behavior.

A thorough translation of the TC vernacular into behavioral terms is a task much beyond the purview of this paper. However, some of the experiential or "inner person" words of particular importance are briefly defined for purposes of clarity.

Emotions/Feelings. These are the typical self-referred cognitive "feeling states," e.g., sadness, hurt, disappointment, hostility, anger,

fear, anxiety, joy, and love. They are always displayed in verbal and/or gestural, postural, and tonal ways. In the TC, experiencing and expressing feelings in appropriate ways is central to recovery. Thus, techniques are designed to evoke and teach individuals to "deal" with their feelings, that is, to label, express, and manage them appropriately before they lead to or trigger self-defeating behavior such as drug use. Examples of this are evident in a later discussion on craving and tolerance training.

An implicit but clear distinction is made between emotions/feelings and physiological states of the individual. The latter refers strictly to body events, usually labeled in terms of aches, pains, sweating, thermal changes, irritability, bowel changes, general physical malaise, etc. Since emotions are always associated with some cognitive event, they may or may not include these specific bodily states.

Insight. This key word in the TC vernacular refers to the conventional connotation of new recognition or understanding. Behaviorally, it is most evident in certain verbal statements that assert a newly identified association between the individual's actions (e.g., drug use, negative thinking, withdrawal, or hostility) and the circumstances or events that influence them (e.g., rejection, reversals, demotion, loss of relationship, criticism, or peer pressure). In addition, if the individual reports a special experience concerning this new recognition, which marks a significant change in self-awareness and in subsequent behavior, the insight is viewed as particularly important to the recovery or change process (i.e., it is a therapeutic event).

Motivation, Readiness, and Commitment. Motivation refers to the individual's verbal acceptance of a serious drug problem and desire for change; readiness refers to the individual's choice of treatment as the method for change vs. other nontreatment alternatives; and commitment refers to the individual's explicit stated intent to remain in the treatment process through completion. Some measurement distinctions among the three dimensions are offered elsewhere (De Leon and Jainchill 1986). In the TC, these terms are used interchangeably and label dimensions of the individual inferred from verbal assertions and a variety of nonverbal behaviors, e.g., job performance, punctuality, attendance, participation in activities, performance, relating to others, etc.

Internalization. This is a key progress concept which involves both new habits and cognitive acceptance: "I do this for myself rather

than others." Internalization is particularly evident when [redacted]nt can transfer, i.e., generalize, what is learned in the TC ab[redacted]right" living to new problems and situations outside the TC.

Maturity. This refers to age-appropriate behavior, particularly frustration tolerance, response to authority, acceptance of criticism, responsibility, and expression of emotions in socially acceptable ways.

Openness. This term refers to the extent to which the individual engages in personal disclosure, usually concerning intimate aspects of past and current events, behavior, feelings, and cognitions.

Self-Esteem. This concept is most usually described in self-reported statements of worth and value about one's own behavior.

A variety of paradigms which are recognizable in various behavioral theories can be suitably adapted to describe what is observed in the TC. Most evident are elements from social learning, cognitive-emotional training, and role conditioning. Examples of these elements are illustrated in the TC's perspective, structure, and approach.

The TC Perspective

Overdetermined Behavior. The TC's view of drug abuse as overdetermined behavior illustrates its behavioral approach to the physical aspects of addiction. Physiological cues or triggers to drug use are less important than the cognitive-emotional cues arising from intra/interpersonal and social sources. Thus, withdrawal effects are seen as temporary physical upsets which can usually be managed through self-, nonmedicated detoxification. Craving, however, is viewed as more complex.

Cravings are thoughts (cognitions, images) about drug taking, as evidenced in verbal reports, which may or may not be associated with physical states nor necessarily lead to drug-taking behavior. Cravings are primarily controlled by social, emotional, and physiological cues. In the early stages of chemical detoxification, the physiological cues for craving are relatively more important than social and emotional cues. As the time since the last drug-taking episode lengthens, however, cravings are more directly under the control of social and emotional cues. For example, residents in TCs may experience cravings months after living drug free, and these are invariably related to social cues (e.g., interpersonal stress or conversations about drugs) or emotional cues (disappointment, hurt, or frustration).

example, clients are encouraged to disclose thoughts of craving, which are then either ignored (extinction), blocked ("don't think about them"), or retrained to provoke new behaviors and alternative thoughts (e.g., "walk away, do exercise").

TC workers studiously avoid direct relief of the physical discomforts associated with drug abuse so as not to inadvertently strengthen poor tolerance for discomfort. Thus, there is no succor for the physical complaints associated with the discomforts of withdrawal or for craving reactions beyond that of peer understanding and encouragement to tolerate these as transient states.

The view of drug abuse as overdetermined behavior also is the fundamental premise for relocation of the client to the residential environment. The drug abuser requires temporary removal from the ordinary environment which contains the multiplicity of cues for drug abuse. This is aptly expressed in the TC (and AA) caution phrase "People, places, and things" (that is, avoid the usual settings and circumstances historically associated with drug abuse). An analogous caution is stressed concerning "internal" subjective cues for drug use. Residents, particularly in the reentry phase of recovery, are instructed not to get "too hungry, tired, or lonely" in order to prevent their thinking about or actually seeking drugs. In behavioral terms, this amounts to interrupting a chain of stimulus-response connections that would end in drug abuse.

Behavioral Orientation. Observed behavior is the primary target of change in the TC. Modifying existing behaviors involves breaking down old patterns and "wrong behavior" and substituting these with alternative, competing "right" behavior. The emphasis is on behaviors here and now rather than on the historical reasons for these behaviors.

In terms of the TC's view of substance abuse as a disorder of the whole person, every domain of behavior must be addressed. Thus, attitudes, feelings, roles, and awareness as well as conduct are regarded as valid behavioral data. For example, a resident's "attitude" on the job or in the morning meeting may elicit a response in others. In conversations or groups, this attitude will be explicitly translated into observable behaviors (gestural, postural, or verbal), which is an essential step in the process of retraining the client.

as the person [illegible] been. Behaving as one should behave will result in cognitive-emotional changes which emotional changes. This concept can be contrasted with [illegible] which emphasize the need for cognitive-emotional experiential change (i.e., insight and understanding) to precede behavioral change.

Mutual Self-Help. The broad goals of recovery in the TC can only be achieved through a mutual self-help peer process. Treatment of the whole person necessitates continual observation of behavior on a 24-hour basis as well as constant, credible, and persuasive feedback to facilitate modification. The range of the behavioral agenda and the extent of training required mandate that all participants in the community serve as both trainers and trainees. Thus, the day-to-day activities of a TC are conducted by the residents themselves. In their jobs, groups, meetings, recreation, and personal and social time, residents transmit to each other the main messages of recovery, right living, and the expectations of the community.

Key behavioral mechanisms evident in the mutual self-help process are:

- Confrontation and Responsible Concern: This concept is closely akin to the notion "I am my brother's keeper." It instructs residents to show responsible concern by confronting others whose behavior and attitudes are not in keeping with expectations of the TC or consistent with the goal of rehabilitation.

- Feedback: Positive and negative verbal reinforcements and suggestions continually address changes in behavior and attitude in small and large group settings and in ordinary conversation.

- Support: This is provided directly through verbal encouragement to persevere in the continual trial-and-error effort to improve and through discouragement of thoughts to leave, and indirectly (vicariously) through observation of, and identification with, others in the change process.

Role Models. People are the essential ingredient in the TC. Peers and staff as role models and rational authorities are the primary mediators of the recovery process. Indeed, the strength of the community as a context for social learning relates to the number and quality of its role models. TCs require multiple role models to

The role model, and role modeling, refer both to a concept and to a fundamental learning/training activity of the TC. A role model is described as an individual who reflects the behavior, attitudes, and expectations of the community. All members of the community are expected to strive to be role models. Thus, much of what is trained or taught in the TC is mediated through peer interaction, particularly through those peers who serve as role models.

Role models illustrate a variety of basic behavioral elements or mechanisms. First, they function as trainers who note elements of behavior, who reinforce but who also help establish new behaviors in newer residents through identification and imitation. In particular, role models provide proof of success, which is a motivational/incentive cue ("hope") for newer residents who observe them as real examples of change.

Second, the status of role model in the TC brings special privileges and acknowledgment by the community itself. Thus, striving for and achieving role model status is associated with explicit practical and social reinforcements.

Third, there are subtle but powerful training effects for residents who serve as role models, mediated through their teaching and through contrast with other residents. The former is similar to the helper-helpee principle of self-help learning. Teaching others reinforces behaviors and attitudes of the teacher–a process which appears as a special case of behavioral rehearsal.

Contrast, as a self-training effect, is more complex. Senior residents who are role models have the opportunity to objectively view the behaviors and attitudes of junior residents. They perceive the difference between their own behavior at an earlier time and their current behavior as role models. This perceived contrast of "where I was and where I am" functions as a reinforcement for continued change and increases the likelihood that "where I am" will prevail.

Thus, the concept of the role model in the TC most explicitly illustrates behavioral science principles. It encompasses the main elements of modeling as a training procedure. In addition, the role model as a person provides motivational/incentive cues, represents

self-perceived contrast effects.

The TC Structure

The social organization of the TC, its structure, and its systems essentially constitute an environment for engineering social learning. The following key elements of the TC structure illustrate this point.

Work as Education and Therapy. In the TC, work mediates essential educational and therapeutic effects. Vertical job movements carry the obvious rewards of status and privilege. However, lateral job changes are more frequent, providing exposure to all aspects of the community. Job changes in the TC are singularly effective therapeutic tools, providing measures of, and incentives for, behavioral and attitudinal change. In the hierarchical, vertical structure of the TC, ascendency marks how well the client has assimilated what the community teaches and expects; hence, job promotion is an explicit measure of the resident's improvement and growth. Conversely, lateral or downward job movements also create situations that require demonstration of personal growth. These movements are designed to teach new ways of coping with reversals and change what appears to be unfair or arbitrary.

The hierarchy of job functions in the TC illustrates the TC's basic behavioral orientation to recovery. Each hierarchy represents a broadly defined behavioral repertoire that indicates competence at that level:

- Efficacy Training: The resident must engage in the behavior that produces positive change. Indeed, clinical observations and TC research demonstrate convincingly that there is a direct relationship between efficacy and self-esteem.

- Role Conditioning: The focus is on training constellations of skills and attitudes which can be perceived and labeled and which have social status. Thus, departmental head, coordinator, director, and role model are all examples of roles trained in the TC.

- Socialization Training: This refers to classes of behaviors and attitudes which reflect dimensions of social behavior other than work roles. Typical labels for these are "responsible," "cooperative," and "mature."

Privileges and Sanctions. Perhaps the most direct application of behavioral training principles and methods in the social organization of the TC is its system of privileges and sanctions. Privileges are explicit rewards that reinforce the behavior and value of earned achievement. Privileges are accorded by behavior, attitude change, job performance, and overall clinical progress in the program. Displays of inappropriate behavior or negative attitude can result in loss of some or all privileges. The resident is given the opportunity to earn them back by showing improvement.

Privileges acquire their importance because they are earned. The earning process requires investment of time, energy, self-modification, and risk of failure and disappointment. Thus, it is the earning process that establishes the value of privileges and hence their potency as social reinforcements.

The type of privilege is related to clinical progress and time in the program, ranging from telephone and letter-writing privileges in early treatment to overnight furloughs later on. Successful movement through each stage earns privileges for the resident that grant wider personal latitude and increased self-responsibility.

Discipline and Sanctions. TCs have their own overriding rules that guide the behavior of residents and the management of facilities. Their explicit purpose is to ensure the safety and health of the community; their implicit aim is to train and teach residents, through the use of discipline, the basic tenets of human interaction.

In the TC, social and physical safety are prerequisites for psychological trust. Thus, sanctions are invoked against any behavior which threatens the safety of the therapeutic environment. For example, breaking the TC's cardinal rule–no violence or threat of violence, verbal or gestural–can bring immediate expulsion. Even minor infractions of house rules are addressed, such as stealing mundane sundries (toothbrushes, books, etc.).

The choice of sanction depends upon the severity of the infraction, time in the program, and history of infractions. For example, verbal reprimands, loss of privileges, or speaking bans may be selected for less severe infractions; job demotions, loss of residential time, or expulsion may be invoked for more serious infractions.

Sanctions are dispensed as "contracts," a variant of contingency contracting. These vary in duration from 3 to 21 days, after which time

they are reevaluated by ... cases, the punishment element of contracts is less important ... their time-out feature. Individuals may be demoted to a job ... tively menial activities, which involves some loss of status, with the instruction that they consciously review their commitment to change.

Though often perceived as punitive, the basic purpose of contracts is to provide a learning experience by compelling residents to attend to their own conduct, reflect on their own motivation, feel some consequence of their own behavior, and consider alternative forms of acting under similar situations.

The TC Approach

In its approach and daily regime, the TC has adapted familiar behavioral training methods and techniques based upon its view of the client and the recovery process. These focus on behaviors, particularly characteristic of addicts, that must be modified in the rehabilitative process.

Awareness Training. Awareness refers to client recognition or understanding of the relationship between themselves (their conduct, attitudes, and feelings), their environment, and other people. The importance of awareness is based upon the TC view of the client and recovery. Substance abusers are characteristically unaware of, or they fail to consider, how their actions affect others or how the behavior of others affects them. They either lack the skills to think of consequences or considerations or they quickly erase such thoughts through blocking, distraction, or rapidly occurring (impulsive) behavior. Understandably, awareness difficulties are also associated with poor judgement (cognitive assessment) of the positive and negative aspects of a situation, which invariably leads to negative, self-defeating consequences. Thus, awareness training is a prerequisite for teaching cognitive assessment skills.

Awareness is also essential for the stability of learned behaviors. Much of what is taught in the TC is through verbal instruction or rule-governing procedures which require awareness to be understood, followed, and remembered. Finally, awareness training is designed to promote dissonance–that is, to raise cognitive conflict between the drug abuser's own view (or personal rules) of his/her lifestyle and the TC's view of right living. In this regard, verbal reporting of awareness is considered necessary for internalization and generalization of learned behavior to situations outside the TC.

minor verbal negative reinforcement for lack of awaren[illegible] constant reminders concerning attitudes and behavior ("pull-ups[illegible]d rect blocking of behavior or thinking that would interfere with appropriate awareness. For example, clients who appear to be distracted or to be daydreaming are simply verbally jolted back to the reality of their existing situation.

Tolerance Training. In the TC's view, drug abusers generally have low tolerance for discomfort of any sort. Low tolerance may be a cause or a consequence of chemical abuse, or it may be the result of biological or personality predisposition or poor child-rearing practices.

The sources of discomfort range widely and include those associated with withdrawal from chemicals, common illness, mood disturbances (e.g., dysphoria, depression, anxiety, and anhedonia), frustration, fear/anxiety often associated with circumstances, or vague discomfort associated with understimulation or boredom. The tolerance problem is also evident in the positive or neutral events in the addict's life. Addicts' characteristic inability to delay gratification reveals their difficulty in tolerating the tension of anticipation/expectation or the uncertainty associated with life's more ordinary stressors (e.g., being alone, interpersonal pressures, and demands for social responsibility). Addicts have acquired a complex repertoire of behaviors both socially and nonsocially acceptable which effectively avoid or reduce discomfort, the most prominent of which is drug use.

Based on this view, tolerance training involves raising the individual's tolerance levels (i.e., changing thresholds for responding) and developing alternative behaviors for reducing or avoiding discomfort through positive or less self-defeating responses.

In this training, effort is directed toward making the individual aware of the chain of cognitive and behavioral events which reflect poor tolerance. Any social, interpersonal, or environmental cue for discomfort can trigger sequences of behavior which lead to reduction or avoidance, most often through drug taking.

*Indeed, for many substance abusers, the requirement to observe and report on each other's behavior and attitudes is directly counter to the ethics of the "street culture."

of discomfort (e.g., criticism, injustice, provocation, uncertainty, interpersonal hurt, or disappointment) and focus on wha[illegible]gers the negative thinking or behavior that often involves drug ta[illegible] Isolating these typical patterns of response (chains) that arise from poor tolerance is an essential first step leading to alternative ways of coping with the moment of discomfort.

A primary technique for increasing tolerance is to delay expected outcomes or rewards. This technique aims to teach an individual to cognitively accept disappointment, frustration, and uncertainty (e.g., about a job change or loss of furlough). Alternative behaviors, which can be characterized as persistence behaviors (e.g., staying on the job, continuing to produce, etc.), are suggested and reinforced. (Tolerance training was also illustrated earlier in teaching residents to "deal with" their craving experiences.)

The Encounter Group. This is the cornerstone training method in the TC. The systematic approach of encounters is outlined in other writings (De Leon and Rosenthal, in press). The group collectively presents their observations and reactions concerning a resident's behavior and attitudes, i.e., the group confronts the individual with how he/she is perceived by others. Thus, there is considerable use of "positive coercion" to initially raise client awareness followed by concrete suggestions (instruction) for positive alternative behavior. The group also provides support for client change.

The TC Process

The client's passage through the stages of treatment in the TC (orientation, primary treatment, early and late reentry) is guided by two interrelated behavioral principles: shaping and explicit contingencies. Behavior and attitudes are gradually modeled in stages to assure sequenced and incremental learning toward a stable recovery. The end points of each stage are well marked in terms of goal attainment levels of expected behaviors and attitudes. Achieving the goals themselves constitutes an explicit reinforcement. For example, attaining senior resident status, reentry candidacy, or graduate status achieves public acknowledgment in addition to the associated social reinforcements of privilege or highly valued job functions.

The entire staging process depends upon the fidelity of a system of explicit contingencies. The sanctions and social reinforcements at each stage are contingent upon the client's display of the expected

...board, personal needs), protection (e.g., from physical harm and outside pressures), privilege, status, and membership in the community. The latter infers powerful social reinforcements arising from friendships, support, and avoidance of loneliness or personal isolation. Staging also contains implicit reinforcements that refer to the client's own perception of change (the personal contrast effect), improvement, and movement toward the program and a self-defined picture of recovery.

Finally, in the member's passage through treatment, delivery of social reinforcements becomes less regular commensurate with the client's time in the program. For example, for more senior residents, rewards such as promotions and privileges may not be offered in predictable ways, although social approval is regularly provided for displaying patience, perseverance, and frustration tolerance. This is directly analogous to the behavioral technique of reinforcing a behavior irregularly in order to make it resistant to extinction. Having learned that payoffs come unpredictably, one is likely to persevere.

THE TC: A UNIQUE EXPERIMENT IN BEHAVIORAL SCIENCE

Although behavioral principles and methods are abundantly evident in TCs, they do not capture the complexity or distinctive features of these settings. A description of the TC in more global terms can broaden understanding of the application of behavioral science to human settings.

The TC as a Microsociety

The TC contains similarities to the larger macrosociety with the critical deletion of drug use and antisocial behavior. In its structure, progression up the hierarchy of job functions is much like the movement up the occupational ladder in the "real world." One begins at the bottom, and advancement requires hard work, discipline, good work, and social skills. Upward mobility is capable of imparting to the dysfunctional client the repertoire needed to successfully assimilate into mainstream society.

A key difference, however, is that the TC fosters trial-and-error learning, providing a manipulable environment in which one can fail safely. This is contrasted with the outside world which harbors greater risk of loss, humiliation, or punishment from performance

...generalization of new learning to the macrosociety.

Community as a Context for Social Learning

Although behavioral science principles and methods are the mechanisms for understanding change in the TC, social learning occurs within the context of everyday life as it is perceived and experienced by members of the community. Embedded in the routine activities of community life are social and psychological factors (parameters) known to strengthen the learning process. Several of these are briefly noted below.

Continuous Observation. In the 24-hour regime of the TC, all dimensions of individuals can be observed: how they work, relate to peers and staff, maintain their rooms and personal hygiene, and participate in groups and community meetings. These are the everyday behaviors and attitudes that provide the steady input of data to be addressed and modified. Individuals change their attitudes, values, and conduct through continuous interaction with a community of others.

Peer Learning. Practically all learning occurs collectively in positive peer groups, which reverses the well-documented influence of negative peers or street groups on individual behavior. Thus, the use of peers in the TC incorporates the empirically demonstrated power of cohorts, teams, and groups in enhancing learning effects.

Repetition. The TC's message–its concept of recovery and right living–is continuously reiterated in virtually all of its activities (e.g., meetings, written signs, one-to-one conversations, seminars, etc.). Particular emphasis is placed upon strengthening motivation through mutual encouragement to remain in the learning process, using reminders of losses of the past, gains of the present, and goals of the future.

Affiliation. Behavioral methods govern how people learn in the TC. However, the efficacy of these methods is dependent upon the individual's receptivity to the TC's demanding regime. Skills training, role conditioning, and trial-and-error learning unfold because of perceived membership in, i.e., affiliation with, a community of similar others.

The importance of affiliation in the TC recovery process for drug abusers has been suggested in other writings (De Leon 1983). Most drug abusers who enter TCs are disaffiliated individuals who are unable or disinclined to live ordered lives or identify with mainstream values. By implication, models for changing these individuals must focus upon the goal of affiliation. This requires a socialization process, in the broad sense of that word, to assimilate the individual into a community with shared values, assumptions, and expectations in which the individual is an active, successful participant.

In the TC, affiliation increases the client's amenability to remain in the learning situation. Willingness to engage in training, respond to social reinforcers, and accept disciplinary sanctions depends in part on the client's positive perceptions of the community itself. Thus, basic TC elements and activities, such as rules, three daily meetings, and varieties of group process, focus upon reinforcing positive perceptions of the community to enhance affiliation. These perceptions include nurturance (providing for daily maintenance); hope and possibility (perceived in recovered staff and peer role models); physical safety (maintaining the cardinal rules against violence or other threats); psychological safety or trust (perceived acceptance for self-disclosure); bonding, or positive interpersonal perceptions and alliances (e.g., friendships and affection).

Finally, affiliation, amenability, and training are reciprocally interactive. Behavioral progress through training strengthens community membership, which sustains continued involvement in the social-learning process.

HOW BEHAVIORAL SCIENCE CAN INFORM THE TC

The TC perspective and method emerged not from *a priori* theory but from the trial-and-error experiences of people in a self-recovery process. In this sense, the TC has rediscovered basic social-learning or behavioral science laws in the evolution of its methodology.

Technologies often develop without the benefit of science. However, historical examples illustrate how science can improve upon these "natural experiments." Behavioral science can inform TCs in several ways:

Staff...

of behavior in the role-conditioning process for particular individuals. This will avoid unnecessary negative reinforcement to individuals not acquiring what is expected of them and will provide a smoother evolution toward the desired behavior in the role-conditioning process.

Training would stress identification of client-specific reinforcers. By definition, TCs "treat" all individuals the same, although individual differences are recognized throughout the stages in the recovery process. At these points, appropriate client-specific reinforcers can facilitate further change without violating the relationship between the individual and the community.

Providing Skills-Training Curricula. Behaviorally oriented therapists and researchers have considerably advanced the area of skills-training curricula. Programming the step-by-step behavioral changes necessary to achieve a working repertoire is consistent with the TC's view of incremental learning. However, most TCs are unschooled in formulating explicit curricula for a skills repertoire.

Ancillary Programs. There is a particular need for behaviorally guided programs that facilitate the member's transition to the larger outside community. For example, relapse prevention and recovery-training models can be suitably adapted to clients in the reentry stage of the TC process (Marlatt and Gordon 1985; Zackon et al. 1985).

More generally, what behavioral science can teach TCs depends upon how well it can be integrated into these human service settings. Some issues of integration are reviewed in other writings (De Leon 1979; De Leon 1980; De Leon 1974).

TCs are social-learning environments which constitute an integrated methodology for engineering a lifestyle change. To study and improve the TC requires a broader definition of behavioral science to encompass the important elements of the community as a context for learning.

From this perspective, behavioral scientists must study the setting. They can identify which activities change behavior in the TC and search for the principles that govern these effects. They can also

Lastly, behavioral scientists can provide functional analyses toward clarifying concepts which are consistent with behavioral science laws. These, however, must also be valid in the language and consciousness of the everyday experience in the TC.

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Appendix C

Conceptualization of Alcoholism and Process of Treatment: Hazelden

Therapeutic Community and Behavioral Science

Reference Notes Chapter 1

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Chapter Two

Conceptualization of Alcoholism and Process of Treatment: Hazelden

Introduction

The intent of this chapter is not to present a refined model of alcoholism. The conceptualization of alcoholism found here is the working understanding that is generally accepted by practitioners at Hazelden. Practitioners are often not concerned with theory and are only secondarily familiar with empirical research. Much of the view of alcoholism at Hazelden has its base in practical clinical experience, in-service education and popular readings that may summarize formal theory and research.

The prevailing understanding of alcoholism at Hazelden appears to have been influenced by its President, Dan Anderson. Dr. Anderson is a clinical psychologist who has been associated with the Minnesota model of chemical dependence and treatment since its early development at Willmar State Hospital. He participates in a number of national conferences, workshops, and alcoholism schools each year and keeps abreast of the behavioral science literature relating to addiction and treatment. Many of the ideas that he encounters are synthesized and presented to Hazelden staff, either indirectly in lunchroom conversation, or through formal in-service workshops and the literature that Anderson authors, co-authors and heavily influences.

In part, the conceptualization of alcoholism that will be presented here was identified in Anderson's writings, both published[1] and unpublished, and

...ough taped inter... with him. During interviews, Anderson mentioned ...adings from papers, journal articles and books. These became additional ...urces of elaborating his conceptualization of alcoholism.

One of the books Anderson discussed was *Emerging Concepts of Alcohol ...pendence* by the well-known proponents of controlled drinking, E. Man... Pattison, Mark Sobell and Linda Sobell. This work represents a point of ...w which is, at first glance, contrary to the Hazelden position and under... ...nding. Pattison and the Sobells begin their work by presenting a critical ...lysis of what they identify as the "traditional model"[1] of alcoholism. Fol... ...ing this presentation they raise an issue of importance: "It is possible and ...n likely that many persons will tend to misinterpret our purpose in at... ...pting to summarize traditional concepts of alcoholism. In particular, it ...y be argued that in doing so we have fabricated a straw man for the pur... ...e of setting it aflame."[2] Indeed, the reader is likely to get that impression. ...ether the traditional model of alcoholism as presented by Pattison and the ...ells accurately reflects the established and more traditional view of alco... ...sm remains a question, but it is clear that their representation of this ...del does not conform to what was being identified as the Hazelden concep... ...ization of alcoholism.

...ater in their work, Pattison and the Sobells present what they call an ...rgent model"[3] of alcoholism in the form of seven propositions which par... the six propositions made for the traditional model of alcoholism; the ...nth proposition having to do with treatment implications. It is not surpris... ...o note the conceptualization of alcoholism identified at Hazelden ... not fully concur with the emergent model of alcoholism.

...did seem helpful, however, to use the seven propositions of the emergent ...el of alcoholism as both a format and a starting point for describing the ...lden conceptualization of alcoholism. Using this format permits a con... with both the traditional and the emergent model of alcoholism. The ...propositions clearly identify major elements that must be addressed in ...nceptualization of alcoholism, outlining relevant categories of concern ...need to be considered in identifying the alcoholism conceptualization ...nt at Hazelden.

...e "traditional model" was synthesized from three primary sources: 1) AA litera... 2) E. M. Jellinek's, *The Disease Concept of Alcoholism*, and 3) *Marty Mann's ...Primer on Alcoholism* (both editions) and other writings based on AA positions ...Jellinek's work.

...e "emergent model" was based on empirical studies that challenged and elabo... ...ome of the concepts included in the "traditional" model. Both the inclusion and ...retation of the studies that serve as a basis for the "emergent model" suggest the ...'s point of view and corresponding selection of supporting evidence.[3]

After seven propositions and supporting statements thought to be representative of Hazelden's conceptualization of alcoholism had been developed, copies were sent to Hazelden treatment staff for their reaction. Staff were asked to respond by way of the categories "agree," "somewhat agree" and "disagree" with sufficient space provided for comments and reaction. The results of this treatment staff survey will be presented as a part of this chapter.

The second part of the chapter focuses both on alcoholism treatment goals and on the process of treatment. Goals of treatment have relevance for treatment outcome, and the treatment process describes the actual intervention experience that is intended to promote changes in the lives of Hazelden patients. Looking at treatment goals and their relationship with outcome goals, and considering the process of treatment, it is possible to formulate a context in which to consider the follow-up data. Treatment process data were gathered in three ways: as a participant-observer in the treatment process, through interviews and conversations with staff and persons participating in treatment and through documentation of the treatment process available in the Rehabilitation Department.

Conceptualization of Alcoholism

Alcoholism as a single entity

Although understanding of alcoholism is in its infancy, the Hazelden treatment perspective asserts that alcoholism can be identified behaviorally. The crucial identifying behaviors involve a relatively consistent pattern of excessive and/or inappropriate use of alcohol with directly associated negative or harmful consequences. However, excessive use of alcohol and negative consequences are sometimes difficult to consensually define because drinking norms are vague and variable judgments about harmful consequences associated with drinking are socially mediated.[4,5]

Nevertheless, the Hazelden position is that alcoholism has behavioral characteristics which supercede the diverse norms and variable definitions of deviance and problems. Preoccupation with alcohol use is one of these behavioral characteristics. When a person is preoccupied with alcohol use, social relationships and activities become secondary to drinking, which serves increasingly to structure the drinker's existence. Preoccupation with drinking is closely associated with protecting the supply of alcohol. As such, a person makes certain not to become obligated to participate in nondrinking social situations. Instead, stockpiling or otherwise assuring ready access to alcohol becomes paramount.

A ready supply of alcohol is certainly important when its use is more medicinal than social. When drinking alcohol is used to make a person functional by steadying the hand or affecting the psychological state of the user, it may

e said to be a s escribed and administered medicine. It is not surprising hat such use is often solitary and rapid, since medicine is seldom taken as a roup activity. The user is seeking the effect of the alcohol rather than the roup conviviality. Preoccupation with alcohol, protecting the supply of alcol, use of alcohol as medicine, solitary use and rapid intake of alcohol for ef-ect are five interrelated behaviors that are useful in the identification of alcolism.

Other characteristics of alcoholism are more physiologically based than the ve characteristics just mentioned. Adaptive cell metabolism, associated with ncreased tolerance to alcohol, has a physiological basis, but displays itself ehaviorally in the greater quantity of alcohol consumed. Similarly, blackouts ave a physiological basis but have behavioral and social/psychological con-equences too. The role of physiology as a catalyst in unplanned drinking epi-odes* will be discussed later, but whatever combination of cues prompt un-lanned overuse of alcohol, it is clear that the drunken episode and its after-ath create behavioral sequences that may identify alcoholism. Increased olerance to alcohol, blackouts or memory holes created by alcohol use, and pisodes of unplanned excessive drinking combine with the previous five haracteristics to constitute eight characteristics of alcoholism. Evidence of our or more of the characteristics is considered sufficient by Heilman for ositive alcoholism diagnosis.[3]

The eight characteristics may not appear in all alcoholic persons, a fact hich may be said to suggest a variable condition rather than a single entity. Vhat strongly supports the conceptualization of alcoholism as a single entity, owever, is the presence of harmful consequences linked to the excessive buse of alcohol. The bottom line in the definition of alcoholism is that the erson's drinking is resulting in harmful consequences for the drinker and hers close to the drinker. Often the harmful consequences take a multi-ceted form with physical, psychological, social and spiritual involvement eating what may be called adaptive impoverishment. More will be said out adaptive impoverishment in the following discussion, but it is sufficient r the present to identify harmful consequences resulting from repetitive pat-ns of alcohol use as central to the identification of alcoholism as an entity.

Another way of saying this is that alcoholism may be identified by stereo-ed, repetitive, maladaptive behavior which is generally associated with ex-sive and inappropriate use of alcohol. The stereotyped behaviors are asso-ted with the eight characteristics identified by Heilman. Preoccupation h alcohol and control of its use will serve to illustrate a stereotyped behav-. The usual pattern occurs when there is less than a full awareness by the drinker that drinking has become destructive. Others have probably pointed out problems and that there is too much drinking taking place. As a defense, the drinker may develop a morbid preoccupation with control and spend considerable mental energy either thinking about the promised limit of two drinks or waiting for a self-imposed drinking time. Added to the frustration of agonizing decisions about the quantity and starting time of drinking, there may be the added frustration of an inability to consistently regulate alcohol use according to these criteria. The preoccupation with drinking and its control, the periodic failures resulting from unintended overuse, and the rationalizations for those failures constitute a stereotyped behavior. When this stereotyped behavior is repeated and accompanied by other repeated stereotyped behaviors, social/psychological maladaptation occurs.

Social/psychological maladaptation both results from and contributes to a defensive life-style, self-justification, fixated and inflexible behavior, and self-isolation which in turn serves to stimulate the urge to repeat the intoxification experience. In this fashion alcohol use becomes an autonomous objective preempting other life goals and evolving as a central life focus. Adaptive impoverishment is a corollary of making alcohol use a central life focus. A person is not likely to function well in the numerous social roles related to family, work and voluntary association membership when alcohol use is life's primary concern.

The identification of alcoholism as a behavioral entity or unitary phenomena may be said, in part, to support the disease concept of alcoholism. The disease concept of alcoholism has been both repeatedly defended and challenged.[4] Arguments in the alcoholism literature against classifying excessive and inappropriate use of alcohol as a disease have to do with: 1) medical model definitions that are thereby assumed, 2) lack of personal responsibility for change that may be implied,* 3) stigma attached to the illness "alcoholism," and 4) a "self-fulfilling prophesy" phenomenon as a reinforcer of maladaptive behavior. Further arguments against considering alcoholism as a disease are its uncertain etiology, its varied symptomology and possibilities of spontaneous remission.[5] Benefits of classifying alcoholism a disease are associated with the public support and treatment acceptance that have resulted from the legitimation alcoholism has gained by having the status of a disease.

It should not be concluded, however, that the disease concept is assumed

Mark Keller's definition of an alcoholic is "One who is unable consistently to ose whether he shall drink or not, and who, if he drinks, is unable consistently to ose whether he shall stop or not."[2]

*One of the assumptions of the medical model that needs to be commented on here is the relationship between the ill person, or patient, and the physician. There are social roles that have developed in this patient-physician relationship that may be detrimental to alcoholism recovery. Some providers of alcoholism services prefer to use the "client" designation in an attempt to discard the passive sick role connotation of the patient label. In the present discussion persons receiving treatment for alcoholism will be referred to as *patients* without intending to ascribe either a passive sick role or a dominant and manipulative therapeutic role.

to be either correct or incorrect in the Hazelden conceptualization of alcoholism, but rather that it is a convenient and necessary metaphor.* The "alcoholism as a disease" metaphor refers to a complex behavioral disability usually having chronic medical, social and psychological components which result in multiple negative consequences. But just as the moral ethical model of alcoholism was too limited and led to intervention involving primarily the criminal justice system or church, so too is the disease concept too limited for the full understanding of alcoholism: a complex, multiphasic, existential condition of dis-ease.

The medical-behavioral conditions are a broad range of stereotyped, repetitive, maladaptive behaviors over which the individual has some presumably voluntary control. Such behavior disabilities include conditions such as smoking-emphysema, eating-obesity, medication taking-drug addiction. The category of behavior disabilities presents the greatest difficulty for causal conceptualization within the traditional illness model. Little is known about the dynamics of behavioral disabilities but it appears that a complex interaction of multiple *predisposing* factors, multiple *precipitating* "triggers" and *perpetuating* conditions are involved. At this time the multiple "trigger" notion is in need of both theoretical and empirical elaboration. However, even with its limitations it seems well suited to the consideration of behavioral disabilities."

The predisposing factors cover a broad range of physical, psychological and social-cultural ingredients that may combine in a number of ways. Thus, there is no unitary cause, but instead a complex of variable linkages. While the predisposing factors combine to create the potential for behavioral disabilities, the immediate antecedent behaviors and events (precipitating triggers) are far more evident in the description of problem behavior. Social environment may contribute to a behavioral disability in the form of peer pressure or interpersonal conflict. Conflict and pressure may combine with the person's emotional state so as to heighten anxiety or impulsivity patterns and stimulate cognitive components including perfectionism and negative self-assessment. These in turn interact with physiological conditions such as chronic physical pain or vitamin dietary reactions resulting in the manifestations of some form of stereotyped, repetitive, maladaptive behavior. Each "trigger" may be seen as a weak causal factor, but when certain combinations of weak causal factors are linked, the result may be a category of behavior disability such as "alcoholism."

*Metaphor, a figure of speech literally denoting by word or phrase one kind of object or idea in place of another to suggest a likeness or analogy between them." In describing alcoholism's classification as a disease in a metaphorical way, it is suggested that alcoholism has some of the properties of disease. Its use is not in the "illness as metaphor" context discussed by Susan Sontag," where she states that it is best not to attribute the metaphorical inferences to actual illness.

Perpetuating conditions may be found in the social-situational and the emotional-cognitive milieu, and in the physiological status of a person to reinforce the emergence and development of a behavioral disability. These perpetuating conditions interact with an assorted combination of predisposing factors and precipitating "triggers" so that it is not possible to conceptualize a single etiology for behavioral disabilities. Instead, the unitary phenomenon of each behavioral disability is found in the stereotyped-repetitive-maladaptive behavior rather than the etiology. Someone with an eating and obesity problem may have a history of a mother concerned about feeding her child "too well" as an act of love, reinforced by food definitions of an ethnic subculture, coupled with the later life experiences that eating reduces anxiety and the stereotype that fat people are jolly. All this, combined with a hereditary predisposition toward plumpness could result in an eating and obesity problem. Another person may have come to the same problem by way of different combinations of predisposing, precipitating and perpetuating ingredients. Obesity is a single entity, its etiology is not in the kinds of food and types of consumption, but in its manifestations: overeating with resulting overweight and other maladaptive consequences.

Such a multi-path and multi-factor view of etiology for behavior disabilities is not especially helpful except to suggest that for alcoholism and other behavior disabilities a single causative agent is unlikely. The position taken at Hazelden, unlike Tarter and Schneider who conclude that alcoholism may not be a unitary disorder because the etiology is varied, is that the behavior topography in alcoholic persons has enough commonality, despite the variables of the condition, for it to be seen as a unitary disorder having varied etiologies."

For strategic purposes, it is considered better to look at the behavior associated with alcoholism as a separate and distinct condition, deserving a clear intervention approach. Perhaps in the future other viable perspectives or conceptualizations may develop that suggest other ways of intervening and treating alcoholism. For instance, Pattison and others suggest that the behaviors associated with alcoholism are symptoms of other conditions and disturbances. This may be, but in the Hazelden view, the condition of alcoholism at the point of intervention has sufficient power and autonomy that it needs to be approached as a primary condition and the principal focus of treatment.

Although it is contended that alcoholic people exhibit similar stereotyped, repetitive, maladaptive behavior, closer inspection may indicate that alcoholism could be separated into distinct categories and within these categories types of alcoholic behaviors identified. Since Jellinek suggested a possible typology of alcoholics over twenty years ago, there has been little advancement in refining his contribution or developing other useful subclassifications." Given the current state of knowledge about types of alcoholism from a

treatment conceptualization, it seems reasonable to continue to view alcoholism as an entity. The Hazelden conceptualization of alcoholism on this point is as follows:

> *There is a single entity which can be defined as alcoholism.* Although alcohol dependence subsumes a variety of symptoms and behaviors, there is enough commonality in the array of symptoms and behaviors to consider alcoholism as a unitary phenomenon. There have been subclassifications of alcoholism developed, but for the purpose of providing treatment none of the subclassifications have provided a therapeutic advantage. The symptoms common to alcoholism have been corroborated over time and are such that alcoholism may be identified in the person using alcohol in a stereotyped, repetitive, maladaptive fashion.

Prealcoholics, alcoholics and nonalcoholics

In the Hazelden treatment experience, it has not been possible to identify sociopsychological characteristics that would suggest a prealcoholic profile. Part of the treatment experience requires patients to "tell their story." Early use of alcohol and other drugs and some of the sociopsychological conditions of this early use, as well as the later appearance of problems associated with drinking and/or drug use, are verbally shared and critically examined during the therapeutic exercise of telling one's story and receiving feedback. Unit staff within one of the seven treatment units at Hazelden hear approximately two hundred thirty patients tell their story each year. Although some suggestive prealcoholic patterns have been noted by these counselors and by researchers, no clear prealcoholic identifiers have emerged.[15,16,17,18]

These observations concur with other research which indicates that some personalities of alcoholics prior to alcoholism are relatively aggressive, impulsive and antisocial, but that not all persons with such personality configurations become alcoholic.[19] The risk of alcoholism is higher in families having an alcoholic member, although the interplay of sociocultural and genetic factors associated with this risk is presently uncertain.[20,21,22] And, although treatment staff observations do not include physiological factors other than alcoholism symptoms, it appears safe to conclude from the relevant alcoholism literature that there are no biochemical, endocrinological or metabolic indicators for identifying prealcoholics.[23,24,25]

Hazelden treatment maintains that once alcoholic behaviors have become manifest, it is possible to separate alcoholics from nonalcoholics by their ability to use alcohol with and without experiencing repeated harmful consequences. For the vast majority of alcoholics, alcohol cannot be used without a high risk of returning to medical, sociopsychological and spiritual problems. There may be some persons who display behavior used to diagnose alcoholism who could return to the use of alcohol with a reduction or cessation of

problems; however, at the present level of knowledge there is no satisfacto way that such persons may be identified. Because of the risk involved, for t vast majority of alcoholics, it is considered prudent to support the abstinen goal for all patients. In part the abstinence position is supported by the ethic consideration that far less harm can come to the patient who has been pr scribed abstinence from alcohol than in the modified or reduced drinking pr scription. If there is a mistake in the intervention strategy, Hazelden prefe to err on the side of caution and safety for the patient.

The Hazelden conceptualization of the prealcoholic, alcoholic, nonalco holic question is stated as follows:

> *There are no identifiable differences between the individual who will be come an alcoholic and the individual who will not become an alcoholic (assuming that the individuals use alcohol). However, once alcoholism develops, the alcoholic is distinguished from the nonalcoholic by an inability to use alcohol without a high probability of experiencing harmful consequences.* Although individuals may have differing susceptibility to both the use of alcohol and the development of alcohol problems as a result of genetic, physiological, psychological and sociocultural factors, no technology exists which permits identification of the prealcoholic. Accurate assessment of alcohol problems is best achieved through operational descriptions of the pattern of alcohol use and the consequences of such use for an individual, which could range from no adverse effects to severe or even fatal consequences.

Biological predispositions to alcoholism

As there are no known methods for identifying prealcoholics through biochemical, metabolic or endocrinological measurement, so researchers have not isolated basic biological processes that predispose persons to become alcoholic. Neurochemical imbalance, dietary deficiency and glandular disorder have all been suggested as causal factors in alcoholism but none of these appears to have gained much research support.[26]

It is recognized that continued and heavy use of alcohol has neurochemical, glandular and dietary implications for the user. Sleep disturbance, principally in the form of insomnia, is one of the well-documented neurochemical effects of heavy drinking.[27,28] Research on alcohol-endocrine relationships is conflicting with no definite patterns established for alcoholics. However, clinical impressions suggest endocrine imbalance in alcoholics may be related to nutritional deficiencies.[29] Dietary problems among alcoholics are well-recognized and the effects of malnutrition and low vitamin intake are the subject of ongoing research.

Either a biological-, a psychological- or a combination-based craving for alcohol and loss of control have been offered as explanations of why alcoholics

buse alcohol. Biological craving alone has received popular support even hough the empirical evidence is largely to the contrary. There is, however, upport for the psychological situational-based craving in the work of Ludwig nd his associates.[9] Their work indicates that a combination of socio-psycho-hysiological cues interact to bring about what has been called the craving nd loss of control response in alcoholic persons.

The Hazelden understanding of this response pattern links the etiology of lcoholism to certain combinations of triggers. The triggers in various combi-ations may be seen as a constellation of cues that become indelibly learned ver time. The intake of alcohol alone is not sufficient to bring about a heavy rinking response. Situational and socio-psychological factors need also to be n place to result in uncontrolled use of alcohol.

According to this conceptualization of craving and loss of control in alco-holism, an alcoholic person may use alcohol in moderation on some occa-sions, but when the relevant cues are activated the preoccupation with ob-taining alcohol for its direct pharmaceutical effect becomes dominant. The Hazelden conceptualization, unlike that of the behaviorists who support con-ditioning therapy with controlled drinking outcome, views the learned re-sponse to the relevant cues as a heavily overlearned adaptive strategy that is not amenable to permanent modification. Because drinking itself is an identi-fiable and essential ingredient in the constellation of relevant cues leading to heavy drinking with associated dysfunctional physiological, psychological and social consequences, total abstinence from alcohol is a reasonable and ef-fective way of directly intervening in the alcoholic behavior. In summary, the Hazelden conceptualization of alcoholism relative to biological process is as follows:

> *There is little evidence to date for a basic biological process that predis-poses an individual toward dysfunctional use of alcohol. However, once the pattern of alcoholism is established the use of alcohol by an individ-ual has a high probability of triggering dysfunctional physiological, psy-chological and social responses.* There is no generally accepted physiological predeterminer of alcoholism that may be identified in an individual. There is evidence that physical dependence is established after the consumption of large amounts of alcohol. This condition may activate psychophysiological response patterns which in turn serve as stimuli to engage in further drinking.

Progressive development of alcoholism

Becoming alcoholic is a process, but it may not be a straight line progres-sion in terms of continually more and more excessive drinking and associated maladaptation. It is the process of *learning how not to learn.* Behavior be-comes fixated at some level of development thereby affecting all aspects of a person's life.

Several objectively observable indicators may suggest that a person is be-having in an impoverished fashion. The physiology of the alcoholic may evi-dence some dysfunction, but with the exception of blackouts coupled with the social misunderstandings and psychological defensiveness they can pro-duce, physiological dysfunction is usually of least concern from the treatment perspective—most alcoholics do not have bad livers. The Hazelden treatment perspective is primarily concerned with the social/psychological functioning of the person.

Behavior that shows adaptive impoverishment is characterized by both in-terpersonal and intrapersonal conflicts, frustration, low tolerance for stress and high anxiety. These characteristics seem to emerge as a result of using al-cohol as a primary adaptive technique, a technique relatively ineffective for short term problem solving. For example, if a person who does not work out interpersonal conflicts very well discovers that alcohol seems to make rela-tionships with others less stressful, drinking will possibly become the tem-porary remedy for this and other perceived shortcomings. This person finds what appears to be a solution to troublesome interpersonal relationships by using alcohol. However, regular and heavy use of alcohol leads to a curtail-ment of the learning process which affects the person's entire web of social re-lationships. Drinking alcohol then, becomes the temporary solution to a prob-lem of adaptation. But over time, unnoticed by the person utilizing alcohol as the answer, there is a disruption of the facility of ongoing long-term successful adaptation. Thus, the process of meaningful socialization is interrupted by the use of alcohol and *the person learns how not to learn.*

Curtailment of the learning process occurs in ways that we are just be-ginning to be aware of and have not yet adequately examined empirically. Some things do seem clear, however. The dynamic of disrupted socialization produced by heavy alcohol use is related to the twin pathologies of rejection and enabling. Feedback from others is filtered through the alcohol-impaired reality but, the two main forms of feedback are rejection for "disgusting, drunken, irresponsible behavior" interwoven with subtle adjustments that en-able the drinking and consequent behavior to continue. The enabling feed-back message is "I don't like what you are doing - I will make adjustments that will permit me to coexist with you." Frequently this feedback message is translated by the alcoholic as, "My behavior is alright because (as a result of the enabling actions of others) I am adapting successfully; others have hang-ups."

Selden Bacon discusses these processes in his article entitled "The Process of Addiction: Social Aspects."[10] Disrupted socialization, or the process of learning how not to learn, is implied in Bacon's discussion of dissocialization and the "pampering" function of alcohol. In dissocialization a person be-comes less socially active, disengaging from social roles. Dissocialization and disrupted socialization appear to happen in combination and are facilitated

he pampering function of alcohol; (a concept borrowed from Jellinek and her elaborated by Bacon).

The pampering function of alcohol . . . changes the process of sensitivity of cues, of recognizing the environment of accepting input from outside the brain, it changes the process within the brain of integrating new input with older learning, changes the mode and quality of bodily and motor responses which follow upon sensation, integration and the sending of messages to other bodily systems."

sychological and social functioning are altered in major ways, referred to as disrupted socialization and dissocialization, because of the pampering tion of the alcohol.

o be sure, patients come into treatment with many social roles apparently ct: married and living in a family, holding a job and working forty hours h week, and holding memberships in voluntary associations. Upon closer ection, however, it becomes evident that meaningful social relationships missing or are badly deteriorated for many of these people. But the alco-c, because of the "pampering" function of alcohol, is only vaguely aware he deteriorated sociopsychological environment.

Creating an awareness of the deteriorated sociopsychological environment y require some dogmatic persuasion and overstatement to penetrate the ial system. One tool which helps is the Jellinek Chart of alcoholism pro-ssion. Jellinek's presentation includes footnotes indicating that not all nptoms need to occur in every alcoholic, and that the sequence of their oc-rence does not have to be the same as depicted in the chart. Treatment f are generally aware of the variability of developmental sequences in al-iolism, but are interested in promoting awareness and motivation in pa-its. Patient identification with Jellinek's presentation of symptoms and pro-ssion can be an effective tool to this end. Most patients, because they are e to identify with some of the symptoms identified on the Jellinek Chart, y initially give more credence to a linear progression of alcoholism than ght be warranted. In later recovery, the Jellinek progression is often rein-preted by patients so that a less rigid progression is inferred. However, the r of exhibiting symptoms of alcoholism that have not yet been experi-ed, should drinking be resumed, remains a real threat for most alcoholics. Considering the interaction of the disrupted socialization (curtailment of learning process) dissocialization (becoming less socially active) and the npering effect of alcohol, it is highly probable that continued alcohol use result in the occurrence of some of the symptoms listed in the Jellinek rt. But alcohol abstinence, coupled with a program of personal growth l support, is equally as likely to interrupt a developmental sequence of

these maladaptive behaviors. The Hazelden rehabilitation program is intended as an intervention to acquaint alcoholics with a therapeutically viable alternative to their patterns of physical, social and psychological problems.

Hazelden's conceptualization of alcoholism progression is summarized as follows:

> *The developmental sequence of adverse consequences associated with alcoholism appears to be highly variable.* The variation ranges from an almost immediate and rapid progression to a slow progressive development. At times the alcohol problem may remain static or appear to become less severe. Despite the variation, most alcoholics find that physiological, psychological and social problems produced by alcohol abuse continue to increase unless reversed through a therapeutic program that includes abstinence from alcohol.

Alcoholism and life problems

Related to dissocialization and sociopsychological behavior fixation is the stagnation of spiritual life. Spiritual life apparently plays a very significant role in a person's ability to deal with everyday problems. The behavioral sciences have not yet adequately explored the function of spiritual elements in sociopsychological adaptation. Spiritual elements, in the context of AA, refer to a person's relationship to a Higher Power. Another aspect of the spiritual element is related to what might be called "existential anxiety." Human beings have to face many different and demanding situations and most people experience considerable anxiety in facing up to life.

It may be that alcoholics are rebelling against the limitations of being human. They may be people who, because of the rewarding effect of chemical use for them, have had a glimpse of what it is like to be transposed out of the limitations of being human. Such a glimpse becomes a force difficult to deal with. Something seems to happen in chemical dependency in that a person is increasingly living a lie by denying or minimizing the ingredients of sociopsychological reality. The alcoholic person gets into a condition, one symptom of which is constantly making excuses for what is happening—trying to justify the inexorable complications of alcoholic behavior. As a result of the strain of trying to excuse this behavior and balance it with reality, the alcoholic's character (ethical value system, sense of honesty, responsibility, concern for others) begins to deteriorate. To cope with a character defective self, alcoholics undergo personality and self-concept changes. In general, alcoholics have identity conflicts because they are not well integrated psychopaths. For most chemically dependent people, being chemically dependent promotes situations that force them to violate their own consciences. If they were truly successful psychopaths, they wouldn't have conflicts resulting from

violation of ethical standards. In order to make that violation of conence acceptable, it is necessary to say "to hell with everybody," an attitude ich results in increasing egocentricity. As egocentricity increases, there is ner a further sociopsychological withdrawal or regression, including a spiri- l withdrawal, into what might be called defiant individuality.

Alcoholics feel omnipotent when they are drinking. When they are not nking they are anxious about the world around them, wanting to control it d not being able to deal with the high level of frustration of not controlling. hen they drink, although their lives may be falling apart, they think that ey have control. The result, of course, is further social and psychological nflict. Many psychiatrists describe alcoholics and drug addicts as people io feel inadequate, inferior and anxious. AA people who have learned to be ber say that grandiosity is the dominant characteristic of alcoholics. randiosity is the outward manifestation of not accepting the limitations of ing human; inadequacy, inferiority and anxiety result when human limitaons are made evident.

All people have grandiose ideas and impulses, as well as feelings of inadquacy and inferiority, but most people keep these ideas and feelings regued. Outwardly, alcoholics appear to be normal, but alcohol lets them reess for a while into the grandiosity of narcissism. At the same time that the coholic is experiencing grandiosity, unanticipated mood swings begin to oc- ur where feelings of inadequacy, inferiority and anxiety become dominant. That follows is an emotional roller coaster ride through the high of andiosity and the low of ego deflation. Psychiatrists tend to focus on the adequacy, inferiority and anxiety, believing that alcoholics need support nd that to help them, caution must be exercised so that tasks are not made o great. AA chooses to focus on grandiosity, concluding that the alcoholic eeds to be deflated. In a treatment environment such as Hazelden there is oth acceptance and deflation.

The emotional roller coaster ride contributes, along with disrupted social- ation, dissocialization and the pampering effect of alcohol, to further social nd psychological difficulties. With this complex of factors, interpersonal re- tionships for both the alcoholic and others in association with the alcoholic re guided by suspicion, resentment and anger. What may have been close motional relationships become difficult if not impossible to maintain, with he result that the alcoholic feels abandoned and may seek to fill the void ither by participation in extralegal behavior or the oblivion of alcohol which nay lead to legal, economic and further sociopsychological problems. Alcoolics seeking help speak of their growing desperation as the problems in heir lives multiply.

In the Hazelden conceptualization of alcoholism, the core difficulty or primary condition needing treatment is the dependence on alcohol, with the

multiple and complex disruptions that dependence creates in social and psychological adaptation. This is not to say that other problems in the alcoholic's life are not real or are unimportant, but comes from the conviction, based on considerable clinical experience, that other problems which either predate or were prompted by alcohol abuse, cannot be adequately addressed unless drinking is stopped. For instance, if a patient has sexual guilt traceable to an early exposure to incest it is important to acknowledge this as a problem area which will need attention following the intensive treatment focusing on alcoholism. Similarly, if a patient has a recent history of theft and related criminal behavior, it may be that alcohol was instrumental in facilitating these illegal acts, but the alcohol behavior needs to be addressed so that rehabilitation for criminal behavior may be productively undertaken. Problems other than alcoholism need to be acknowledged as a part of alcoholism treatment and in some instances further diagnosis and initial-intervention is appropriate. But from the Hazelden perspective it is most productive to work on one principal problem area at a time, and it is the alcoholism that is most immediate and manifestly disturbing. For the practicing alcoholic, then, the most productive intervention strategy is to provide direct treatment for alcoholism before dealing with other related problems in living. Other problems identified during alcoholism treatment need to be incorporated into posttreatment aftercare planning and referral.

The Hazelden conceptualization of the relation of alcoholism and other life problems may be summarized as follows:

> *Alcohol problems are typically related with other life problems.* The relationship between alcoholism and other life problems is a complex web of interacting multiple linkages where it is difficult to distinguish between cause and effect relationships. We do know that strategically, if we treat alcoholism as a primary problem that needs treatment in its own right, a remarkable number of life problems are resolved once the alcoholism recovery process is under way. In other instances, other life problems are put into sharper focus so that sober, a person may identify these life problems and begin to deal with them successfully with appropriate help.

Alcoholism and the goal of abstinence

As stated previously, the Hazelden conceptualization of alcoholism advocates abstinence and views alcoholism as a chronic condition subject to recovery, but resistant to cure. Both clinical and research evidence support the position that abstinence is an appropriate and logical goal as a partial means of recovery from alcoholism. Abstinence alone will not suffice to resolve the sociopsychological functioning problems experienced by alcoholics, but it appears to be an important, if not necessary, means to that end.

tudies reporting the incidence of posttreatment normal drinking recog- the importance of abstinence. Davies' 1962 report of 7 men out of 93 ted alcoholics who engaged in posttreatment normal drinking for periods to 11 years concludes with the recommendation that ". . . all patients ld be advised to aim at total abstinence."[3] Although strongly recom- ding consideration of alternative treatment outcome goals, Pattison and Sobells acknowledge that ". . . abstinence is a legitimate and feasible out- e goal" and further that "More practically, it is likely that for some indi- als with alcohol problems, abstinence would be both an easier and more ropriate treatment goal, with less danger to their ongoing stability."[4] Ab- ence is certainly the safer treatment outcome goal considering that the niques for identifying alcoholics who would be successful with controlled king have not been developed as reliable assessment tools.

reatment outcome research indicates that about five to nine percent of ted alcoholics report drinking without problems at the time of follow-up."[5] se findings, however, have shortcomings concerning: 1) definition of trolled or normal drinking, 2) duration of time during which drinking out problems was carried out, 3) accuracy of alcoholism diagnosis, 4) fol- up interval, return rate, size and characteristics of the population, and 5) bility and validity of the information. As will be pointed out in the next pter, there are many limitations on the generalizability of treatment out- e studies. Still, it is plausible that some small percentage of treated alco- cs may successfully drink in moderation without related problems, but the eat is that there is no way of identifying who will be among this small per- age. From a probability standpoint, the odds against being able to resume lerate drinking without problems are so great that even a careless gambler ld be unwilling to wager on the outcome.

onsiderably more research will certainly be done on the abstinence versus rolled drinking question, but for the present, from a treatment strategy pective, the Hazelden conceptualization favoring abstinence seems justi- This position is stated as follows:

The empirical evidence suggests that alcohol problems are chronic and are not responsive to therapy advocating nonabstinence. Practically, abstinence is the most effective immediate treatment goal for the overwhelming majority of individuals identified as alcoholic. Psychological and physiological dependence on alcohol are not separate phenomena but are linked together in complex and, as yet, not understood ways. The consumption of small amounts of alcohol by a person does not necessarily initiate a physical need that in turn causes further drinking, but the psychophysiological risk of using small amounts of alcohol is high relative to the probability of returning to alcoholic drinking and problems.

Alcoholism treatment Implications

The advantage of using an alcoholism problem focus with alcoholic and chemically dependent people may be best illustrated from the perspective of the "patient in treatment experience." Three Hazelden patients were taking a midday walk and engaging in active conversation. Speaking of the treatment experience one patient said, "The main purpose, as I see it, is to make you look at things you don't want to look at and to put you into contact with others whose problems are similar to yours." Another spoke up supporting the forced awareness about oneself as having great benefit and then referred to a statement from the group session that morning that although each of the participants had a unique set of problems, there were numerous similarities among the problems of all the patients. He said, "We become so preoccupied with our own problems that we don't realize that the other guy has problems too. When you hear about someone else's problems you don't feel so alone." The third patient agreed with his companions and added, "What I got out of that is, I wouldn't want to trade my problems for someone else's, but by talking about my problems I can now think about ways of working on them."

It is unlikely that these three patients drank the same alcoholic beverage in the same quantities at the same intervals. The drinking patterns were probably as different as their life problems and their characters as varied as their physical statures. Their common bond was that they abused chemicals, had problems in their lives as a direct result of this abuse, and were learning to look at their chemical abuse problems as one of their major life problems. The recognition that their problem situations were similar in many respects to those of other patients grew out of their ability to identify with other alcoholics.

Even where the drug of choice is different, patients seem able to find a unifying bond in their feelings and experiences resulting from chemical dependency and associated life problems. Youth are seen to form strong mutual bonds with older patients whose life circumstances and chemical use patterns are quite different from their own. Binge drinkers and daily drinkers become aware of ways in which alcohol has affected their lives, noting that the differences in their styles of drinking is of little consequence.

Still, each Hazelden patient's individual circumstances and characteristics are recognized as important in the treatment experience. Chemical use history, social background, life problems and personality assessment all contribute to the formulation of an individual treatment plan for each patient. Patients are assigned different change objectives and different means of working toward these objectives. What provides the commonality is that everyone is working on change objectives, learning about themselves through sharing their assets and weaknesses in a group setting and recognizing the detrimental

ffect that chemical abuse has had for them. Patient differences that warrant pecial attention are referred to special resources, but differences that do not ffect treatment process are not seen as important.

Hazelden's position in support of a single treatment modality, meaning a hemical dependency problem focus, for alcoholics and other chemically dependent people is expressed in the statement that follows:

> *Treating alcoholics and other chemically dependent people by way of a single treatment modality, while also recognizing the individual differences of people, is an effective treatment approach.* For the purposes of treatment, individuals with alcoholism and other chemical dependencies have more in common than they have to differentiate them. Practically, differences that do not make any difference are not differences. It does not seem warranted at our present level of therapeutic knowledge to develop separate programs for different categories of persons with other chemical dependencies. Within a single treatment approach it is possible to acknowledge and deal with individual differences thereby treating both the common condition of alcoholism-chemical dependency and the problems unique to individual patients.

Agreement with and comparison of the seven statements

Members of the Hazelden staff were asked to react to the seven foregoing tatements about the conceptualization of alcoholism current at Hazelden. The statements were presented in a mailing which included a cover letter explaining the purpose of the survey, some background questions for the respondent and the seven statements. The staff was asked to indicate "agree," "somewhat agree" or "disagree" and to make comments to supplement their eaction to any of the statements. A total of 36 (45%) of the 80 Hazelden staff surveyed responded to the questionnaire. As shown in Table 2-1 the response ate was above 60% for counselors, clergy and clergy trainees and psychologists. Staff in these three classifications have considerable patient contact whereas the consultants and administrators, with a lower return rate (34.8%), have a varied but generally lower patient contact. Trainees had the lowest return rate (20%) as well as a high level of patient contact. The lower return ate for trainees may be accounted for by their temporary status at Hazelden (training lasts for one year for the majority of trainees) and the heavy expectations placed on their time as they participate in a demanding work/study situation.

Of the 36 respondents, 17 were female with an average age of 43, and 19 were male with an average age of 46. Education for both male and female staff respondents averaged 17 years or slightly beyond college graduation. Although some of the respondents had no formal education beyond high school, most had some college or held undergraduate or graduate college degrees.

The female staff respondents had worked in the alcoholism field for an average of 3.7 years, 71% were recovering alcoholics and 82% were active in AA or another self-help group. Males had a longer average working experience in alcoholism at 6.8 years but fewer were recovering alcoholics (53%) and fewer were active in AA or other self-help groups (74%).

Agreement levels were consistently high as shown in Table 2-2. Highest agreement (97%) was with the idea that "alcohol problems are typically related to other life problems" and lowest agreement (75%) was with the idea that "there is little evidence to date for a basic biological process that predisposes an individual toward dysfunctional use of alcohol." Those respondents indicating that they "somewhat agree" or "disagree" with the statement on biological predisposition were not of any single background category except that they were overrepresented in the consultant-administrator category. Highest disagreement was with the idea that "there is a single entity which can be defined as alcoholism." Those disagreeing with this idea represent a cross section of Hazelden staff, with being a recovering alcoholic the only background factor that was common to all except one.

It may be concluded that the seven statements do represent a conceptualization of alcoholism that is generally accepted at Hazelden. In what ways, then, does this conceptualization of alcoholism differ from the "traditional" and "emergent" conceptualizations of alcoholism put forth by Pattison and the Sobells?[28] Table 2-3 presents the "Traditional," "Hazelden" and "Emergent" conceptualizations of alcoholism for the purpose of comparison. Although the "traditional" statements are more abbreviated than the Hazelden and "emergent" statements, a comparison of the Hazelden conceptualization of alcoholism with the other two views should be possible.

Table 2-1 Hazelden Staff Return Rate by Job Classification for Questionnaire on Alcoholism Conceptualization and Treatment Goals

Job Classification	Total in Job Classification	Questionnaires Returned	Percent Returned
Counselors	16	10	62.5
Clergy & Clergy Trainees	13	9	69.2
Consultants & Administrators	23	8	34.8
Psychologists	8	5	62.5
Trainees	20	4	20.0
TOTAL	80	36	45.0

Table 2-2 Hazelden Staff Responses to Seven Statements Representing Hazelden's Conceptualization of Alcoholism

	Agree		Somewhat Agree		Disagree		No Information		Total	
	f	%	f	%	f	%	f	%	f	%
1. Single Entity	29	80.5	2	5.6	5	13.9	0	–	36	100.0
2. Prealcoholic Predictors	30	83.3	4	11.1	2	5.6	0	–	36	99.9
3. Biological Predisposition	27	75.0	6	16.6	3	8.3	0	–	36	99.9
4. Developmental Sequence	33	91.6	1	2.7	2	5.5	0	–	36	99.9
5. Life Problems	35	97.2	1	2.7	0	–	0	–	36	99.9
6. Chronic Condition	30	83.3	4	11.1	2	5.6	0	–	36	100.0
7. Single Treatment	31	86.1	5	13.9	0	–	0	–	36	100.0

To begin with, the Hazelden statement recognizing a single entity called alcoholism is in basic agreement with the "traditional" idea, but acknowledges various symptoms and behaviors within alcoholism. The "emergent" statement recognizes the variations in symptoms and behavior, but sees them as more important or useful from a treatment perspective than does the Hazelden view. Given diversity, the Hazelden conceptualization contends that alcohol use with associated health, personal and social problems constitutes enough commonality to be viewed as a single entity.

According to both the Hazelden and "emergent" conceptualizations, there is no way of identifying prealcoholics as different from nonprealcoholics. However, the Hazelden position agrees with the "traditional" view that there is an identifiable difference between alcoholics and nonalcoholics. It is possible to define alcoholism by symptoms and behaviors and within that definition to diagnose some persons as alcoholic, whereas others could not be so classified.

More research such as that of Goodwin, needs to be focused on the presence of a biological predisposition to alcoholism." Once alcoholism is evident, a psychophysiological response may be activated which, in turn, serves to stimulate drinking. The "traditional" conceptualization has viewed the drinking response mechanism as largely physiological, but research indicates that it may be more of a multiple cue reaction. Essentially, however, the "traditional," "emergent" and Hazelden conceptualization appear to differ very little at this point, with all three accepting physical dependence on alcohol and psychophysical stimulation which may prompt further drinking.

There is agreement between the Hazelden and the "emergent" conceptualizations of alcoholism as to the variable rate of progression. However, the Hazelden conceptualization holds that a therapeutic intervention is necessary for recovery and that abstinence is essential to effective intervention. The "emergent" conceptualization accepts "spontaneous remission" and holds that changes other than abstinence can result in an alteration of drinking problems. Hazelden's position favoring therapeutic intervention and abstinence is in accord with the "traditional" conceptualization of alcoholism because both accept the likelihood of "loss of control," a psychophysiological response pattern which may serve to stimulate further drinking. It appears that the "emergent" conceptualization accepts the presence of a psychophysiological response pattern, as indicated in statement C3, but implies either a self-correcting action or reversal of the pattern by changes other than stopping drinking altogether.

Statement D follows from the preceding statement in all three conceptualizations. Loss of control appears to be associated with an inevitable movement through the phases and symptoms of the Jellinek Chart in the "traditional" conceptualization. Hazelden's conceptualization accepts a variable progression, but considers that as life problems multiply, it is the abuse of alcohol and associated maladaptive behaviors that need to be addressed as the primary problem in the intervention. Other life problems are all seen as being of equal importance to alcohol abuse in the "emergent" conceptualization, with treatment addressing all problems simultaneously and treatment outcome not judged by whether drinking has stopped. In contrast, abstinence may be seen as a necessary end for the "traditional" conceptualization both as a means to improving sociopsychological functioning as well as an outcome objective for the Hazelden conceptualization.

Is it possible that some individuals displaying alcoholic behaviors may begin to drink again without abuse or associated life problems? For the "traditional" conceptualization the answer in an emphatic NO. The Hazelden conceptualization accepts the idea that a small percentage of alcoholics may return to drinking without alcohol abuse or life problems, but the probability of this happening is very slight. On a normal probability curve the alcoholic who can change a drinking pattern to moderate consumption with no associated problems may be seen as three standard deviations from the mean, i.e., extremely rare. Abusive drinking may be a symptom of other problems according to the "emergent" conceptualization, but it should not be considered the principal problem although, for some, abstinence might be a helpful remedy. In contrast, the Hazelden conceptualization supports abstinence as an effective, practical and prudent alcoholism treatment strategy that will promote overall improved functioning.

The concluding statement for the Hazelden and "emergent" conceptualizations contrasts a chemical dependency problem focus with pluralistic prob-

lem focus. If alcoholism is seen as the primary condition, treatment needs to focus on alcoholism: Hazelden's treatment approach is consistent with this alcoholism conceptualization. On the other hand, if a variety of problems are conceived of as equally important, as is true for the "emergent" conceptualization, then a diversity of treatments each with special approaches and capabilities would provide the most responsive treatment programming. The Hazelden conceptualization does not preclude individual differences, but does see alcoholism as the common denominator. In the "emergent" conceptualization with its objective of effecting minimal changes in remedying life problems, alcohol abuse, the principle commonality, loses emphasis.

It is not the purpose of the preceding comparisons to reject either the "traditional" conceptualization or the "emergent" conceptualization. The "traditional" conceptualization, to the extent that it was accurately portrayed by Pattison and the Sobells, has been useful in the development of alcoholism treatment and still provides a therapeutic construct that may be helpful. The "emergent" conceptualization is an obvious attempt to explore alternatives, but it is still questionable whether the positions taken can be translated into effective large-scale therapies. Hazelden conceptualization differs from either approach in that it reflects some of the newer empirically based understandings used to support the "emergent" conceptualization, while drawing different conclusions from some of the findings, and at the same time it maintains some continuity with the "traditional" conceptualization. In a sense, the Hazelden conceptualization may be seen as a pragmatic, "middle of the road" position. What is more important is that it is a position that appears to work as will be shown in later chapters. Before proceeding with outcome findings, treatment goals and treatment process need to be discussed.

Treatment Goals and Means

Contrast with other modalities

Three objectives are seen as being at the core of recovery in the Hazelden model: 1) growth of transcendental, spiritual awareness, 2) recognition of choice and personal responsibility, 3) acceptance of peer relationships. The Hazelden challenge to patients is to grow spiritually, to make choices and to relate openly to others. In order for this challenge to be effected, there needs to be a systematic development of spontaneity, free will and dignity. The following is abstracted from a statement of the Hazelden primary rehabilitation program philosophy:

> The primary rehabilitation program is based on the belief that the chemically dependent person has the capacity to abstain from mood-altering chemicals and the capacity to actualize his human potential: to demonstrate personal freedom and responsibility, to exercise self-determination and personal choice, to realize personal growth and change, to form meaningful and workable relationships with the world outside himself. These factors are vital to recovery from chemical dependency.

The mission of the primary rehabilitation program is to help the chemically dependent person achieve two long-term goals:

1. Abstinence from mood-altering chemicals, and
2. An improved life-style.

Of necessity, the final realization of these long-term goals is a lifelong pursuit, and the primary rehabilitation program is viewed as only the beginning of what must be a continuing effort to maintain a life-style that is conducive to remaining free from mood-altering chemicals. However, movement toward these goals can be demonstrated in the here and now, during the person's stay in the rehabilitation program. Achievement of the following four short-term goals is a satisfactory indication of progress toward long-term goal attainment.

1. To help the chemically dependent person recognize the illness and its implications.
2. To help the chemically dependent person admit that he/she needs help ..., that the illness cannot be cured, and to concentrate on learning to live with it in a constructive manner.
3. To help the chemically dependent person identify specifically what he/she needs to change in order to live with the illness in a constructive manner.
4. To help the chemically dependent person translate that understanding into action; that is, to actively assist the patient in the changes necessary to increase his/her level of functioning and to develop a new life-style.

To accomplish these purposes, Hazelden uses a variety of means, some of which are similar to those used in other chemical dependency treatment models and others which are adaptations of therapeutic means utilized in the mental health field.

Hazelden follows the medical model in the detoxification and withdrawal process, but only in its methodology and not in its mechanistic assumptions. Chemical dependency, in Hazelden's view, is more than a medical problem or a disease. The medical model regards alcoholism as a progressive disease, possibly hereditary, which is the symptom of a psychological disturbance.[34] Treatment within the medical model utilizes tranquilizers, often administered for several weeks or months, and deterrent medications (Antabuse) with either hospitalization or periodic physician visits focusing on medical symptoms.[35] The initiating and manipulative role of the physician is central to the medical model. At Hazelden, although medical symptoms are attended to and medications are used in the detoxification phase of treatment, the greater

IDENTIFIED AS ALCOHOLISM	A' THERE IS A SINGLE ENTITY WHICH CAN BE DEFINED AS ALCOHOLISM. Although alcohol dependence subsumes a variety of symptoms and behaviors, there is enough commonality in the array of symptoms and behaviors to consider alcoholism as a unitary phenomenon. There have been subclassifications of alcoholism developed but for the purpose of providing treatment none of the subclassifications have provided a therapeutic advantage. The symptoms common to alcoholism have been corroborated so that alcoholism may be identified by the person using alcohol in a stereotyped, repetitive, maladaptive fashion.	A' THERE IS NO SINGLE ENTITY WHICH CAN BE DEFINE ALCOHOLISM. Alcoholism is not a thing but a colle of various symptoms and behaviors that collectively prise different types of syndromes. There appears to broad array of life situations—dependent upon psy logical disposition, past learning, sociocultural in ences, and physiological states—that lead to inap priate use of alcohol, which in turn leads to physical, psychological, and social consequ individual. These consequences are manifest di ent patterns. Alcohol dependence is a health prob that may involve various organ systems of the body affect one's personal and social well-being.
B' ALCOHOLICS AND PREALCOHOLICS ARE ESSENTIALLY DIFFERENT FROM NONALCOHOLICS	B' THERE ARE NO IDENTIFIABLE DIFFERENCES BETWEEN THE INDIVIDUAL WHO WILL BECOME AN ALCOHOLIC AND THE INDIVIDUAL WHO WILL NOT BECOME AN ALCOHOLIC (ASSUMING THAT THE INDIVIDUALS USE ALCOHOL). HOWEVER ONCE ALCOHOLISM DEVELOPS THE ALCOHOLIC IS DISTINGUISHED FROM THE NONALCOHOLIC BY AN INABILITY TO USE ALCOHOL WITHOUT A HIGH PROBABILITY OF EXPERIENCING HARMFUL CONSEQUENCES. Although individuals may have differing susceptibility to both the use of alcohol and the development of alcohol problems as a result of genetic, physiological, psychological and sociological factors, no technology exists which permits identification of the prealcoholic. Accurate assessment of alcohol problems is best achieved through operational descriptions of the pattern of alcohol use and the consequences of such use for an individual, which could range from no adverse effects to severe or even fatal consequences.	B' THERE IS NO CLEAR DICHOTOMY BETWEEN EITHER COHOLICS AND NONALCOHOLICS, OR BETWEEN PRE COHOLICS AND NONPREALCOHOLICS even though in viduals may have differing susceptibility to both the of alcohol and the development of alcohol problems a result of genetic, physiological, psychological, and soc cultural factors. Accurate assessment of alcohol proble is best achieved through operational descriptions of pattern of alcohol use and the consequences of such u for an individual, which could range from no adverse fects to severe or even fatal consequences.
C' ALCOHOLICS SOMETIMES EXPERIENCE AN IRRESISTIBLE PHYSICAL CRAVING FOR ALCOHOL OR A STRONG PSYCHOLOGICAL COMPULSION TO DRINK	C' THERE IS LITTLE EVIDENCE TO DATE FOR A BASIC BIOLOGICAL PROCESS THAT PREDISPOSES AN INDIVIDUAL TOWARD DYSFUNCTIONAL USE OF ALCOHOL. HOWEVER, ONCE THE PATTERN OF ALCOHOLISM IS ESTABLISHED	C' THERE IS NO EVIDENCE TO DATE FOR A BASIC BIOLOG CAL PROCESS THAT PREDISPOSES AN INDIVIDUAL TO WARD DYSFUNCTIONAL USE OF ALCOHOL. That is, there

Table 2-3 Three Contrasting Conceptualizations of Alcoholism - Continued

Traditional Conceptualization of Alcoholism*	Hazelden Conceptualization of Alcoholism	Emergent Conceptualization of Alcoholism*
	THE USE OF ALCOHOL BY AN INDIVIDUAL HAS A HIGH PROBABILITY OF TRIGGERING DYSFUNCTIONAL PHYSIOLOGICAL, PSYCHOLOGICAL AND SOCIAL RESPONSES. There is no generally accepted physiological predeterminer of alcoholism that may be identified in an individual. There is evidence that physical dependence is established after the consumption of large amounts of alcohol. This condition may activate psychophysiological response patterns which in turn serve as stimuli to engage in further drinking.	However, there is evidence that physical dependence is established after the consumption of large amounts of alcohol. This condition may activate psychophysiological response patterns, which in turn serve as stimuli to engage in further drinking.
D' ALCOHOLICS GRADUALLY DEVELOP A PROCESS CALLED "LOSS OF CONTROL" OVER DRINKING, AND POSSIBLY EVEN AN INABILITY TO STOP DRINKING	D' THE DEVELOPMENTAL SEQUENCE OF ADVERSE CONSEQUENCES ASSOCIATED WITH ALCOHOLISM APPEARS TO BE HIGHLY VARIABLE. The variation ranges from an almost immediate and rapid progression to a slow progressive development. At times the alcohol problem may remain static or appear to become less severe. Despite the variation, most alcoholics find that physiological, psychological and social problems produced by alcohol abuse continue to increase unless reversed through the therapeutic program that includes abstinence from alcohol.	D' THE DEVELOPMENTAL SEQUENCE OF ADVERSE CONSEQUENCES APPEARS TO BE HIGHLY VARIABLE, ranging from an almost immediate and rapid progression to a slow progressive development. The alcohol problem may also remain static or even become less severe. Further, with or without treatment, various types of alcohol problems may moderate or simply desist. Such remission bears no necessary relationship to abstinence, for it may accompany a change in patterns of drinking and the consequences thereof.
E' ALCOHOLISM IS A PROGRESSIVE DISEASE WHICH FOLLOWS AN INEXORABLE DEVELOPMENT THROUGH A DISTINCT SERIES OF PHASES	E' ALCOHOL PROBLEMS ARE TYPICALLY RELATED WITH OTHER LIFE PROBLEMS. The relationship between alcoholism and other life problems is a complex web of interacting multiple linkages where it is difficult to distinguish between cause and effect relationships. We do know that strategically, if we treat alcoholism as a primary problem that needs treatment in its own right, a remarkable number of life problems are resolved once the alcoholism recovery process is underway. In other instances, other life problems are put into sharper focus so that sober a person may identify these life problems and	E' ALCOHOL PROBLEMS ARE TYPICALLY INTERRELATED WITH OTHER LIFE PROBLEMS. Therefore, treatment plans and goals should be determined on an individual basis, with specific assessment of dysfunction in each major area of life function. This is necessary to evaluate treatment effectiveness and to assess unintend mental side effects. Abstinence should not b ly criterion used for assessing the effectiveness of treatment.

...ing behavioral self-control through cogni-
...restructuring and training.

The social model of treatment and the Hazelden model of treatment are most closely aligned. Within the social model, abuse of alcohol and other chemicals is considered to be an overlearned mechanism of coping with problems of living. At Hazelden, because social factors are seen as having a major part in contributing to chemical dependency, social techniques are important in the process of rehabilitation. Treatment utilizing a peer group and paraprofessionals (who are often recovering alcoholics) constitutes a social milieu of therapeutic community in which resocialization occurs guided by the principles of Alcoholics Anonymous.

Because the Hazelden treatment model is multifaceted, professionals and nondegreed professionals from a range of disciplines and applied specialities are required for an effective treatment team. It is most accurate, therefore, to consider the Hazelden treatment model part of the multidisciplinary approach to chemical dependency treatment. The multidisciplinary treatment described by the Hazelden model uses physicians and nurses in the detoxification and withdrawal care, psychologists, psychiatrists in individual problem assessment, nondegreed professional counselors and clergy in the experience of resocialization, dietitians to help rekindle an interest in proper nutrition, recreation and relaxation specialists to introduce alternative coping skills, and experienced chemical dependency workers to provide information in lectures, identify supplementary books and pamphlets for reading, and coordinate needs and community resources for aftercare planning. These multidisciplinary resources constitute a team that promotes the previously mentioned objectives of the Hazelden model: 1) transcendental growth, 2) free will, choice and personal responsibility awareness, and 3) interpersonal relationship skill development.

...als and process

...ne treatment goal seeks to encourage an outward orientation for patients. ...scendental awareness refers to the development of meaningful relations with people and the total social and physical environment external to ... The Hazelden model holds that the past and present affect human be... but that man can transcend these seeming constraints by developing ...external relationships. Individuals face a choice between relating trans...entally to other people and the universe or relating inwardly. Chemically ...dent people have either made the inward choice or gravitated to it as a

...ell Howe discusses this in the context of two opposing life principles: The ex...ist principle and the inclusionist principle. His position is that, "inclusion ...ess to new people, new values, new ideas, and change of all kind) is the only ...which one can achieve wholeness."[9]

...esult of their use of alcohol or other drugs. The chemically dependent person pursues the inward course with the conviction that being affected by others at a deep level may have only negative consequences. Others are viewed as objects to be related to with minimal emotional involvement. Accordingly, almost all stimulation and motivation is internally based, and other people are seen as uncaring and alien. The result is a growing aloneness which, in turn, promotes the use of chemicals and the use of chemicals, in turn, promotes aloneness.

Entering into treatment, the patient is introduced to a radically new style of living. This new view emphasizes a way of relating that may make a person feel whole and productive. Transcendental awareness is similar to, although somewhat more expansive than, the Alcoholics Anonymous idea of spiritual awareness. The revolutionary idea is that man has the ability to identify transcendentally. Although the dynamics of identifying transcendentally are not fully understood scientifically, patients are made aware that there is a creativity and vitality in relating transcendentally that has the capability of making one whole and productive. The result is that the chemically dependent person can dramatically alter past forms of behavior because a new definition of reality has been adopted which rejects the limited aloneness perception that guided past behavior. Life as a transcendentally aware individual has the potential to become full of new and fulfilling relationships which provide meaning and direction for living.

Free will, choice and personal responsibility operate in the Hazelden model's contention that a person does not have to remain chemically dependent and that recovery is largely self-effected, although the rehabilitation program serves as a catalyst for change. Recovery from active alcoholism and other chemical dependencies cannot be accomplished by other people doing things to and for the patient. Only through the chemically dependent person's thoughts and actions can recovery come about. Hazelden's treatment approach is designed to challenge the pathological props that are both the symptoms and behavioral traps of chemical dependency by making persons aware of what their lives have become as well as providing a glimpse of alternative life-styles.

Chemically dependent persons need to be made aware that much of the social and personal pathology that dominates their lives is attributable to the effects of being dependent on chemicals. If much of their maladaptation is seen as the direct result of alcohol and/or drug abuse then the obvious conclusion, supported strongly by Hazelden, is that life would be much better without the use of chemicals.

Confrontation, as used at Hazelden, is a supportive but probing encounter and an effective tool in helping patients gain insights into themselves and their life condition. To be effective, this confrontation requires patients to

th differences identified and appreciated, but with a commonality based on e impact of chemical dependency on the patients' lives.

Summary

In this chapter the Hazelden conceptualization of alcoholism has been sys-natically presented using the format employed by Pattison and the Sobells their discussion of what they term the "traditional" and "emergent" con-ptualizations of alcoholism.[4] Although the Hazelden conceptualization ares elements with the other two views of alcoholism, it stands as a separate agmatic model that is based in the clinical experience of a treatment facility d draws both from the principles and practices of the Alcoholics Anony-ous fellowship and from the empirical research into alcoholism treatment d recovery processes. The high level of agreement with these working defi-ions of alcoholism among Hazelden staff was verified in a staff survey. Al-ough no evidence was gathered outside of the Hazelden staff, the majority professionals and paraprofessionals working in the alcoholism treatment ld in Minnesota would probably have a high agreement with these working finitions. It is therefore suggested that what has been called the Hazelden nceptualization of alcoholism may safely be referred to as the Minnesota odel conceptualization of alcoholism.

The emphasis of Hazelden goals corresponds to the conceptualization of al-holism: 1) abstinence from mood-altering chemicals, and 2) an improved e-style. Treatment is seen as a catalyst to trigger the changes necessary in e achievement of these goals. The changes necessary for recovery require gnitive, relational, and behavioral redirection. Learning of the effects of al-hol abuse, recognizing the need to relate outside oneself both interperson-y and spiritually, accepting the possibility of change through taking per-nal responsibility for behavior and working to implement a new chemically-e life-style commensurate with the chronic condition of alcoholism are iat the Hazelden rehabilitation program is designed to promote.

The described processes of treatment should be seen as an intensive inter-ntion. How effective and long-lasting is this intervention in bringing about stinence and an improved life-style? This question will be addressed in the er chapters which consider the patient follow-up survey findings. Before nsidering those findings, however, the research procedures used in the al-holism follow-up studies and a review of other alcoholism treatment out-me studies will be presented.

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Chapter Three

Research Design and Methodology

Study Background

The research design and methodology used in the present study had its origins in an evaluation and research project begun in 1969. At that time a grant from the Northwest Area Foundation allowed Hazelden to investigate the impact of treatment on Hazelden patients. Resulting findings were to be used as an empirical base in decision making about services provided at Hazelden.[1] The primary thrust of this effort was a mail questionnaire follow-up of patients treated between May of 1970 and mid-November of 1971. The nearly two thousand patients discharged from Hazelden treatment during this period were sent similar mail questionnaires at 6, 12, and 18 months after treatment discharge. Questionnaires relating to patient posttreatment functioning were also sent to "significant others": persons designated by the patients as being aware of their lives (spouses, patients, AA sponsors) and able to assess the patients' posttreatment functioning.

The 24-month questionnaire was more detailed than the briefer 6-, 12-, and 18-month questionnaires. It sought information on patients' posttreatment chemical use, AA involvement, maturation and growth, life problems and treatment satisfaction. This 24-month questionnaire was returned by over 50% of all patients discharged during the project period and became the prototype for questionnaires used in the present study.

portion of the rehabilitation program following detoxification is drug f[illegible]d coordinated by therapists other than physicians or other medical health practitioners.

Treatment at Hazelden uses some of the interpretations common to the psychoanalytic model. The psychoanalytic model accepts the concept of an alcoholic personality which is seen as passive-dependent, emotionally immature and experiencing difficulty relating meaningfully to others. This alcoholic personality configuration is classified largely as a character disorder, although a small portion (20-30 percent) of the alcoholic population may be categorized as either psychotic or neurotic.[40] Psychoanalytic treatment involves creating an awareness of the satisfaction of relating meaningfully to other persons and thus breaking the ego defense system of denial found to be well entrenched in most alcoholics.

In the psychoanalytic treatment model, the professional therapist's personality is a principal instrument in therapy. In contrast, Hazelden's treatment model utilizes both intensive and long-term group therapy. Personalities of the paraprofessional counselors and peer group members are important within the rehabilitation process, but they use a more transitory, confrontive and caring style than a directive, passive manner. The patient is encouraged to take an active role with the nondegreed professional counselors and members of the peer group in developing meaningful relationship experiences and clarifying feelings and definitions of reality. Breaking the denial system is a principal objective of treatment, but unlike the psychoanalytic model with its past and causal orientation, the Hazelden model with its strong AA influence does not focus on cause and is concerned with the past only as a means of orienting attention to the present and future.

The Hazelden model has little in common with the classic behavioral modification model of alcoholism treatment apart from an agreement that some behavior can be modified. Classic behavior modification may use either aversive conditioning techniques, positive reinforcement or systematic desensitization.[41] All these techniques are predicated on a manipulative strategy where the therapist conditions the subject to respond in an "acceptable" fashion. Hazelden's treatment model considers freedom and choice crucial to recovery. Accordingly, the patient is not manipulated or conditioned, but is instead presented with cognitive information through peer interaction, group therapy, readings and lectures. This information is helpful in understanding behavior, feelings and physical symptoms characteristic of chemical dependency. The didactic presentation of this information is intended to provide a basis for intellectual awareness about chemical dependency but is not seen as sufficient for recovery. Instead, intellectual awareness about chemical dependency is viewed as contributing to the insight necessary for rehabilitation to take place. This approach follows the treatment known as cognitive behavior

abstinence is the most effective immediate treatment goal for the overwhelming majority of individuals identified as alcoholic. Psychological dependence and physical dependence on alcohol are not separate phenomena but are linked together in complex, and as of yet, not understood ways. The consumption of small amounts of alcohol by a person does not necessarily initiate a physical need that in turn causes further drinking but the psychophysiological risk of using small amounts of alcohol is high relative to the probability of returning to alcoholic drinking and problems.

G' IT MAY BE CLINICALLY USEFUL TO DEVELOP TYPOLOGIES OF SUBPOPULATIONS FOR ADMINISTRATIVE PROGRAM DEVELOPMENT since people with alcohol problems characteristically differ from one another in many respects, yet may share common treatment problems sufficient treatment, from the recipient's viewpoint, is strategy which includes the minimal necessary change in life function to obtain amelioration of alcohol-related problems.

G' TREATING ALCOHOLICS AND OTHER CHEMICALLY DEPENDENT PEOPLE BY WAY OF A SINGLE TREATMENT MODALITY, WHILE ALSO RECOGNIZING THE INDIVIDUAL DIFFERENCES OF PEOPLE, IS AN EFFECTIVE TREATMENT APPROACH. For the purposes of treatment, individuals with alcoholism and other chemical dependencies have more in common than they have to differentiate them. Practically, differences that do not make any difference are not differences. It does not seem warranted at our present level of therapeutic knowledge to develop separate programs for different categories of alcoholics or different categories of persons with other chemical dependencies. Within a single treatment approach it is possible to acknowledge and deal with individual differences thereby treating both the common condition of alcoholism-chemical dependency and the problems unique to individual patients.

*From E. M. Pattison, M. Sobel and L. Sobell, *Emerging Concepts of Alcoholism*, Springer, New York, 1977. The order of presentation has been changed for the purpose of comparison.

Appendix D

Treatment Works

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D.C. 20503

RECEIVED
SEP 24 1996
SUBSTANCE ABUSE PROGRAM

Dear Friends and Colleagues:

September 1996 marks the seventh anniversary of *Treatment Works!* month--a time to educate the Nation about the effectiveness of drug treatment. All our citizens need to recognize that the drug problem is first and foremost a public health problem.

Throughout *Treatment Works!* month, tribute will be given to millions who have overcome drug addiction and regained their place in society and in their families. Not only will their hard work and discipline be honored, but also the loving, caring support of their families who helped them when it was most needed.

The lives of drug abusers and their families can be positively affected with quality treatment provided by trained professionals. By joining the Office of National Drug Control Policy in celebrating *Treatment Works!* month, our colleagues in the treatment field reaffirm their commitment to help those in need, their families, and the communities where they live and work. Participation also acknowledges the crucial role of drug treatment in our Nation's efforts to reduce the use of illicit drugs, and shows those who need treatment that help is available to them and their loved ones.

Best wishes,

Barry R. McCaffrey
Director

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SUBSTANCE ABUSE AND TREATMENT

Substance abuse is a major public health problem that affects millions of people and places enormous financial and social burdens on society. It destroys families, cripples the economy, victimizes communities and suffocates the education, criminal justice and social service systems. Yet, every day, people with alcohol and other drug problems are given the chance to rebuild their lives through treatment. Below are some important facts about substance abuse and treatment.

Substance Abuse

- In 1994, an estimated 12.6 million Americans were current illicit drug users, meaning they had used an illicit drug in the month prior to interview. This is 6 percent of the population 12 years old and older (Preliminary Estimates from the 1994 National Household Survey on Drug Abuse; Advance Report No. 10, September 1995, Substance Abuse and Mental Health Services Administration, Office of Applied Studies).

- More than 5 percent of the 4 million women who gave birth in the U.S. in 1992 used illegal drugs at sometime during their pregnancy. Marijuana and cocaine were the most frequently used illicit drugs—2.9 percent, or 119,000 pregnant women, used marijuana and another 1.1 percent, or 45,000 pregnant women, used cocaine. Over 750,000 women, or 18.8%, used alcohol at some time during pregnancy (National Pregnancy and Health Survey, National Institute on Drug Abuse, 1994).

- Nearly 5 percent of today's high school seniors and nearly 3 percent of 10th-graders are current daily marijuana users (Monitoring the Future Study, University of Michigan, 1995).

- Alcohol is the most costly abused substance, with a total estimated bill to the nation of $99 billion in 1990. Drug abuse is estimated to have cost the nation almost $67 billion during that same year. The major burden of alcohol abuse relates to lost productivity associated with illness and death, whereas the major economic, not to mention societal, burden of drug abuse is crime (Unpublished data for 1990 from Dorothy P. Rice. Institute for Health and Aging, University of California at San Francisco, CA).

Treatment

- Key findings from a study conducted in California from September 1992 through March 1994 on the effectiveness of substance abuse treatment indicated that: 1) the level of criminal activity declined by two-thirds from before treatment to after treatment. The greater the length of time spent in treatment, the greater the percentage reduction in criminal activity; 2) alcohol and drug use declined approximately two-fifths from before treatment to after treatment; 3) about one-third reduction in hospitalizations was reported from before treatment to after treatment; and 4) despite the concern that stimulants, and crack cocaine especially, might be much more resistant to treatment than more familiar drugs such as alcohol

or heroin, treatment for problems with the major stimulant drugs (crack cocaine, powdered cocaine and methamphetamine), which were all in widespread use, was found to be just as effective as treatment for alcohol problems, and somewhat more effective than treatment for heroin problems (CALDATA, California Drug and Alcohol Treatment Assessment).

- Of women in treatment for substance abuse: 95 percent reported uncomplicated, drug-free births; 81 percent who were referred by the criminal justice system had no new charges following their treatment; 75 percent who successfully completed treatment remained drug-free; 46 percent obtained employment following treatment; and 40 percent eliminated or reduced their dependence on welfare. Of their children: 65 percent were returned from foster care; and 84 percent who participated in treatment with their mothers improved their school performance (Center for Substance Abuse Treatment, quarterly report data from sampling of grant programs, Women and Children's Branch, 1995).

- In Xenia, Ohio, of 26 women who had been arrested prior to treatment, 25 had not been rearrested two years after treatment. Of 41 women surveyed two years after leaving the center, 36 reported abstinence from, or only one use of, drugs and alcohol. This Women's Recovery Center treats women who are often homeless, 80 to 90 percent have been physically or sexually abused and most have drug-related criminal histories. The center's staff work with the women to treat their substance abuse and other health problems (Ohio Profile: Alcohol, Tobacco & Drugs, Drug Strategies, 1995).

- Providing treatment to all addicts in the United States could save more than $150 billion in social costs over the next 15 years, while requiring just $21 billion in treatment costs (C. Peter Rydell and Susan S. Everingham, Controlling Cocaine: Supply Versus Demand Programs, Santa Monica, CA: RAND, 1994).

- In a 1994 study of employees referred to four different treatment programs in Philadelphia, University of Pennsylvania researchers found that outcomes improve by 40 percent if treatment services are matched to the particular needs of the client (Keeping Score 1996, Drug Strategies, 1996)

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MYTHS AND FACTS ABOUT ADDICTION AND TREATMENT

Myth: Addiction is a bad habit, the result of moral weakness and over-indulgence.

Fact: Addiction is a chronic, life-threatening condition, like hypertension, atherosclerosis and adult diabetes.

Fact: Addiction has roots in genetic susceptibility, social circumstance and personal behavior.

Fact: Certain drugs are highly addictive, rapidly causing biochemical and structural changes in the brain. Others can be used for longer periods of time before they begin to cause inescapable cravings and compulsive use.

Myth: If an addict has enough willpower, he or she can stop abusing alcohol and using drugs.

Fact: Few people addicted to alcohol and other drugs can simply stop using them, no matter how strong their inner resolve. Most need one or more courses of structured substance abuse treatment to reduce or end their dependence on alcohol and other drugs.

Myth: Many people relapse, so treatment obviously does not work.

Fact: Like virtually any other medical treatment, addiction treatment cannot guarantee lifelong health. Relapse, often a part of the recovery process, is always possible—and treatable. Even if a person never achieves perfect abstinence, addiction treatment can reduce the number and duration of relapses, minimize related problems such as crime and poor overall health, improve the individual's ability to function in daily life and strengthen the individual to better cope with the next temptation or craving. These improvements reduce the social and economic costs of addiction.

Myth: We have reached the limits of what we can do to treat addiction.

Fact: The more we learn about addiction, the more effective treatment becomes. Matching clients to the services they most need, while supporting continuous and focused engagement in treatment, is imperative. Today's treatment providers are better able to do this than ever before.

TREATMENT Works!

Myth: People with alcohol and other drug problems get sent to 28-day treatment programs, where they dry out and emerge new individuals, cured of their problems.

Fact: Treatment is provided in many different settings, in many different ways, for different lengths of time. It is important to provide the most appropriate mix of services and settings for each client based on an assessment of individual needs and cultural relevance.

Fact: Treatment is provided in both outpatient and inpatient settings, with different levels of intensity. Residential treatment is provided in the form of short-term treatment and therapeutic communities. Outpatient treatment is available in three general formats: 1) intensive day treatment; 2) intensive outpatient treatment; and 3) traditional outpatient treatment. General phases of treatment include: 1) detoxification; 2) rehabilitation; 3) continuing care; and 4) relapse prevention.

Source: The White Paper: Effectiveness of Substance Abuse Treatment, U.S. Department of Health and Human Services, February 1995.

life-time

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SUBSTANCE ABUSE, CRIME AND TREATMENT

The high correlation between substance abuse and criminal behavior has been well documented in the last decade. Drug-using offenders account for a disproportionate share of all crime and violence in the nation. However, studies show that substance abuse treatment for offenders can reduce the prevalence and incidence of criminal activity.

Substance Abuse and Crime

- The public views drugs and crime as the two most important issues facing the nation (Wall Street Journal/NBC Poll, December 1995).

- Thirty-three percent of all murders or manslaughter incidents are related to drug and alcohol use. Over 50 percent of spousal murders are drug- or alcohol-related (Bureau of Justice Statistics, Criminal Victimization in the United States 1992, January 1994).

- In a national telephone survey conducted among 318 chiefs of police, 82 percent of police chiefs in large cities (with populations greater than 100,000) said drug abuse is an extremely serious (45%) or quite serious (37%) problem in their communities (Peter D. Hart Research Associates, Drugs and Crime Across America: Police Chiefs Speak Out, Police Foundation and Drug Strategies, 1996).

- The National Institute of Justice Drug Use Forecasting program found that the percentage of adult males arrested in 23 cities throughout the U.S. in 1993 who tested positive for drugs ranged from 54 percent in Omaha and San Jose to 81 percent in Chicago. Of adult females arrested in 20 cities throughout the U.S., the percentage of those testing positive for drugs ranged from 42 percent in San Antonio to 83 percent in Manhattan (Bureau of Justice Statistics: Drugs and Crime Facts, 1994).

- A cross-section of police chiefs surveyed in 386 U.S. cities report that substance abuse is the number one problem facing their communities, more serious even than the lack of law enforcement resources, overcrowded courts and the ready availability of guns. These police officials also believe that reducing drug abuse should be the first priority in combating violent crime (On the Front Line: The Death Penalty Information Centers, February 1995).

Crime and Treatment

- Only one in five adults who know someone who has been addicted to illegal drugs believes that a prison sentence would have been more helpful to that person than a supervised treatment program, while almost 70 percent believe that treatment would have been more helpful than prison (Peter D. Hart Research Associates, Americans Look at the Drug Problem, Drug Strategies, 1995).

- One million prison inmates in this country have serious drug habits, regardless of the crimes for which they were convicted. Drug treatment is currently available for less than 10 percent of Federal inmates who need it (Drugs, Crime & Campaign '96, Drug Strategies; Drug Use Forecasting, 1995).

- A RAND study found that substance abuse treatment is seven times more cost-effective in reducing cocaine use than domestic law enforcement (RAND Corporation Drug Policy Research Center, Controlling Cocaine: Supply vs. Demand Programs, 1994).

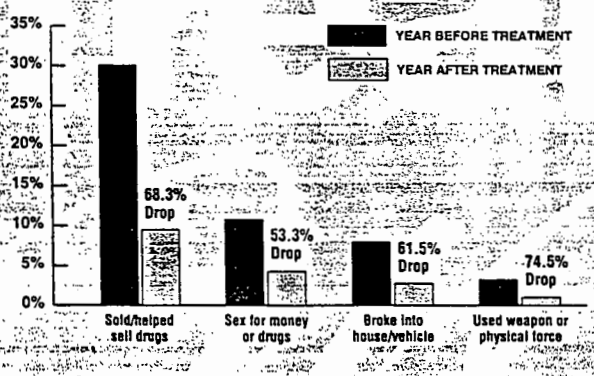
- Individuals in Chicago awaiting trial or sentencing for a drug-related crime, who have non-violent criminal histories, can receive treatment from Treatment Alternatives for Special Clients (TASC), a non-profit agency providing court-approved treatment. The program, designed to reduce prison overcrowding, provides substance abuse treatment, education and job training tailored to the specific treatment needs of each offender. According to the Illinois Criminal Justice Information Authority, 99 percent of participants miss no court appearances, compared to 35 percent in the general population. Less than 5 percent of participants have been reincarcerated. TASC costs only $39 per day, compared to $89 per day to keep offenders jailed (Keeping Score 1996, Drug Strategies, 1996).

- A recently released comprehensive drug and alcohol treatment follow-up study of approximately 3,000 individuals found that criminal activity declined 66 percent following treatment, and the longer the individual remained in treatment, the greater the reduction in criminal activity (CALDATA, California Department of Alcohol and Drug Programs, 1994).

- An estimated 80 percent of the 118,195 Texas prison inmates have a history of substance abuse. Half were on drugs when they committed their crimes. The New Vision In-Prison Therapeutic Community for men, located in Kyle, Texas, treats 500 inmates. Forty-two percent have completed the nine-month in-prison component as well as four months or longer in transitional community treatment or outpatient counseling. One year after release, only 7 percent of those completing the program had returned to prison. This is less than half the recidivism rate of those who had no treatment or who dropped out of treatment (Keeping Score 1996, Drug Strategies, 1996).

- The Drug Court Program in Rochester, New York, was started in January of 1995. The program employs treatment providers and case managers. Judges and other drug court staff work collaboratively with case managers to be sure offenders get the help they need. In less than a year, of the 172 participants, only 12 have been rearrested. In all, only 27 defendants have quit or been released from the drug court program and sent back to the traditional criminal justice system (Fixing a Failing System, Report from a Join Together Policy Panel, February 1996).

Criminal Activity Drops Significantly Year After Substance Abuse Treatment



SOURCE: *CALDATA*, California Department of Alcohol and Drug Programs, 1994.

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SUBSTANCE ABUSE, HEALTH CARE COSTS AND TREATMENT

Substance abuse adds substantially to the nation's total health care bill. Numerous studies show that providing adequate and accessible treatment for those with alcohol and other drug problems is the most effective method to improve the health of drug abusers and relieve the growing burden of drug-related health care costs. Treatment is a sound, long-term and cost-effective investment in America's future.

Substance Abuse and Health Care Costs

- About one-third of all AIDS cases are related to intravenous drug use, and 90 percent of all pediatric AIDS cases are related to maternal exposure to HIV through drug use or sex with a drug user (Centers for Disease Control and Prevention, 1996).

- On the average, untreated alcoholics generally incur general health care costs that are at least 100 percent higher than those of the non-alcoholic. In the last 12 months before treatment, the alcoholic's costs are close to 300 percent higher (The Rutgers Study: Socioeconomic Evaluations of Addictions Treatment, 1992).

- If tobacco, alcohol and drug abuse were reduced by 20 percent in New York City, then each year $520 million in inpatient hospital costs would be saved (CASA: Substance Abuse and Urban America: Its Impact on an American City, New York, 1996).

- More than 5 percent (221,000) of the 4 million women who give birth each year use illicit drugs during their pregnancy (1994 National Pregnancy and Health Survey, National Institute on Drug Abuse).

- The Health Insurance Association of America estimates an expenditure of from $48,000 to $150,000 in costs of maternity care, physicians' fees and hospital charges for each delivery that is complicated by substance abuse (The Sourcebook of Health Insurance Data—1993, Washington, DC: Health Insurance Association of America, 1994).

- The number of methamphetamine (speed)-related emergency room episodes increased by 35 percent (from 7,800 to 10,600) between the first half of 1994 and the first half of 1995 (Preliminary Estimates from The Drug Abuse Warning Network, Advance Report Number 14, SAMHSA, OAS, May 1996).

Health Care and Treatment

- Chicago's Women's Treatment Center offers a wide variety of residential and outpatient programs for adolescent girls, pregnant women and women with young children. The Center has the only crisis nursery in Chicago, which provides care 24 hours a day to the infants and children of women undergoing medically supervised detoxification. As a result of the Women's Treatment Center's focus on responsible parenting, 67 drug-free babies have been born to women in treatment (Keeping Score 1996, Drug Strategies, 1996).

- Substance abuse treatment reduces overall hospital admission rates by at least 38 percent. Hospital admissions for drug overdose decreased by 58 percent among those who had been treated (Evaluating Recovery Services: CALDATA General Report, California Department of Alcohol and Drug Programs, 1994).

- Ninety-five percent of women reported uncomplicated births, free of illicit drugs, after one year of treatment (Center for Substance Abuse Treatment. Study of grantees administered by the Women and Children's Branch, 1995).

- The state Alcohol and Other Drug Authority in Minnesota has reported that, for chemical dependency clients, the state has saved approximately $22 million in annual health care costs by providing treatment (Turnure, C. Implications of the State of Minnesota's Consolidated Chemical Dependency Treatment Fund for Substance Abuse Coverage Under Health Care Reform, Testimony Presented to the U.S. Senate Labor and Human Resources Committee, Washington, D.C., March 8, 1994).

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SUBSTANCE ABUSE TREATMENT AND COST SAVINGS TO BUSINESS

Studies have shown that health care costs for employees with substance abuse problems are about twice those of other employees. Substance abuse also causes employers to incur costs related to injuries, high employee turnover and decreased productivity. However, treatment results in a reduction in medical claims, absenteeism and disability, reasons why many employers sponsor employee assistance programs (EAPs). EAPs conduct drug testing or have policies or procedures to detect substance use and promote early treatment. Here are some important facts.

- Three out of four adults who used illegal drugs at least once a month in 1994 were employed, a total of more than 8 million people. Eighty percent of these workers are full-time employees (Preliminary Estimates from the 1994 National Household Survey on Drug Abuse, Advance Report #10, September 1995).

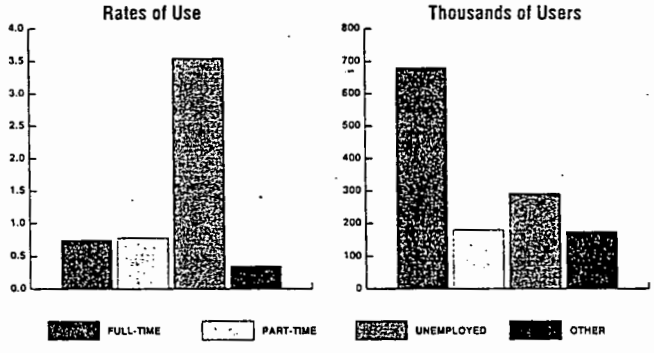
- A 1995 Gallup poll found that more than two-thirds of Americans view drugs as a serious problem affecting the workplace and want workplace drug testing increased (Public Voices Concern About Drugs as Presidential Election Nears, The Gallup Organization, December 12, 1995).

- The cost of alcohol and other drug use in the workplace, including lost productivity, medical claims and accidents, amounts to $140 billion per year (Brandeis University, 1993).

- Thirty-eight to 50 percent of all workers' compensation claims are related to the abuse of alcohol or other drugs in the workplace (National Council on Compensation Insurance, 1993).

- The rate of cocaine use in 1994 was highest among the unemployed, as 3.5 percent of unemployed adults (age 18 or older) were current cocaine users, compared with only 0.7 percent of employed adults. Nevertheless, 65 percent of all adult cocaine users in 1994 were employed either full- or part-time. (Preliminary Estimates from the 1994 National Household Survey on Drug Abuse, Advance Report #10, September 1995).

Past Month Cocaine Use Among Adults
BY CURRENT EMPLOYMENT STATUS, 1994



SOURCE: *Preliminary Estimates from the 1994 National Household Survey on Drug Abuse, U.S. Department of Health and Human Services, Public Health Service, Substance Abuse and Mental Health Services Administration, Office of Applied Studies, Advanced Report Number 10, September 1995.*

- United Airlines estimates that it has a $16.95 return for every dollar invested in a drug-free workplace program (ASIS O.P. Norton Information Resources Center, "Substance Abuse: A Guide to Workplace Issues," August 1990).

- In 1995, Drug Strategies commissioned a special study of the most recent Bureau of Labor Statistics Employee Benefits Survey and the National Drug and Alcoholism Treatment Unit Survey (NDATUS 1992). The study found that health care coverage for substance abuse treatment has declined over

the last decade, resulting in fewer workers and their dependents having access to privately funded drug treatment. Additionally, many plans have lifetime caps of $50,000 for substance abuse treatment compared to $1 million for other diseases (Keeping Score 1996, Drug Strategies, 1996).

- Massachusetts was the first state to implement a comprehensive managed care program for delivering substance abuse and mental health services to Medicaid recipients. During the program's first year, use of substance abuse treatment services increased 10 percent, while the cost of these services declined 45 percent (from $28 million in FY 92 to $15.8 million in FY 93). Savings were achieved primarily through reduced use of hospitals and increased use of detoxification centers (Dennis McCarty, Managed Care for Substance Abuse Treatment Services, Waltham, MA: Brandeis University, Institute for Health Policy, October 27, 1995).

- The Small Business Administration reports that drug-free workplace programs produce a significant return on investment because of reduced employee turnover and increased productivity. Studies show that workplace programs cost only $22 to $50 per employee, compared with the estimated $640 in annual work force costs incurred by each untreated drug abuser (Keeping Score: What We Are Getting for Our Federal Drug Control Dollars, 1995, Drug Strategies, 1995).

A LOOK AT SUCCESSFUL AND COST-EFFECTIVE STATE TREATMENT PROGRAMS

Many states have implemented effective, innovative and cost-effective substance abuse treatment programs, causing those who may doubt the necessity of treatment to reconsider their position. The programs highlighted here were chosen based on community reputation for their work and evaluation of outcomes that the programs have conducted themselves, by external reviewers or through more elaborate scientific study. These programs are testimony to the fact that treatment works. Substance abuse treatment not only benefits the abuser, resulting in a productive, self-supporting individual, it also benefits society, resulting in lower health and welfare costs and safer communities. The success of the following state programs supports this statement.

- Second felony offenders who participated in Brooklyn, New York's Drug Treatment Alternative to Prison Program had an 8 percent recidivism rate six months after treatment compared to a 40 percent recidivism rate for drug felony offenders who were incarcerated and not given treatment (Drugs, Crime & Campaign '96, Drug Strategies; Drug Treatment Alternatives-to-Prisons Program, February 1994).
- In Maine, a client outcome survey revealed that 79 percent of clients had not been arrested one year after substance abuse treatment (Commonwealth Marketing and Development, Client Treatment Follow-up Study, Portland: Maine Office of Substance Abuse, 1994).
- In the state of Washington, evaluators studied the Traffic Safety Commission's deferred prosecution program, which encourages criminal (misdemeanor) offenders influenced by alcohol and other drug or mental health problems to obtain treatment. Four years after disposition, drivers who had received deferred prosecution had a non-recidivism rate of 78 percent compared with 52 percent of alcoholics who were convicted of DWI (Baxter, B.L., Salzberg, P.M. and Kleyn, J.E., The Effectiveness of Deferred Prosecution in Reducing DWI Recidivism: An Update. Prepared for the Washington Traffic Safety Commission. Seattle: Alcohol and Drug Abuse Institute, University of Washington, 1993).
- A 1994 Ohio study found that hospital admissions decreased by 66 percent and emergency room use dropped by 41 percent within one year after treatment (Ohio Department of Alcohol and Drug Addiction Services, Unpublished Data from the Comprehensive Assessment Treatment Outcome Registry (CATOR) by New Standards, Inc., St. Paul, MN., 1994).
- In 1994, a Minnesota study found that the number of hospitalizations decreased by 5 percent in the first six months following treatment, producing $22 million in annual health care savings from 18,000 clients (Turnure, C., Implications of the State of Minnesota's Consolidated Chemical Dependency Treatment Fund for Substance Abuse Coverage Under Health Care Reform. Testimony Presented to the U.S. Senate Labor and Human Resources Committee. Washington, D.C., March 8, 1994).

- The state of Georgia's Project Adventure, a three-phase program targeted to adjudicated youths who have multiple prior offenses and meet the diagnostic criteria for substance abuse or dependence, conducted a one year follow-up assessment of those participants completing the program. Of the 131 youths who participated in the program, 80 percent of the participants who completed the program were assessed; 72 percent of the youths were no longer in the Department of Children and Youth Services for juvenile offenses; and 95 percent were not actively using alcohol or other drugs. In comparison, the overall data from the state of Georgia revealed a 55 percent recidivism rate for youth offenders (Gillis, H.L., Brief Report on Project Adventure's CO-OP Program: Recidivism and Relapse Data. Covington, GA: Project Adventure, Inc., 1994).

- In Texas, a one-year follow-up study reported that 80 percent of clients who completed the treatment program were arrest-free for 12 months after treatment (Nelson, R. and Spence, R., The Texas Commission on Alcohol and Drug Abuse, Substance Abuse Treatment Outcome Study (SATOS), 1992).

In 1992, the California Department of Alcohol and Drug Programs launched an initiative to determine the epidemiology of substance abuse and the outcomes of substance abuse treatment. The California Drug and Alcohol Treatment Assessment (CALDATA) is the first product of this initiative. CALDATA is a large-scale study of the effectiveness, benefits and costs of alcohol and drug treatment in California, using state data bases, provider records and follow-up interviews with participants in treatment. Of particular importance to taxpayers in California is that for every $1 spent in alcohol and other drug abuse treatment programs, an average of $7 was saved. Other major findings from the study are provided below.

- CALDATA showed a ratio of 4-to-1 savings for residential care and 10-to-1 for outpatient care, including methadone treatment (Evaluating Recovery Services: The California Drug and Alcohol Treatment Assessment (CALDATA) General Report. Sacramento, CA: Department of Alcohol and Drug Programs, 1994).

- California spent $209 million on substance abuse treatment for 150,000 people. Benefits received during treatment and in the first year afterwards were approximately 1.4 billion in savings to taxpaying citizens, due mostly to reductions in crime. The average per-person annual medical bills dropped from $3,227 to $2,469, emergency room visits were cut by 38 percent and hospital admissions were cut by 33 percent (Evaluating Recovery Services: The California Drug and Alcohol Treatment Assessment (CALDATA) General Report. Sacramento, CA: Department of Alcohol and Drug Programs, 1994).

- Among those treated for alcohol and drug abuse problems, California's $209 million expenditure also resulted in a 36 percent decrease in hospitalizations for physical health problems; 58 percent decrease in hospitalizations for drug overdoses; 44 percent decrease in hospitalizations for mental health problems; and 25 percent cut in the total number of hospital days (Evaluating Recovery Services: The California Drug and Alcohol Treatment Assessment (CALDATA) General Report. Sacramento, CA: Department of Alcohol and Drug Programs, 1994).

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ONLINE DRUG-RELATED RESOURCES

This is a list of drug-related information resources
that are available on the World Wide Web (WWW) and Gopher Servers.

http://www.jointogether.org
This is a resource center and meeting place for communities working to reduce the harms associated with the use of illicit drugs, excessive alcohol and tobacco.

http://www.health.org/prevdef.htm
The National Clearinghouse for Alcohol and Drug Information's PREVline is an electronic communication system dedicated to exchanging ideas and information concerning alcohol, tobacco and illicit drug problem prevention. Home pages of federal agencies and services, clearinghouses and other related online services can be accessed through PREVline or directly through the following addresses:

Department of Health and Human Services is the principal agency for protecting the health of all Americans and providing essential human services, especially for those who are least able to help themselves.
www.os.dhhs.gov

Substance Abuse and Mental Health Services Administration's site also provides access to the home pages of the Center for Substance Abuse Treatment (CSAT), Center for Substance Abuse Prevention (CSAP) and Center for Mental Health Services (CMHS).
www.samhsa.gov

National Institutes of Health is one of the foremost biomedical research centers and the Federal focal point for biomedical research in the U.S.
www.nih.gov

National Institute on Alcohol Abuse and Alcoholism supports and conducts biomedical research on the causes, consequences, treatment and prevention of alcoholism and alcohol-related problems.
www.niaaa.nih.gov

National Institute on Drug Abuse brings the power of science to bear on drug abuse and addiction.
www.nida.nih.gov

National Library of Medicine is the world's largest library dealing with a single scientific/professional topic, carrying over 4.5 million holdings.
www.nlm.nih.gov

Drug Enforcement Administration enforces the controlled substances laws and regulations of the U.S.
www.usdoj.gov/dea/deahome.html

Indian Health Service is an agency of the PHHS providing health care to American Indians and Alaska Natives.
www.tucson.ihs.gov

Office of National Drug Control Policy (ONDCP) Drugs and Crime Clearinghouse specializes in disseminating information on drug-use trends, drug-related crime issues and national drug-control policy.

www.ncjrs.org

The Center for Substance Abuse Research (CESAR at the University of Maryland, College Park) collects, analyzes and disseminates information on the nature and extent of substance abuse and related problems in Maryland and nationally.

www.bsos.umd.edu/cesar/cesar.html

Hazelden is a non-profit organization providing high-quality, affordable rehabilitation, education, prevention and professional services and publications relating to chemical dependency and related disorders.

www.hazelden.org

Mothers Against Drunk Driving (MADD) is a non-profit organization that aims to stop drunk driving and to support the victims of this violent crime.

www.gran-net.com/madd/madd.htm

Indiana Prevention Resource Center is a statewide clearinghouse for technical assistance on prevention and information about alcohol, tobacco and other drugs.

www.drugs.indiana.edu

Wisconsin Clearinghouse for Prevention Resources is part of the University Health Services at the University of Wisconsin-Madison providing educational materials and training information.

danenet.wicip.org/wisclearhouse

Gopher Server:

The Robert Wood Johnson Foundation is the nation's largest philanthropy devoted to health care.

gopher.rwjf.org:45001

FILED

NORTH CAROLINA
COUNTY OF WAKE

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WAKE COUNTY, C.S.C.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
96 CVS 4334

STATE OF NORTH CAROLINA, ex rel. MICHAEL F. EASLEY, Attorney General,

Plaintiff,

vs.

NORTH CAROLINA TROOPERS, ASSOCIATION, INC., CALLAN PUBLISHING COMPANY, INC., CREATIVE MARKETING, a Proprietorship, and MIKE THOMAS, Proprietor; and CIVIC DEVELOPMENT GROUP of NORTH CAROLINA, INC.,

Defendants.

CONSENT JUDGMENT AS TO THE NORTH CAROLINA TROOPERS ASSOCIATION, INC.

THIS CAUSE came on before the undersigned Superior Court Judge for entry of a Consent Judgment between plaintiff State of North Carolina, by and through its Attorney General (hereinafter the "State"), and defendant North Carolina Troopers Association ("Troopers Association"). The Court finds that these two parties have resolved the matters in controversy between them and have consented to the terms of this judgment. The Court, with the consent of said parties, finds as follows:

1. The State filed this action seeking injunctive and further relief against the several defendants contending that the defendants had engaged and were continuing to engage in a pattern and practice of misleading solicitation practices in violation of the North Carolina

Solicitation of Contributions Act and the unfair and deceptive trade practices act, Chapters 131F and 75 of the General Statutes respectively.

2. Defendant Troopers Association is a voluntary association comprised of active and retired members of the North Carolina State Highway Patrol. However, the Troopers Association is not affiliated with or endorsed by the North Carolina State Highway Patrol ("Highway Patrol"). The State contends that the Troopers Association raises funds by employing solicitors, Callan Publishing Company, Inc. ("Callan') and Civic Development Group of North Carolina, Inc. ("Civic Development"), who use telemarketing programs to solicit North Carolina citizens to make contributions to the Troopers Association. Callan, in turn, subcontracts with defendant Mike Thomas ("Thomas"), doing business as Creative Marketing, to solicit contributions in the form of advertising in the North Carolina Trooper, a magazine Callan publishes for the Troopers Association.

3. The fund raising activities of the Troopers Association and its solicitors are regulated by the Solicitation of Contributions Act, N.C. Gen. Stat. §§ 131F, *et seq.* Under the definitions set forth in the Act, the Troopers Association is a "sponsor," and defendants Callan, Thomas, Creative Marketing, and Civic Development Group are paid "solicitors." N.C. Gen. Stat. § 131F-2.

4. While making solicitations for contributions, the solicitors represent to the public that they are seeking contributions to support benevolent programs sponsored by the Troopers Association, including a scholarship program for children of their members and

provision of emergency financial relief for families of troopers disabled or killed in the line of duty.

5. In its Complaint, the State contends that solicitations conducted by its solicitors on behalf of the Troopers Association are misleading and deceptive in several material respects. The State contends in its Complaint that many prospective contributors are led by the solicitors to believe that the solicitors are either members of the Highway Patrol or that the fund raising efforts are being conducted for the direct benefit of the Highway Patrol, rather than for the benefit of the Troopers Association and its programs. The State contends that many contributors are led to believe display of the Troopers Association decals or bumper stickers, which are given to all contributors, identify them as friends of the Highway Patrol who will receive special treatment if stopped by a Highway Patrol Trooper. The State also contends that many contributors are led to believe that substantial portions of their donations will be used for benevolent purposes although approximately 85% of the donations are kept by the solicitors and a fraction of the money given to the Troopers Association is actually spent for the benevolent purposes for which the contributions were solicited.

6. In this action, the State contends that the misrepresentations and misleading statements made in the course of the fund raising solicitation campaigns on behalf of the Troopers Association violate the Solicitation of Contributions Act and constitute deceptive trade practices in violation of N.C.G.S. § 75-1.1. Although the Troopers Association did

not directly make the misleading statements and misrepresentations, the State contends that the Troopers Association has the duty and responsibility to monitor and control the conduct of the solicitors it employs to make solicitations on its behalf. In failing to meet these duties and responsibilities, the State contends that the Troopers Association is responsible for the violations of law committed by its solicitors.

7. The Troopers Association answered the allegations in the Complaint by expressly denying them. The Troopers Association contends it has taken all reasonable steps to the end that solicitors acting on its behalf comply with all applicable laws. In consenting to the entry of this Consent Judgment, the Troopers Association does not admit it has engaged in any illegal or deceptive practices, and it is the intent of the parties that this Consent Judgment shall not constitute an admission of liability for violation of either the Solicitation of Contributions Act or Chapter 75 of the General Statutes. Instead, the Troopers Association states that it is consenting to this Consent Judgment solely to voluntarily resolve its differences with the State without the necessity of further costly and unnecessary litigation and to indicate its intent to ensure that fund raising practices undertaken on its behalf by solicitors will be in compliance with the law. The agreements reached between the State and the Troopers Association and entry of this Consent Judgment in no way release any of the other defendants from liability for violations of the Solicitation of Contributions Act or Chapter 75 of the General Statutes.

BASED ON THE FOREGOING FINDINGS OF FACT, THE RECORD HEREIN, AND THE AGREEMENTS OF THE PARTIES MANIFESTED HEREIN, the Court concludes that it has jurisdiction over the parties and subject matter of this action and that good cause exists for the Court to enter judgment in this case as to defendant Troopers Association.

IT IS THEREFORE ORDERED AND ADJUDGED with the consent of the parties hereto as follows:

A. The Troopers Association shall require solicitors which solicit contributions on its behalf to make the following disclosure to members of the public who are solicited for contributions:

> MY NAME IS [*actual name of the caller*]. I AM CALLING ON BEHALF OF THE NORTH CAROLINA TROOPERS ASSOCIATION. THE NORTH CAROLINA TROOPERS ASSOCIATION IS A PRIVATE, VOLUNTARY ORGANIZATION WHICH IS NOT AFFILIATED WITH, OR ENDORSED BY, THE HIGHWAY PATROL ITSELF. I AM A PAID SOLICITOR EMPLOYED BY *[state name of employer, e.g., Civic Development Group of North Carolina, inc.*].

B. The Troopers Association shall require its solicitors to include in any written materials used with any solicitation (including invoices, confirmations, reminders, brochures or other similar means) the following written statement on the face of the materials in a separate paragraph in bold capital letters of a minimum size of 10 point print:

THE NORTH CAROLINA TROOPERS ASSOCIATION IS A PRIVATE, VOLUNTARY ORGANIZATION WHICH IS NOT AFFILIATED WITH, OR ENDORSED BY, THE HIGHWAY PATROL ITSELF.

C. The Troopers Association shall not violate the requirements of the Solicitation of Contributions Act or the provisions in Chapter 75 of the General Statutes prohibiting unfair and deceptive acts or practices, *e.g.*, conduct which has the tendency to deceive the public, in the solicitations of contributions and will take immediate corrective action if it receives evidence that its solicitors have engaged in any such violations or unfair or deceptive acts or practices. The parties agree that violations of these laws include, but are not limited to, the following acts or conduct:

(1) Failure by the solicitor to identify himself or herself as a paid solicitor;

(2) Failure by the solicitor to state the name of the licensed solicitor by whom the solicitor is employed;

(3) Use of an alias name by the solicitor;

(4) Representing or implying that the solicitor is making the solicitation as a member of the North Carolina State Highway Patrol;

(5) Representing or implying that the solicitor is seeking contributions to benefit the North Carolina State Highway Patrol;

(6) Use of the word "trooper" in a solicitation except when unambiguously used as part of the name, "Troopers Association;"

(7) Representing or implying that the person solicited will receive favorable or unfavorable consideration if stopped by a member of the North Carolina State Highway Patrol based on whether or not a contribution is made;

(8) Falsely representing or implying that a contribution to the Association is tax-deductible;

(9) Representing or implying that a contribution will be used for a specific charitable purpose when in fact it will not;

(10) Providing information as to the use of the contribution for charitable or educational purposes which is inconsistent with actual expenditures by the Troopers Association for such charitable or educational purposes;

(11) Providing inaccurate information on the percentage of the contribution that will be retained by the Troopers Association;

(12) Mailing invoices or pledge redemption notices to a person who has declined to contribute or who has merely asked for information;

(13) Failing to include in written materials a statement of how persons may obtain a copy of the solicitor's license and financial information about the solicitor, as required by N.C.G.S. § 131F-17(a)(3);

(14) Failing to answer in writing within 14 days a person who asks what percentage of gross revenues the Association will receive from the solicitation campaign, as required by N.C.G.S. § 131F-17(a)(4).

D. The Troopers Association shall review and approve in advance all solicitation scripts and written fund raising materials which will be used by any solicitor to solicit funds on behalf of the Troopers Association, and the Troopers Association shall provide in its contracts with any solicitor acting on its behalf that the solicitor shall not use any solicitation script or solicitation materials without the prior approval of the Troopers Association and that the solicitor shall make the disclosures required in Paragraphs A or B above for solicitations by telephone or through the use of written materials.

E. The Troopers Association shall maintain a toll-free number that a prospective contributor may call for further information about the Troopers Association or its programs. The toll-free number shall be disclosed on all written solicitation materials sent to prospective contributors. The person answering a phone inquiry shall not identify himself as a Trooper or member of the Highway Patrol but shall identify himself as a representative of the North Carolina Troopers Association. Whenever describing the Troopers Association, the representative shall state that the Troopers Association is a private, voluntary organization that is not affiliated with, or endorsed by the North Carolina State Highway Patrol. The recorded message on any answering device used by the Troopers Association shall include the disclosures in Paragraph B above.

F. The Troopers Association shall include in any contract with any solicitor a provision that such solicitor will not violate any law in connection with the solicitation of contributions to the Association, including G.S. Chapter 131F and G.S. § 75-1.1.

G. Whenever the Troopers Association obtains information, through receipt of a consumer complaint or otherwise, which indicates that a solicitor who is making solicitations on its behalf has engaged in illegal or deceptive solicitation practices (including any violation of any of the provisions of this Consent Judgment), it shall notify such solicitor and require that immediate corrective action be taken. The Troopers Association shall report to the Consumer Protection Section of the Attorney General's Office such alleged violations and the corrective action taken within 10 business days after it becomes aware of the alleged violation. The report shall be made in writing to the plaintiff at the following address: North Carolina Department of Justice, Consumer Protection Section, P.O. Box 629, Raleigh, North Carolina 27602.

H. The Troopers Association shall promptly deliver to the Consumer Protection Section of the Attorney General's Office (at the address noted in paragraph G above) copies of all telephone scripts or written solicitation materials before such scripts or materials are utilized by any solicitor. The Troopers Association shall require its solicitor to maintain a list of accurate answers which shall be used to respond to the most commonly asked questions from prospective contributors relating to donations to the Troopers Association, including the percentage of the contribution that is retained by the Troopers Association . A copy of such question and answer list shall be provided to the Attorney General's Office. Neither the Troopers Association nor their solicitors shall, when utilizing any such scripts or materials, state or imply that the scripts or materials were

provided to, reviewed by, endorsed by, or approved by the Attorney General or any agency of the State of North Carolina.

I. The Troopers Association shall, contemporaneous with the entry of this judgment, contribute the sum of $25,000 to the North Carolina Department of Justice for consumer education and enforcement purposes.

J. Within one year of the entry of this Consent Judgment, the Troopers Association shall expend at least $300,000.00 of solicitation proceeds which it received from defendants Callan and Civic Development Group for charitable, educational, law enforcement, or benevolent purposes, other than for the direct benefit of the Troopers Association or their members, subject to the approval of the Attorney General which will not be unreasonably withheld.

K. The Troopers Association and its officers have agreed to and shall cooperate with the Attorney General in the continued investigation and litigation of this action against the remaining defendants by providing documents, testimony or other relevant evidence.

L. This Consent Judgment is a final judgment in this action between the State and defendant North Carolina Troopers Association and is intended to resolve all matters in controversy in this action between them. The Court retains continuing jurisdiction of this action pending final adjudication in the merits as between the State and the remaining parties.

This the 25 day of November 1996.

Donald W Stephens
Superior Court Judge, Presiding

CONSENTED TO:

THE NORTH CAROLINA TROOPERS ASSOCIATION, INC.

Thomas F. Moffitt
Special Deputy Attorney General

Charles A. Lindquist, Jr.
President

Philip A. Lehman
Assistant Attorney General

North Carolina Department of Justice
Post Office Box 629
Raleigh, North Carolina 27602

ATTORNEYS FOR PLAINTIFF, STATE OF NORTH CAROLINA, ex rel., MICHAEL F. EASLEY, ATTORNEY GENERAL

Carl N. Patterson, Jr.
Smith, Anderson, Blount, Dorsett Mitchell & Jernigan, L.L.P.
Post Office Box 2611
Raleigh, North Carolina 27602-2611

ATTORNEY FOR DEFENDANT, NORTH CAROLINA TROOPERS ASSOCIATION, INC.

VISITOR REGISTRATION SHEET

APP./SUB JUSTICE & PUBLIC SAFETY — Name of Committee

DEC. 16, 1997 — Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
John Madler	Sentencing Commission
Tracy Herring	Parole Commission
Chuck Crann	Offic of State Planning
Lattie Baker	Dept of Correction
LARRY Williamson	Dept of Correction
Mike Rothwell	DOC - DART Cherry Program
Randy Monchick	AOC - Drug Treatment Court
LAO RUBENT	Justice Policy Center
Whitney Obrig	DHHS - B&I / DMHDDSAS
fred Aikens	DOC - Sec's Office
Greg Fuhl	DOC
Joe Hamilton	DOC
Nancy Lowe	DOC
PETE MARTIN	DHHS - SAS
Bruce Humphrey	OSBM
Curt Williams	Governor's Office
David Kirkman	AGO
Phil Lehman	"
Barbara Shaw	"
Alan Hirsch	"
Jane B. Gray	DOJ
GARY FISHER BEAUFORT	CCAPS
Rob Nelson	OSBM

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

1997-98 INTERIM STUDY

CHAIRMEN

Representative Larry Justus
Representative Gregg Thompson
Representative Joe Kiser
Senator Wib Gulley

STAFF

Jim Mills, Fiscal Research
Charles Perusse, Fiscal Research
Elisa Wolper, Fiscal Research
Andy Willis, Fiscal Research
Sean Dail, Bill Drafting
Beth Barnes, Bill Drafting

Clerks

Carol Resar
Carolyn Justus

JOINT MEETINGS OF THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY 1997-98 INTERIM

October 21, 1997	Book 1
October 22, 1997	Book 1
October 23, 1997	Book 1
November 18, 1998	Book 1
November 19, 1998	Book 1
November 20, 1998	Book 1
December 16, 1998*	Book 1
December 17, 1998	Book 2
December 18, 1998*	Book 2
January 20, 1998	Book 2
January 21, 1998	Book 2
January 22, 1998	Book 2
February 17, 1998	Book 2
February 18, 1998	Book 3
February 19, 1998	Book 3
March 17, 1998	Book 3
March 18, 1998	Book 3
March 19, 1998	Book 3
April 21, 1998	Book 3
April 22, 1998	Book 3
April 23, 1998	Book 3

* House meeting only

APPROPRIATIONS/SUBCOMMITTEE ON JUSTICE & PUBLIC SAFETY
1997-98 INTERIM

MEMBERSHIP LIST

Representative Larry T. Justus, Co-Chair
PO Box 2396
Hendersonville, NC 28792
(704) 685-7433 685-2707 (F)

Representative Joe Kiser, Co-Chair
PO Box 47
Vale, NC 28168
(704) 276-2725 276-1200 (F)

Representative Sandy Hardy
503 Fairview Avenue
Washington, NC 27889
(919) 975-3974 975-0829 (F)

Representative David Redwine
1700 Frink Street
Ocean Isle Beach, NC 28469
(910) 579-2169 754-9185 (F)

Representative Wayne Sexton
123 Irving Road
Stoneville, NC 27048
(910) 627-1418 623-3299 (F)

Representative Chuck Neely
3605 Granville Drive
Raleigh, NC 27609
919-782-3845 981-4300 (F)

Representative Gregg Thompson, Co-Chair
412 Hemlock Avenue
Spruce Pine, NC 28777
(704) 765-1992 765-9655 (F)

Representative Paul McCrary
310 Westover Drive
Lexington, NC 27292
(910) 249-9285

Representative Ted Kinney
106 Chloe Drive
Fayetteville, NC 28301
(910) 488-5681

Representative Ronnie Smith
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Atlantic Beach, NC 28512
(919) 726-7933

Representative Ruth Easterling
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Charlotte, NC 228207
(704) 375-5934

FISCAL STAFF
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CHARLES PERUSSE
ELISA WOLPER
ANDY WILLIS
919 733-4910

STAFF BILL DRAFTING
SEAN DAIL
BETH BARNES
919 733 6660

COMMITTEE CLERK
CAROLYN JUSTUS

SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY MEMBERSHIP

Sen. Wib Gulley, Chair
Room 418
715-3036

Sen. Frank Ballance
Vice-Chair
Room 523
715-3032

Sen. Don East
Ranking Minority
Room 521
733-5655

Sen. John Blust
Room 1117
733-7850

Sen. Tony Rand
Room 300-C
733-9892

Sen. Allen Wellons
Room 1026
733-5850

Sen. Fountain Odom
Room 300-B
733-5707

Carol Resar, Clerk 715-3036

Jim Mills, Fiscal Research 733-4910
Charles Perusse, Fiscal Research 733-4910
Elisa Wolper, Fiscal Research 733-4910
Andy Willis, Fiscal Research 733-4910

Beth Barnes, Bill Drafting 733-6660
Sean Dail, Bill Drafting 733-6660

ATTENDANCE

COMMITTEE: Appropriations Subcommittee on Justice and Public Safety - Interim Meetings 1997-98

ATES / NAMES	10/22/97	10/23	11/18	11/19	11/20	12/16	12/19	2/18/20	3/17	3/19	4/22
Sen. Wib Gulley, Chair											
Sen. Frank Ballance, Vice-Chair											
Sen. Don East, Ranking Minority											
Senator John Blust											
Senator Tony Rand											
Senator Allen Wellons											
Rep. Larry Justus, Chair	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Rep. Gregory Thompson, Chair	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Rep. Joe Kiser, Chair	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Rep. Paul McCrary	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	.
Rep. Edwin Hardy	✓	✓			✓	✓			✓	✓	.
Rep. Ted Kinney			✓	✓	✓	✓	✓	✓	✓		.
Rep. David Redwine	✓	✓	✓	✓	✓	✓	✓	✓	✓		.
Rep. Wayne Sexton	✓	✓	✓	✓	✓	✓	X	✓	✓	✓	✓
Rep. Ronald Smith	✓	✓	✓	✓	X	✓	✓	✓	✓		✓
Rep. Jim Crawford			✓	✓			✓	✓			
Easterling	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Neely											

HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Wednesday, December 17, 1997 9:00am
Room 415, Legislative Office Building

I. CALL TO ORDER

Chairmen: Representative Joe Kiser — Senator Wib Gulley, Presiding
Representative Larry Justus
Representative Gregg Thompson

II. PRESENTATIONS

1) IRMC Report on AOC Technology

- Review of Reserve for Technology and Associated Special Provisions

  Charles Perusse, Fiscal Research

- Overview / Discussion of IRMC Comments About Judicial's Plan

  Tom Runkle, IRMC Staff

- Judicial Department Follow-up
  - *Chronology of activities since Session and Response to IRMC Comments
  - *Overview of Strategic Plan for Magistrates System
  - *Update on overall business plan for court information technology

  John Taylor, AOC

2) Criminal Justice Partnership Program

- Review of Funding Formula and Status, Participating Counties and Program Activity

  Elisa Wolper, Fiscal Research

- Evaluation and Monitoring; Day Reporting Centers and other Programs

  Nancy Lowe, CJPP Director

- Day Reporting Center—Programming and Staffing

  Randell Woodruff
  Director, Lee County Department of Adult and Youth Services
  Lee-Harnett Day Reporting Center

Afternoon

3) Department of Correction Capital Projects

- Overview of Funding and Provisions

  Jim Mills, Fiscal Research

- Central Prison Master Plan, Update on Other Capital Projects and on Modular Units

  Lynn Phillips, Assistant Secretary
  Department of Correction

4) DOC Medical Issues

- Recruitment, Hiring, Salary, and Turnover of Medical Staff

  Jeff Becker, DOC Personnel Office

- Other Follow-up Issues – Deaths in prison system; AIDS cases in prison system; contracting for medical staff versus in-house staffing; malpractice coverage.

  Gregg Stahl, Assistant Secretary
  Department of Correction

  Office of State Budget and Management Staff

III. OTHER BUSINESS

IV. ADJOURNMENT

SENATE AND HOUSE JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
December 17, 1997

The Senate and House Joint Appropriations Subcommittee on Justice and Public Safety met at 9:00 am on Wednesday, December 17, 1997 in Room 415 of the Legislative Office Building. Representatives Justus, Thompson, Kiser, Smith, McCrary, Hardy, Kinney, Redwine, Sexton, Crawford, Easterling and five Senators were present. Senator Wib Gulley, Chairman, presided.

Representative Justus, presiding in Senator Gulley's absence, asked Charles Perusse, Fiscal Analyst, to report on the Administrative Office of the Courts' (AOC) Technological Plan. After brief comments from Mr. Perusse, Mr. Rick Webb made brief comments about the report from the Information Resource Management Commission (IRMC) regarding this project. Next, Mr. Tom Runkle with the IRMC gave an overview of the IRMC report on the AOC Plan (see Handout #1). Mr. Runkle also gave the Committee a proposed project checklist and four other steps that could be used to help the project be completed successfully. The Committee was told that since the AOC is exempted from the IRMC oversight, the policies and provisions in this report are only suggested provisions the AOC Technological Plan would have to comply with if the AOC was under the oversight of the IRMC.

In answer to Representative Redwine's question, Mr. Runkle told the Committee that the first two items at the top of page two of the Handout and the two automation projects in item three the IRMC thought were reasonable. Its concern was with the third automation project which is the $2.2 million for the Criminal Tracking System (Magistrate System). During this discussion, **Representative Justus asked for a breakdown of the 15 staff positions in item one.** Representative Kiser asked how many of the five suggested steps did the AOC comply with? Mr. Runkle stated he thought the AOC planned to comply with all of them.

Next, Mr. John Taylor with the Division for Court Management and Information Services presented the AOC's response to the IRMC report. He first told the Committee that the AOC was a member of the Criminal Justice Information Network (CJIN) Governing Board and although the AOC is excluded from the oversight of the IRMC, it is linked by

CJIN. Handout #2 gives the chronology of meetings and communications between the AOC and Lt. Governor Dennis Wicker, Chair of the IRMC.

Mr. Taylor next presented the Committee with the AOC's responses to the IRMC recommendations regarding the Magistrate System (see Handout #3). Mr. Taylor stated that the AOC did have in place a system methodology, although it was not exactly like the IRMC proposals. After Mr. Taylor's presentation, Representative Redwine stated he was still concerned as to "who was on first, AOC or IRMC." Mr. Taylor responded that the AOC would only ignore a recommendation of the IRMC if they could justify doing it. He felt that the AOC could follow the standards of the IRMC just like other agencies. He further stated that he wanted to make sure that technology was used as a tool to have an efficient judicial court system. Representative Redwine asked to go on record that he did not want the AOC to come back to the Committee four years or so down the road and ask for more money because it did not listen to the IRMC. Senator Rand also voiced his concern that the AOC did not have a long-range plan and since $6.7 million of state and federal money was being spent on this Plan he would feel better if there was a long-range plan in place. Mr. Taylor responded that the AOC is in the process of preparing a business plan for the courts and is also preparing an Information Technology Strategy.

Representative Kiser asked Mr. Taylor what the operating costs for the Magistrate System would be for the next biennium? Mr. Taylor responded that there would be a one-time cost for hardware and software of $7.5-8.0 million. Also, there would be a reoccurring cost for support, maintenance, etc. of $2-2.2 million. Representative Kiser asked if any additional magistrates were included in these figures and Mr. Taylor said no. Representative Kiser asked about the 15 positions in item one of Handout #2. Mr. Taylor stated that those 15 positions were for support for existing systems. Representative Kiser asked if those positions had been filled and Mr. Taylor responded that the money was in reserve, but none had been filled. Representative Kiser asked who would do the maintenance of this system. Mr. Taylor stated that it would be done by contracting the vendor or by hiring staff to support the system. **Representative Justus** questioned Mr. Taylor about the AOC buying equipment that may be obsolete in a few years and then **asked Mr. Taylor to provide the Committee with a cost breakdown showing the difference between leasing and buying the equipment.**

Representative Sexton next asked Mr. Taylor if this Magistrate System was tied into everything already existing. Mr. Taylor said it was and referred to the last page of Handout #3. Mr. Taylor further stated that he would like to take the money and begin the project and between now and May Short Session be able to show the Committee that the AOC is ready to use the reoccurring funds. Joe Stewart with the Department of Crime Control and Public Safety then told the Committee that the CJIN Governing Board would be meeting in late January and would be recommending a road map and a time-line for all of the different components of the CJIN.

Senator Wellons asked if there would be a lot of training for the magistrates to fully utilize the system. Mr. Taylor responded that many of them do not know how to use a

computer and extensive training would be necessary. Mr. Andy Willis, Fiscal Analyst, told the Committee that the CJIN Governing Board is required to report back in April with a long-range plan which would include costs. Representative Redwine then pointed out that Senate Bill 869 is the legislation that exempted the AOC and the University System from the IRMC's oversight. He further stated that he did not think the administrative part of the AOC should be exempted because it did not deal with the courts directly.

Mr. Perusse next suggested to the Committee that it allow the AOC to move forward with the spending of the money to get the Magistrate System started. The AOC could provide status reports and possibly a third party, either the General Assembly technology staff or the IRMC could work with them. Senator Rand commented that he was concerned about proceeding too rapidly and possibly not getting the most for the state's money with this new system and without a blueprint. Representative Justus then stated that it was not a world shaking event and the Committee could postpone action on this issue until the January meeting instead of possibly wasting money. By then perhaps the Committee could be told who is the lead agency on this project. Mr. Cameron, Director of the AOC, then told the Committee that he takes responsibility of perhaps moving too fast on this project, but the idea of a paperless court system was a very exciting one. He then asked the Committee if the AOC could proceed with the personnel hiring and the other items that the IRMC did not have a concern about? Representative Justus replied that everything would be held until next month's meeting.

After a brief recess, Representative Justus asked Ms. Elisa Wolper, Fiscal Analyst, to review the handout on the Criminal Justice Partnership Program (CJPP) (See Handout #4). After her report, Representative Kiser asked why there seems to be left over money in this program on a regular basis. Ms. Nancy Lowe, Director of the CJPP responded that it takes one to two years for the counties to get a new program started and the counties work on a reimbursement basis. Also, the CJPP is very conservative with the Discretionary Fund moneys. Representative Kiser then asked about the twenty-one counties that do not have a program. Ms. Lowe said three counties are ready to start programs and ten others have verbally stated interest in a program. **Representative Thompson asked that the Committee be given an itemized list of how a typical grant to a county is spent.** Ms. Lowe replied that the programs vary by county based on the number of people served, the type of program that is being provided and the differences in the costs for the program.

Senator East commented that the program in Surry County was very successful and he thinks these programs are doing an excellent job. He then asked about the Discretionary funds. Ms. Lowe replied that the Discretionary money is used for a one-time expense and not for recurring costs for existing programs. She further stated that she would like to keep it that way. Senator East asked if the county commissioners are looking at these programs. Ms. Patrice Rossler from the County Commissioners Association responded that they were looking at the funding formula. They do not think they could ask for more money from the General Assembly, but the funding formula may need to be updated.

Representative Kiser next asked how a county can qualify for Discretionary funds. Ms. Wolper replied that there are four cycles each year for requests and the county can asked every time if they want. Representative Sexton voiced concern for allocating more money than the counties need and tying that money up every year only to have it left over. He then asked if vans were purchased to transport the offenders to the day reporting centers. Ms. Lowe replied that they were. One of the purposes of the day reporting centers is to increase supervision and give more structure in the life of the probationers and that cannot be done if they cannot get to the centers.

Representative Redwine stated that the judges needed to use the day reporting centers more as a tool in sentencing and Ms. Lowe responded that there is on-going training to do that. Mr. Gregg Stahl with the Department of Correction added that with regard to the Discretionary funds, the counties are asked to take on the role with the post-conviction people and this money provides help to the counties. Representative Thompson asked how many Department of Correction positions are used to administer the CJPP. Ms. Lowe stated thirteen positions. Ms. Rossler told the Committee that the County Commissioners' Association felt that the money should sit in the Discretionary fund to entice counties to start a program. Representative Kiser asked how many people failed in this program. Ms. Wolper referred to pages 8 and 9 of her handout. Ms. Lowe added that the average stay in the day reporting centers is about six months. **Senator Gulley asked that the Committee be provided with a cost per day per person served breakdown**.

Next, Senator Gulley asked Ms. Lowe to give her report on the Criminal Justice Partnership Program. Ms. Lowe highlighted several programs in large and small counties that she considered were the best because they had all the components necessary for success. Representative Justus asked how much effect does the County Manager have on the success of the program and Ms. Lowe responded that the Manager's support is extremely important. Senator Gulley asked Ms. Lowe what tools were being used to measure success of the programs since they vary so greatly. Ms. Lowe referred to Handout #5 which detailed the quality assurance monitoring procedures. She then told the Committee that a long-term process evaluation was going to be conducted with funds from the National Institute of Justice and would be ready by the end of 1999. This evaluation would have data on offenders over a three-year period. Senator Gulley asked if a report could be done sooner. Ms. Wolper stated that the Partnership Program was included in the recidivism report from the Sentencing Commission.

Next, Mr. Randell Woodruff, Director of the Lee-Harnett County Adult & Youth Services was asked to tell the Committee about the program in Lee and Harnett counties. (see Handout #6 and Handout #7)

Before the Committee recessed for lunch, Representative Justus thanked everyone for their attendance at this meeting so close to Christmas, when it was felt that attendance would be low.

After lunch, Senator Gulley asked Mr. Jim Mills, Fiscal Analyst, to go over the Department of Correction's Capital Projects report (see Handout #8). After Mr. Mills' overview, **Representative Justus** voiced concern about the planning and design money that is spent on buildings that are never built and he **asked Mr. Fleggas with the Department of State Construction what percentage of this money is spent on buildings that are not built? Mr. Fleggas is going to get that figure for the Committee.** As a result of a concerned raised by Representative Thompson about the planning and design money spent, a lengthy discussion took place about the feasibility of using the plans for a prison facility over again for other facilities, instead of having new plans made for each facility. Mr. Fleggas responded that the sites may be different enough to require modifications of the plans and generic plans could not be used. Representative Thompson stated that modifying generic plans would not be as costly as drawing new plans each time and he was planning to introduce legislation to address this situation. Mr. Lynn Phillips with the Department of Correction noted that the newer facilities were being built differently to try to increase the staffing efficiency which would lower the operating cost. Therefore, new plans needed to be drawn. **Senator Gulley asked that the Committee be provided with a report showing if generic plans could be reused with modifications and if not, why not. Also the cost differences and savings, if any, between reusing plans and using new plans.**

Representative Thompson further questions why a private 500-bed prison was costing $20-25 million less than a 500-bed state built facility. Mr. Phillips responded that there was differences in the square footage between the two facilities, but that the costs differences were being investigated. Senator Gulley asked if there was an itemized breakdown for the cost of the private prison in Avery County. Mr. Phillips said there was not and it was very unlikely that the contractor would provide one. He was going to have three independent estimators look at the plans and try to get a cost. The buy-out cost in the contract for the first six years was $26 million.

Representative Kiser asked if the $25.5 million in federal money for prison construction was in the bank or on paper and has the state met the criteria for the matching funds. Mr. Phillips replied that the money was in the bank and the state had met the criteria for matching funds.

Next, Mr. Lynn Phillips gave the committee an update of the capital projects, (see Handout #9). Senator Gulley asked Mr. Phillips asked if it may not be better to spend money on the Department of Correction's higher priorities instead of spending money on plans for four or five facilities that may not be needed for ten years, and may have to be redesigned at that time. Mr. Stahl with the Department of Correction replied that the special provision in the budget stated that no more money could be spent beyond the $17.5 million for Central Prison and Women's Prison until the Alexander and Scotland county facilities were funded for the working plans stage. Representative Thompson stated that the Committee could authorize the spending of the $17.5 million for these two projects and wait on the Alexander and Scotland county projects until the Sentencing Commission revises its prison population projections in January. Representative Kiser

stated that the budget names Alexander county for a facility, but now that the Alexander county site is being abandoned, he asked if the state is obliged to give the money for a replacement site. Mr. Mills replied that the debate on that questions continues.

Next, Mr. Phillips gave the Committee an update on the Central Prison Construction Project (see Handout #10). Phase I of the project will cost $25 million. Since only $17.5 million as been budgeted, Mr. Phillips presented the Committee with Phase IA which excludes two chiller units and some infrastructure needed to ready the site for future expansion projects. Mr. Phillips also gave the Committee a breakdown of costs for Phase I-IV from the handout which totals $110 million. The Committee moved to give the Department of Correction the authorization to spend $17.5 million for Phase IA as presented. Motion carried.

Next, Mr. Phillips reviewed the Modular Units Projects (see Handout #11). He told the Committee that the Department would like to purchase 16 modulars @ 36 SOC (Standard Operating Capacity) and asked for the Committee's authorization to do this. The Department originally asked for 20 units, but the bid it received would only allow for 16 units to be purchased from the money budgeted. After a lengthy discussion about the money savings of spending more now for the 20 units versus buying only four additional units later at a higher cost, and if money could be found for these additional four units, **Representative Thompson directed the Office of Budget and Management to try to find the additional $487,262 for the additional four units and report back to the Correction Oversight Committee at its December 30, 1997 meeting. A report will also be presented at the Justice and Public Safety Appropriations Subcommittee's January 20, 1998 meeting.**

Senator Blust asked what was the urgency between buying 16 or 20 units. Senator Gulley responded that 20 sites have been committed and it was very important to those 4 sites that were not getting them. Senator Gulley further stated he would like to see Martin County be included in the list to make 21 sites. If money cannot be found for five additional 36 bed units, **Senator Gulley asked The Office of Budget and Management to see if the vendor would hold the price for the last five units to be the same as the first 16 units and report back to Corrections Oversight in December and JPS in January.**

Next, Senator Gulley asked Jeff Becker from the Department of Correction's Personnel Office to give the Committee an overview of the Department's pay plans to help lower the turnover rate of the RNs and LPNs at the prison facilities (see Handout #12). Mr. Becker told the Committee that the biggest turnover problems were at Central Prison, Women's Prison and Polk Youth Center. He also stated that his office was creating a more comprehensive exit interview process to help find out if there were other reasons other than money for the turnover and this would be completed by the middle of next summer. Representative Easterling asked which grade on the pay scale was $40,000 annual salary. Mr. Becker replied that grade 70 was $40,000, but the average LPN was at

grade 62 which is $28,000. Mr. Becker further told the Committee that he did not think the pay plans he presented to the Committee were helping to reduce the turnover rate.

Next, Mr. Stahl with the Department of Correction gave the Committee a very brief updated report of the deaths in the prison system (see Handout #13); the AIDS summary (see Handout #14); and a report of contractual medical staff versus in-house staffing (see Handout #15). Mr. Stahl also reported to the Committee that the malpractice insurance coverage for the prison doctors was $45,990 and $26,559 for dentists. He also told the Committee that the confidential autopsy report for Raeford Mabrey was in Mr. Mills office if any of the members wanted to see it.

There being no further business, the meeting was adjourned by Senator Gulley at 4:15 PM

Senator Wib Gulley, Co-Chair

Carol Resar, Committee Clerk

AOC TECHNOLOGY TASK FORCE

Section 18.10. The Administrative Office of the Courts shall establish a task force consisting of representatives of clerks of superior court, district attorneys, superior and district court judges, and magistrates to formulate a plan for the most efficient and effective use of funds appropriated to the Reserve for Technology. The plan shall address those items requested in the Administrative Office of the Courts' expansion budget, including:

(1) Automated forms in courtrooms, clerks' offices, and district attorneys' offices;
(2) District attorney and public defender case management systems;
(3) New personal computers for district attorneys, public defenders, and clerks of court;
(4) Technology support personnel; and
(5) Magistrate criminal information system.

If the task force determines that the funding amounts for these projects should be adjusted or that other projects not enumerated above should receive funding from the Reserve for Technology, it shall make those recommendations to the Administrative Office of the Courts.

Prior to the expenditure of funds appropriated to the Reserve for Technology, the Administrative Office of the Courts shall report the findings of the task force by November 1, 1997, to the Joint Legislative Commission on Governmental Operations, the Chairs of the Senate and House Appropriations Committees, and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety.

IRMC REVIEW OF INFORMATION TECHNOLOGY PLANS OF THE ADMINISTRATIVE OFFICE OF THE COURTS

Section 18.17. (a) G.S. 143B-472.41(b), as recodified by Section 2 of S.L. 1997-148, reads as rewritten:

"(b) Powers and Duties. -- The Commission has the following powers and duties:

(1) To develop, approve, and publish a statewide information technology strategy covering the current and following biennium that shall be updated annually and shall be submitted to the General Assembly on the first day of each regular session.
(2) To develop, approve, and sponsor statewide technology initiatives and to report on those initiatives in the annual update of the statewide information technology strategy.
(3) To review and approve biennially the information technology plans of the executive ~~agencies, including their~~ agencies and to review and comment biennially on the information technology plans of the Administrative Office of the Courts. This review shall include plans for the procurement and use of personal computers and workstations.
(4) To recommend to the Governor and the Office of State Budget and Management the relative priorities across executive agency information technology plans.
(5) To establish a quality assurance policy for all agency information technology projects, information systems training programs, and information systems documentation.
(6) To establish and enforce a quality review and expenditure review procedure for major agency information technology projects.
(7) To review and approve expenditures from appropriations made to the Office of State Budget and Management for the purpose of creating a Computer Reserve Fund.
(8) To develop and promote a policy and procedures for the fair and competitive procurement of information technology consistent with the rules of the Department of Administration and consistent with published industry standards for open systems that provide agencies with a vendor-neutral operating environment where different information technology hardware, software, and networks operate together easily and reliably."

(b) The Information Resources Management Commission shall review the information technology plans of the Administrative Office of the Courts and report its findings to the Joint Legislative Commission on Governmental Operations by November 1, 1997.

Handout #1

State of North Carolina
Information Resource Management Commission
Department of Commerce

Dennis A. Wicker, Chair
Lieutenant Governor

Janet Smith, Vice-Chair
Wachovia Bank & Trust Co.

Commission Members
Ralph Campbell, Jr.
State Auditor

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Marvin Dorman
State Budget Officer

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Secretary of Administration

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Richard Holcomb
HAHT Software, Inc.

James E. Long
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Elaine Marshall
Secretary of State

Betty Ray McCain
Secretary of Cultural Resources

Edward Renfrow
State Controller

Norris Tolson
Secretary of Commerce

Michael E. Ward
Superintendent of Public Instruction

William Willis
North Carolina State University

Advisory Members
Lee Mandell
N.C. League of Municipalities

Jane Smith Patterson
Office of the Governor

Henry E. Schaffer
UNC-General Administration

Rebecca Troutman
N.C. Association of County Commissioners

December 9, 1997

MEMORANDUM

TO: Chairmen, Joint Legislative Commission on Governmental Operations

Chairmen, Senate and House Appropriations Committees

Chairmen, Senate and House Justice and Public Safety Appropriations Subcommittees

Director of Fiscal Research

FROM: Dennis A. Wicker, Lt. Governor and Chair

SUBJECT: Special Provision on AOC Technology Plan – IRMC Comments

Section 18.17 of ratified Senate Bill 352 for the 1997 Session of the General Assembly requires the IRMC to review the technology plan prepared by the Administrative Office of the Courts (AOC) and report comments to the General Assembly. The plan proposes the expenditure of around $6.7 million from the Reserve for Judicial Technology over the 1997-98 and 1998-99 fiscal years. The AOC Technology Task Force approved the spending priorities of the plan in October 1997. Major areas of state expenditures are summarized as follows:

3512 Bush Street • Raleigh, North Carolina 27609-7509 • Telephone (919) 981-5510
State Courier 56-50-10 • FAX 919-981-5568
An Equal Opportunity/Affirmative Action/Americans With Disabilities Employer

Description	Approx. Cost (in Millions)
Fifteen new staff positions	$1.9
Replacement PCs and other data center support hardware and software	1.2
Three automation projects	3.6
Total	**$6.7**

Based on the approval of the AOC Technology Task Force, the first two items above seem reasonable and justified. With respect to the three automation projects, two are continuations of past efforts that complete the statewide expansion of these systems. Accordingly, the completion of these projects is a reasonable expectation.

The third project ($2.0 million expenditure of state funds, $4.4 million in federal) is a new endeavor; therefore, additional information is required before a staff review can be done and you be given full assurances that the project plan, budget and technical approach are appropriate. Discussions with AOC staff have been positive, but it is still early in the project's development, and the full materials are not yet ready. Since the AOC is exempt from IRMC oversight, the IRMC can only comment on the materials presented to it. However, if this project were conducted under the auspices of the IRMC, it would have to comply with the policies and provisions of its project management and quality assurance program. Accordingly, the project would have to:

- Complete a Project Proposal Checklist to confirm that essential activities are being performed and necessary resources are available for the project to be completed successfully. (A sample Project Proposal Checklist is attached).

- Submit project management and organization documentation (including work plans and time schedules) to demonstrate that the project is properly planned and to provide milestones for measuring progress.

- Develop and provide a system application architecture for review by IRM staff to ensure the technical design complies with the statewide technical architecture.

- Provide monthly progress reports to describe the status of the project.

- Undergo periodic quality assurance reviews by an independent and unrelated third party to verify the status of the project and to provide recommendations regarding risks and other areas requiring attention.

Please contact the IRM staff or me if you have any questions regarding this report. We will be glad to discuss it with you at your convenience.

cc: IRMC Members

North Carolina State Government • Office of the State Controller
Information Resource Management Commission

PROJECT PROPOSAL CHECKLIST

As approved by the IRMC: July 2, 1996 *Revision Date: July 3, 1996*

Department: _____

Project Name: _____

Contact Person: _____

Phone Number: _____

E-Mail: _____

Date Submitted: _____

Purpose

The Project Proposal Checklist verifies that essential activities have been planned or performed to help ensure that proposed systems development or technology implementation projects are completed on time and within budget, and the expected benefits are realized.

Responsibility for Preparing Checklist

The department proposing the project must prepare the checklist. All "No" responses must be explained.

Projects Requiring a Checklist

You must prepare a checklist if the project either:

results in total long-term expenditures over $500,000;

⇒ is a planning or direction-setting project, regardless of cost; *OR*

⇒ is a *major project*, regardless of cost.

Major projects present unusual or high risks. These risks can be: technical (for example: implementing technology new to the department or state); business; organizational; or in other areas (for example: system size; project duration; timetable flexibility; technical or business complexity; implementation challenges; importance to the operations of the state; and interrelations with other systems or departments).

Major projects include projects that must be completed successfully (on-time, within budget, and with the expected results and benefits) in order to avoid public embarrassment, shortcomings in the performance of business responsibilities or program operations, or detrimental deficiencies in the delivery of services.

Timetable for Submitting Checklist

You must provide a checklist for every systems development or technology implementation project submitted with your departmental biennial technology plan. Checklists for other projects must be provided to the OSC/IRM staff as early as possible in the planning process.

PROJECT PROPOSAL CHECKLIST

Activity	Yes	No[1]	Cross Reference[2]
1. *Project Objective*			
a) Are the project's objectives and goals verifiable, defined, and stated?			
b) Is this project strategically aligned with departmental missions, goals, and objectives?			
c) Have or will business or program practices and procedures be re-engineered before or as part of the implementation of the system or technology?			
2. *Departmental Sponsorship*			
a) Has departmental senior management approved this project?			
b) Will departmental senior managers be involved with this project on a regular basis?			
c) Has the project sponsor from the business or program area been identified?			
d) Will the project sponsor from the business or program area participate in this project on a regular and ongoing basis?			
e) Has the sponsoring business or program area participated in the development of the project management and organization documentation, including the work plan?			
3. *Project Management and Organization*			
a) Will an experienced project manager be assigned to this project?			
b) Will the project adhere to a formal systems development life cycle methodology (SDLC)?			
c) Does the project have a budget, supporting schedule, work plan, and work packages incorporating major phases, tasks, due dates, responsibilities, deliverables, and time and effort estimates?			
d) Have Gantt, PERT, and Critical Path charts been prepared so that interdependent activities and essential timetables are known?			
e) Has a formal project organization structure and management process (including regular progress reporting and communication among team members, sponsors, and all oversight bodies) been developed?			
f) Have clear responsibilities and reporting relations been indicated on the project organization chart in the work plan?			
g) Have personnel resource needs been determined by identifying skill and experience requirements and work effort estimates?			
h) Are the necessary skills and experiences available or are training times included in the project work plan?			
i) Has a change management process been developed and agreed upon by all participants?			

Activity	Yes	No[1]	Cross Reference[2]

3. *Project Management and Organization, cont.*

j) Does the project work plan include provisions and time for data conversion, user training, and system documentation preparation?			
k) Are representatives from the business and program areas included in the project work plan, including personnel that will use the system when it is installed?			
l) Does the project work plan include the development of a maintenance plan?			
m) Does the project work plan include the development of resource requirements provided by SIPS, such as computing, data storage, and communications needs?			
n) Have estimates been developed for project work efforts and costs?			

4. *Project Support and Logistics*

a) Have tools (including project management, configuration management, change management, version control, productivity, CASE, testing, etc.) for managing and performing the project been identified?			
b) Have time and effort been allocated in the project work plan for acquiring, configuring, and learning the support tools?			
c) Has the project work plan been adjusted for staff training time for the support tools?			
d) Have the needs for subject matter experts been identified, and are those requirements reflected in the project work plan?			
e) Have the needs for other logistical items (such as workspace, workstations, LAN support, telephones, development and testing environments, etc.) been determined?			
f) Does the project work plan accommodate the time required to acquire, install, and become competent with the necessary logistical items?			
g) Will automated aides be used for supporting data conversion, user training, and system documentation preparation?			
h) Does the project work plan include time and work efforts for coordinating with organizations providing shared services (e.g., SIPS) and other departments involved in the system or technology?			
i) Does the project work plan include participation of the departmental staff so that the department will be able to maintain the system after installation?			

Activity	Yes	No	Cross Reference[2]

5. Training

a) Is there a formal education and training plan or does the project work plan include the time and resources for the development of this plan?			
b) Does the formal education and training plan identify the curricula, delivery mechanisms, and audiences (e.g., senior management, departmental executives, project staff, and end users), or are there tasks in the project work plan to address these?			
c) Are automated aids and resources being used to support training needs for project staff and users?			

6. Technology

a) Has the application been architected?			
b) Does the technology make use of the state's technical physical and applications development infrastructure?			
c) Does the technology reflect current, modern approaches for designing and installing information systems, including the concepts and principles in the IRMC's *Statewide Technology Strategies and Initiatives* document?			
d) Does the technology conform to the state's technical architecture?			
e) Are common business applications services that are required by the system being provided by the state's technical infrastructure?			
f) Are new business applications services being developed by this project that are common to other systems going to be added to the state's technical infrastructure?			

Activity	Yes	No[1]	Cross Reference[2]

7. Quality Assurance

a) Have standards, conventions and documentation requirements been developed for major activities (for example: requirements analysis, program specifications, coding, etc.)?			
b) Will formal procedures and processes (such as JAD, etc.) be employed to ensure adequate participation by business and program personnel?			
c) Has a formal quality plan identifying quality goals and defect prevention activities been developed?			
d) Have detailed practices and techniques (such as design reviews, code inspections, etc.) been determined for identifying and correcting defects as early as possible in the implementation process?			
e) Have checkpoints for formal independent quality assurance reviews been identified?			
f) Have the scopes and focuses of each quality assurance review been determined?			
g) Is the department's internal quality assurance function involved in the project?			

8. Testing

a) Are all business and technical requirements testable?			
b) Has a formal project test plan (including unit, integration, performance, regression, and user acceptance tests) been developed?			
c) Will the testing process (including test cases) be automated?			
d) Have acceptance criteria been established?			

9. Cost / Benefit Analysis

a) Are expected benefits (including improved or new services and cost savings) verifiable?			
b) Have the expected benefits been identified, documented, and quantified?			
c) Have all relevant costs been identified, documented, and estimated?			
d) Has a cost/benefit analysis (such as pay back period, internal rate of return, return on investment, etc.) been performed?			
e) Have departmental senior management and the project business/program sponsor approved the cost/benefit analysis?			

Activity	Yes	No[1]	Cross Reference[2]
10. Risk Profile			
a) Have major project risk factors (such as: size; organizational structure; number of parties involved; technical complexity; length of schedule; knowledge of technology being used; experience of project management team; skills of staff; experience with tools being employed; data conversion and other implementation complexities; flexibility in schedule; number of interfaces within and outside of project team control; etc.) been identified and documented?			
b) Has each major risk factor been analyzed to determine its potential adverse impact on the project?			
c) Have steps or factors for mitigating the risks been identified, documented, and incorporated in project plans and activities?			
d) Have procedures been developed to monitor continuously the major risk factors, so they can be managed as the project progresses?			

Notes:
1 Explanations for all "No" responses must be attached.
2 Cross reference to project planning documentation or attached sheet(s).

Reference Materials

Contact the OSC/IRM staff for information about the materials listed below

1. *Evaluating Information Technology Investments, A Practical Guide*; United States General Accounting Office, Version 1.0; November 1995
2. *Business Process Re-engineering Assessment Guide*; United States General Accounting Office
3. *Strategic Information Management (SIM) Self-Assessment Toolkit*; United States General Accounting Office
4. *Executive Guide Improving Mission Performance Through Strategic Information Management and Technology*; United States General Accounting Office; GAO/AIMD-94-115; May 1994
5. *Capability Maturity Model for Software*; Carnegie Mellon University Software Engineering Institute.
6. *Project Breathalyzer*; Department of Defense; Software Program Managers Network; The Airlie Software Council; July 1995
7. *Little Yellow Book of Software Management Questions*; Software Program Managers Network; The Airlie Software Council; July 1995

Handout #2

THE ADMINISTRATIVE OFFICE OF THE COURTS
COURT MANAGEMENT AND INFORMATION SERVICES DIVISION

Chronology of Meetings between IRMC and CMISD Staff

September 17, 1996 - John Taylor and Richard Little met with Tom Runkle and Denny McGuire for the first time to discuss AOC's reporting requirements to the IRMC.

October 17, 1997 - AOC Technology Task Force met and approved unanimously appropriation of Reserve for Technology funds, as appropriated by the General Assembly.

October 20, 1997 - AOC submits first report to the IRMC outlining its information technology planning process *(copy attached).*

October 30, 1997 - John Taylor and Richard Little met with Tom Runkle and Denny McGuire to provide additional information to IRMC staff. Topics discussed included AOC Technology Task Force report and AOC's strategic plans, application development five year plan, Year 2000 project plans, and consultant's report *(copy provided to IRMC staff)* regarding Information Systems Planning Sessions held in August and September 1996.

October 31, 1997- Assistant Commerce Secretary Rick Webb sends letter to Mr. Basnight and Mr. Brubaker requesting extension for reporting to Joint Governmental Operations since more time is needed by IRMC staff to review AOC materials.

November 14, 1997 - The AOC submits another report to the IRMC regarding its information technology plans *(copy attached).*

November 21, 1997 - Richard Little met with Tom Runkle and Denny McGuire to review their draft report IRM Initiative Review Sheet and recommendations.

November 25, 1997 - Joint meeting held with IRMC (Tom Runkle and Denny McGuire), Legislative Fiscal Research Staff (Jim Mills and Charles Perusse), Legislative Technology Staff (Jody Zeugner), and AOC (John Taylor and Richard Little) to discuss IRM staff's recommendations.

December 2, 1997 - John Taylor and Richard Little met with Rick Webb, Dennis McCarthy, Tom Runkle, and Jim Broadwell. Assistant Secretary Webb is visiting each agency to learn more about their needs and to solicit input on how the IRMC can be of better service to its customers.

December 2, 1997 - Keith Halva, Ginger Helms, and Richard Little met with Tom Runkle, Denny McGuire, and Charles Fraley regarding external quality assurance consultants and IRMC's Project Proposed Checklist.

December 3, 1997 - John Taylor and Richard Little met with Charles Perusse and Jody Zeugner regarding last year's legislative request for information technology needs and how appropriated funds would be spent for personnel, new and replacement equipment, and application development projects, including recurring funding.

December 8, 1997 - Keith Halva and Richard Little met with Charles Fraley regarding project checklist and external quality assurance vendors.

December 9, 1997 - IRMC approved the spending proposal for technology with the caveats regarding the criminal tracking system (magistrate system).

ADMINISTRATIVE OFFICE OF THE COURTS
JUSTICE BUILDING
P. O. BOX 2448
RALEIGH, N. C. 27602

DALLAS A. CAMERON, JR.
DIRECTOR

ALAN D. BRIGGS
ASSISTANT DIRECTOR

INFORMATION SERVICES DIVISION
JOHN TAYLOR
ADMINISTRATOR

October 20, 1997

Lieutenant Governor Dennis Wicker, Chairman
Information Resource Management Commission
116 West Jones Street
Raleigh, North Carolina 27603

Dear Lieutenant Governor Wicker:

Pursuant to North Carolina 1997 Session Law 443, Part XVIII, Section 18.17, I am pleased to provide the Information Resource Management Commission (IRMC) with information regarding the Administrative Office of the Courts' (AOC) information technology planning process for the Judicial Department.

The information technology needs of the Judicial Department are critical to the successful operation of the courts of North Carolina in fulfilling their constitutional mission. Last summer, to help prepare the Judicial Department's biennial budget request for information technology needs, the AOC hired two consultants to assist the AOC in our information technology planning process. The consultants were Mr. Caleb Maddox, a former IBM employee who is now an independent consultant in Raleigh, and Mr. John Ferguson, retired information technology manager for Wachovia Bank and Trust Company. Mr. Ferguson also served as an adviser for information technology matters to the Commission for the Future of Justice and the Courts in North Carolina. These gentlemen facilitated a series of planning sessions with groups of court officials to determine their information technology needs and priorities. Planning sessions were held with superior court and district court judges, district attorneys, clerks of the superior court, and magistrates.

Although we convened these meetings to talk solely about information technology needs, participants discussed other non-technology matters that directly impact the work of the courts. As a result, the consultant's final report summarizing these planning

sessions addresses other non-technology business matters, including several recommendations for change.

After holding these planning sessions, the AOC used the input provided by these groups to survey all other court officials to verify and solicit input regarding their information technology needs and priorities. During these planning sessions, court officials were asked to prioritize their information technology needs to help the AOC deliver the most critically needed services. Using the collective input from the planning sessions and surveys, the AOC prepared its biennial budget request for information technology staffing, equipment, and applications.

Concurrent with preparing our budget request, the AOC's information technology staff held a series of internal meetings to develop short, mid, and long term priorities for information technology needs, and as a part of this, developed a five year application development plan. Year 2000 compliance has been designated the highest priority. At this time, approximately 90 percent of coding changes are complete. Testing will be completed towards the end of 1998 because the AOC is waiting for Year 2000 compliant vendor software.

The AOC plans to establish a permanent standing committee comprised of court officials to advise the agency regarding their business needs and priorities. The first meeting of this committee is planned for late November or early December 1997. It is envisioned that this advisory committee will meet on an on-going basis each quarter. The primary purpose of this committee is to help establish a long-range business plan that will drive the information technology needs of the court system.

As recently mandated by the General Assembly, and in preparation for this the first meeting of the advisory committee, the AOC has convened an AOC technology task force to review and approve the proposed expenditures of funds from a Reserve for Technology for fiscal year 1997 - 98. As appropriated during the 1997 Legislative session, this Reserve for Technology includes funding in several areas, including automated forms in courtrooms, clerk offices, and district attorney offices; finish statewide implementation of AOC's District Attorney/Public Defender Case Management System; new personal computers for district attorneys, public defenders, and clerks of court; technology support personnel; and development and implementation of a criminal tracking system, phase I (i.e., a statewide magistrate system), which will include a critically needed statewide warrant repository.

In developing the criminal tracking system, phase I, the AOC, as a participating member on the Criminal Justice Information Network (CJIN) Governing Board, plans to develop the magistrate system as an integral component of a statewide criminal justice information network. As you may be aware, governing legislation for the CJIN Governing Board mandates that all infrastructure and application projects developed as part of a statewide criminal justice information network must meet technology standards promulgated by the IRMC. Under the auspices of the CJIN Governing Board, the AOC

is participating in the first major CJIN initiative to develop statewide data sharing standards for state and local criminal justice and non-criminal justice agencies.

The AOC Technology Task Force and the Court Advisory Committee on Technology will provide the AOC with the business needs and priorities of our end users. With respect to what is needed to deliver these needs to our users, the AOC has embarked on a multi-faceted planning process. To start with, the AOC has contracted with the Gartner Group to benchmark our data center, wide area network, and application development functions. We're hopeful that the benchmarking results will provide valuable information regarding how we can improve our efficiency and effectiveness in delivering service to our users. At the same time, the Division for Court Management and Information Services has identified several other areas for internal review which are essential to delivering information technology services to our users.

I hope that this information helps explain to the IRMC the approach the AOC is using in developing its information technology strategy. I and members of my staff responsible for IT planning have had an opportunity to meet with Mr. Tom Runkle and Ms. Denny McGuire to discuss the IRMC's latest guidelines for developing a departmental information technology plan, as well as the IRMC's mandates and standards relating to information technology programs. Their advice, as always, has proven invaluable to us. Earlier this year, the AOC invited Mr. Syd Wise, a consultant retained by the IRM division, to discuss with the AOC the IRMC's technical architectural strategy. Our discussion with him was very helpful to us. We will continue to work with the IRM staff as we move forward with our on-going information technology planning process.

If any additional information or explanation is needed by you, IRMC members, or by the IRM staff, please do not hesitate to contact either Richard Little or me at 733-6280.

Sincerely,

John Taylor

John Taylor, Deputy Director
Division for Court Management and
Information Services

cc: Mr. Dallas A. Cameron, Jr., AOC Director

ADMINISTRATIVE OFFICE OF THE COURTS
JUSTICE BUILDING
P. O. BOX 2448
RALEIGH, N. C. 27602

DALLAS A. CAMERON, JR.
DIRECTOR

ALAN D. BRIGGS
ASSISTANT DIRECTOR

INFORMATION SERVICES DIVISION
JOHN TAYLOR
ADMINISTRATOR

November 14, 1997

Lieutenant Governor Dennis Wicker, Chairman
Information Resource Management Commission
116 West Jones Street
Raleigh, North Carolina 27603

Dear Lieutenant Governor Wicker:

Pursuant to North Carolina 1997 Session Law 443, Section 18.17, which mandates that the Information Resource Management Commission *"... review and comment biennially on the information technology plans of the Administrative Office of the Courts"*, I am pleased to provide the Information Resource Management Commission (IRMC) with information regarding the Administrative Office of the Courts' (AOC) information technology plans for the forthcoming biennium.

Last summer, the AOC hired two consultants to assist the AOC with our information technology planning process. The consultants were Mr. Caleb Maddox, a former IBM employee who is now an independent consultant in Raleigh, and Mr. John Ferguson, retired information technology manager for Wachovia Bank and Trust Company. Mr. Ferguson also served as an adviser for information technology matters to the Commission for the Future of Justice and the Courts in North Carolina. The consultants facilitated the planning sessions that were held with superior court and district court judges, district attorneys, clerks of the superior court, and magistrates.

Although we convened these meetings to talk solely about information technology needs, participants discussed other non-technology matters that directly impact the work of the courts. As a result, the consultant's final report summarizing these planning sessions addresses other non-technology business matters, including several recommendations for change, including a need to reorganize the AOC in order to better serve the courts. A copy of the report summarizing their discussions has been provided to IRM Division staff.

After holding these planning sessions, the AOC used the input provided by these groups to survey all other court officials to verify and solicit input regarding their information technology needs and priorities for the upcoming biennium. During these planning sessions, court officials were asked to prioritize their information technology

needs to help the AOC deliver the most critically needed services. Using the collective input from the planning sessions and surveys, the AOC prepared its biennial budget request for information technology staffing, equipment, and applications.

The General Assembly during their 1997 session funded several of our requested court automation projects. As you are aware, in funding these projects, the General Assembly established a Reserve for Technology for the Judicial Department and provided, pursuant to North Carolina 1997 Session Law 443, Section 18.10, that "*the Administrative Office of the Courts establish a task force consisting of representatives of clerks of superior court, district attorneys, superior and district court judges, and magistrates to formulate a plan for the most efficient and effective use of funds appropriated to the Reserve for Technology.*"

The AOC convened an AOC Technology Task Force meeting on October 17, 1997 to formulate such a plan for the use of the Reserve for Technology. After discussion, the AOC Technology Task Force elected to leave unchanged the Reserve as appropriated by the General Assembly. The Joint Legislative Commission on Governmental Operations accepted the AOC Technology Task Force's report at their November 4, 1997 meeting. (A copy of the report is included with this letter.)

The Reserve for Technology, as established, provides funding in two major areas: personnel and court automation projects, as summarized below.

I.	Personnel	$ 802,379	$ 1,115,191
II.	Court Automation Programs		
	A. Automated Forms (CourtFlow)	$ 531,340	$ 0
	B. Criminal Tracking System, Phase I (Magistrate System)	$ 2,000,000	$ 0
	C. District Attorney/Public Defender Case Management System (CMS)	$ 760,000	$ 0
	D. New Personal Computers	$ 577,500	$ 0
	E. Other Data Center Software and Hardware Upgrades	$ 296,720	$ 0
	Total, Automation Projects	$ 4,487,252	$ 321,692
	Total Reserve	$ 5,289,631	$ 1,436,883

Funding for personnel (Part I) includes fifteen new positions for the AOC's Division for Court Management and Information Services.

As funded by the General Assembly, the Reserve for Technology will allow the AOC to roll out three new automated tools (Part II) to our users. First, CourtFlow, a personal computer based system that was developed in-house by the AOC and is ready for implementation in superior courtrooms across the State. Second, a client-server based District Attorney/Public Defender Case Management System that was developed four years ago which has only been installed in approximately half the judicial districts in the state. And, finally, the development and implementation of new system, the Criminal Tracking System, Phase I (Magistrate System), which will automate the work of the approximately 700 magistrates working within the court system.

CourtFlow will provide automated support in superior courtrooms for completing judicial judgment forms. Today, without automation, courtroom clerks must take detailed notes in order to complete judgment forms after court. Each form requires the re-entry of demographic information about the defendant and detailed information about each court case included in the judgment (including convicted offense, class, structured sentencing information, findings, sentence, restitution, fines, etc.). After court, the superior courtroom clerk prepares the final judgment form(s) and forwards it to the judge for his signature. Since superior court judges rotate within their judicial division, many judgment forms are placed in the mail to the judge, elongating the process of having a final judgment and release against the defendant. CourtFlow is an extension of a decision made by AOC several years ago to provide each superior courtroom clerk with judicial forms on demand in the courtroom. Today, the total number of criminal judicial forms total over some 600 forms, with many designed for a particular offense, after significant legal research to ensure that the charging language and options placed on the form are correct. Providing courtroom clerks with forms on demand allows the AOC to send them electronic updates for forms without having to maintain inventory of forms and reducing the costs of obsolete forms. Please note that the courtroom clerk could complete the form using his or her personal computer, and then print the final form for the judge's signature.

CourtFlow allows the clerk to download from the AOC's Court Information System (CIS) Criminal System information regarding multiple cases being heard before the court. Once downloaded to the personal computer based CourtFlow system, the clerk can select the judgment form needed and populate it with the downloaded information. CourtFlow provides a superior courtroom clerk with many editing options in preparing the judgment form. After the superior courtroom clerk completes the electronic form, a paper copy is printed for the judge's review and signature. A copy is sent to the local jail and/or the Department of Correction, and the information regarding the convicted offenses, sentence, etc., is uploaded back in to the CIS Criminal System. The development of this system is complete.

This year's funding will upgrade the personal computers and printers located in the courtroom. This system is being pilot tested now in three counties and we plan to begin training counties on this new system during the first quarter of calendar year 1998. All equipment purchased will be via state contract at state contract prices. CourtFlow will provide significant benefits to the courts in expediting the preparation of final judgments, eliminating redundant data entry thereby improving data accuracy and reducing labor costs, and providing information on-line via the CIS Criminal System to law enforcement agencies about the final disposition of court cases.

The second automation project funded under the Reserve for Technology is the Criminal Tracking System, Phase I project, or, as it also known outside the court system, as the magistrate system. This project will provide automated support to magistrate offices for the processing of criminal cases. Magistrate offices now have only inquiry access to the AOC's CIS Criminal System and use typewriters to prepare warrants and all other judicial forms (except in two counties which have local, county-based magistrate systems). The lack of automation within magistrate offices results in duplicate data entry by magistrates, law enforcement officers, district attorneys, and clerks of the superior

court offices. Because the magistrate offices are not automated, there is an inherent time delay between the magistrate's process and entry of the information into the criminal system by the clerk, which means law enforcement agencies do not have ready access to new outstanding warrants. An important result from automating the work of magistrates' offices will be the availability of a local, real time warrant repository for all felonies and misdemeanor warrants, which will also provide a statewide warrant repository for use by all state and local criminal justice agencies.

The need for a statewide warrant repository was documented during the Criminal Justice Information Network Study. Because there is no statewide warrant repository now, both public and officer safety are severely jeopardized by an officer's ability to quickly and easily determine if a suspect has an outstanding warrant. Even when an officer knows that a warrant is outstanding, the warrant may be inaccessible, especially in counties that are not automated, and do not have a central repository that operates on a 24 hour a day basis. The vast majority of counties do not have automated systems and rely on local law enforcement agencies to manually enter the warrant information into both their local system and into DCI's repository from the hard copy they received from the magistrate. It may take days or weeks for a warrant to reach the appropriate law enforcement agency responsible for service due to various factors including the level of automation and the amount of time it takes to actually produce the warrant, staff levels, and volume of warrants issued. Having a statewide warrant repository will yield significant benefits to North Carolina.

Up to now, the AOC has been working with a magistrate user group to document the business requirements for automating their work processes. We plan to expand this user group to include superior and district court judges, district attorneys, clerks of court, and trial court administrators to better understand the business requirements of the court system for a magistrate system. As we expand this user group, we will initiate working discussions with users outside the courts that interface with the magistrate offices to document their business requirements.

All equipment purchased for the implementation of the criminal tracking system, Phase I (Magistrate System) will be purchased via state contract at state contract prices.

The third automation project is the District Attorney/Public Defender Case Management System (CMS), which was developed and implemented in 1994 with funding from a Governor's Crime Commission Grant. This system provides a district attorney or public defender office with a robust, automated tool for managing their criminal cases. Information is downloaded each night from the CIS Criminal System to update their local CMS databases with new case information and any updates that have been made by the clerk's office. Likewise, any updates made by the district attorney or public defender offices is uploaded each night to the CIS Criminal System. This system has been installed in the every district attorney and public defender office in about twenty-three judicial districts out of thirty-nine judicial districts. This year's funding will be spent entirely on equipment to roll this system out to the remaining sixteen judicial districts which do not have this system. All computer equipment purchased will be via state contract at state contract prices.

The technical design of the District Attorney/Public Defender Case Management System allows the AOC to quickly modify this application to accommodate changes in the law and new programs. For example, this system is now being modified to support the recent legislatively mandated Bad Check Pilot Program (NC 1997 Session Law, Section 18.22). As well, when enabling legislation for the Victim's Rights Amendment is approved, we will modify the District Attorney/Public Defender Case Management System to meet the requirements of the new law.

Each of these automation projects will yield significant benefits to the courts. CourtFlow and the District Attorney/Public Defender Case Management System represents AOC attempt to use more state-of-the-art development tools to speed up the delivery of much needed technology to our users. By using this new technology, the AOC can focus on improving current business processes and delivering applications in a more rapid manner to provide better service to the citizens of North Carolina. This is especially true within the state court system which continues to experience an increase in the number of cases filed each year.

This summarizes what the General Assembly appropriated towards specific new automation projects. With this letter, I am providing to the IRM staff a copy of our five year application development plan which details the many other existing applications that my division supports. Included in this plan are Year 2000 compliance projects which have the highest priority at this time. At present, approximately 90 percent of coding changes are complete. Testing will be completed towards the end of 1998 because the AOC is waiting for Year 2000 compliant vendor software.

Technology reserve funds will be used to purchase additional personal computers for district court judges, clerks of superior court, district attorneys, public defenders, and other court offices. All court offices are equipped with at least one personal computer; however, there are many employees who do not have personal computers. Today, the demand and need for personal computers for employees within the Judicial Department is greater than ever before. Employees are more technically sophisticated and feel that they can not accomplish their jobs in the manner desired or expected without personal computers. This is especially noticeable with new employees who are already proficient in using personal computers and expect to be equipped with this technology when they are employed. In addition the AOC has produced more client/server based information systems (e.g., DA/PD Case Management System, CourtFlow in the Courtroom, etc.) which uses personal computers.

Data center upgrade funds will be used for software and hardware upgrades to handle an unprecedented demand for handling larger volumes of data entry, update, inquiry, and sharing transactions. The use of technology (personal computers and system applications software) by court officials creates a greater demand on the data center. Beyond the use of information technology by court officials, there has been a rapid increase in remote electronic access to court data by other county and state agencies. Today, there are over 5,500 devices owned by county and state agencies that access the Court Information System daily. Court officials reliance on information technology and data for making management decisions and providing services to the general public has increased. To meet this demand, increased Central Processing Unit (CPU) capacity, data

storage capacity, and automated tape library capacity at the Judicial Department's data center are necessary.

Finally, at the beginning of 1997 the AOC received its first permanent director since 1995. Mr. Dallas Cameron, who was appointed director as of January 1, 1997, significantly reorganized the AOC in mid-July 1997, as recommended by the consultants who facilitated the planning sessions last summer with teams of court officials. Also, in December 1996, the Commission on the Future of Justice and the Courts in North Carolina presented their final report to the Chief Justice. As we look ahead to 1998, the AOC is aggressively moving forward to develop a strategic, long-range business plan for the courts. The AOC Director will soon establish a permanent standing committee to develop such a plan. An important component of this business plan will be the information technology strategy that is needed to meet the goals and objectives of this business plan. The AOC hopes to have the business plan completed by April 1998.

If any additional information or explanation is needed by you, IRMC members, or by the IRM staff, please do not hesitate to contact either Richard Little or me at 733-6280.

Sincerely,

John Taylor

John Taylor, Deputy Director
Division for Court Management and
Information Services

Enclosures

cc: Dallas A. Cameron, Jr., AOC Director

ADMINISTRATIVE OFFICE OF THE COURTS
JUSTICE BUILDING
P. O. BOX 2448
RALEIGH, N. C. 27602

DALLAS A. CAMERON, JR.
DIRECTOR

ALAN D. BRIGGS
ASSISTANT DIRECTOR

PETER E. POWELL
DEPUTY DIRECTOR

JEANNE M. BONDS
PUBLIC INFORMATION OFFICER

October 31, 1997

Honorable Marc Basnight, Senate President Pro Tempore

Honorable Harold J. Brubaker, Speaker of the House of Representatives

Chairmen, Joint Legislative Commission on Governmental Operations

Honorable Wib Gulley, Chair, Senate Appropriations Subcommittee on Justice and Public Safety

Honorable Larry T. Justus, Honorable Joe Kiser, and Honorable Gregg T. Thompson, Co-Chairs, House Appropriations Subcommittee on Justice and Public Safety

Dear Senators and Representatives:

Pursuant to 1997 Session Law 443, Part XVIII, Section 18.10, the Administrative Office of the Courts (AOC) convened a meeting of the AOC Technology Task Force on Friday, October 17, 1997, to formulate a plan for the most efficient and effective use of funds appropriated to the Judicial Reserve for Technology. Members of this Technology Task Force include Senior Resident Superior Court Judge Wiley F. Bowen; Superior Court Judge Henry W. Hight, Jr.; Chief District Court Judge William M. Neely; District Court Judge Kimbrell K. Tucker; District Attorney John E. Carriker; District Attorney Rex Gore; Clerk of Superior Court John M. Kennedy; Clerk of Superior Court George T. Griffin; Public Defender Angus B. Thompson, II; Magistrate Jean Massengill; and Magistrate James C. Cole.

The Technology Task Force reviewed the five items to which funding was appropriated under the Judicial Reserve for Technology, including levels of funding. The AOC Division for Court Management and Information Services staff briefed the Technology Task Force about each project and what could be accomplished with the suggested level of funding for each project. After discussion, the Technology Task Force approved unanimously a motion to fund projects as recommended by the AOC.

As directed by the Technology Task Force, I hereby respectfully submit this report to you. Please do not hesitate to contact me if you have questions or need further explanation about the recommendations and comments by the Task Force.

Sincerely,

Dallas A. Cameron, Jr.
Director

DACjr:sj

Enclosure

pc: AOC Technology Task Force members
Chief Justice Burley B. Mitchell, Jr.

ADMINISTRATIVE OFFICE OF THE COURTS
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DALLAS A. CAMERON, JR.
DIRECTOR

ALAN D. BRIGGS
ASSISTANT DIRECTOR

INFORMATION SERVICES DIVISION
JOHN TAYLOR
ADMINISTRATOR

October 31, 1997

MEMORANDUM

To: Dallas A. Cameron, Jr.

From: Members of the AOC Technology Task Force:

The Honorable Wiley F. Bowen, Senior Resident Superior Court Judge
The Honorable Henry W. Hight, Jr., Superior Court Judge
The Honorable William M. Neely, Chief District Court Judge
The Honorable Kimbrell K. Tucker, District Court Judge
The Honorable John E. Carriker, District Attorney
The Honorable Rex Gore, District Attorney
The Honorable John M. Kennedy, Clerk of the Superior Court
The Honorable George T. Griffin, Clerk of the Superior Court
Mr. Angus B. Thompson II, Public Defender
Ms. Jean Massengill, Magistrate
Mr. James C. Cole, Magistrate

Subject: AOC Technology Task Force Report

1997 Session Law 443, Part XVIII, Section 18.10, charged us, the members of the AOC Technology Task Force, with the task of formulating a plan for the most efficient and effective use of funds appropriated to the Judicial Reserve for Technology.

The Task Force met on Friday, October 17, 1997, at AOC's Yonkers Road office and reviewed the five items for which funding was appropriated under the Judicial Reserve for Technology. AOC's Court Management and Information Technology Division (CMIS) staff discussed with us our statutory charge and then briefed us about each project funded under the Reserve, including what could be accomplished with the suggested level of funding. As approved by the General Assembly, the Reserve is allocated as follows:

Judicial Reserve for Technology

	1997 - 1998	1998 - 1999
I. Personnel		
Recurring	$ 661,460	$ 1,115,191
Nonrecurring	$ 140,910	$ 0
Subtotal, Personnel	$ 802,379	$ 1,115,191
II. Court Automation Programs		
Recurring	$ 321,692	$ 321,692
Nonrecurring:		
A. Automated Forms	$ 531,340	$ 0
B. Criminal Tracking System, Phase I (Magistrate System)	$ 2,000,000	$ 0
C. DA/PD CMS	$ 760,000	$ 0
D. New Personal Computers	$ 577,500	$ 0
E. Other Data Center Software and Hardware Upgrades	$ 296,720	$ 0
Subtotal, Nonrecurring	$4,165,560	$ 0
Subtotal, Automation Projects	$ 4,487,252	$ 321,692
Total Appropriation		
Recurring	$ 983,161	$ 1,437,176
Nonrecurring	$ 4,306,470	$ 0
Totals	$ 5,289,631	$ 1,437,176

After discussion, we approved unanimously a motion that the funding level remain as allocated for the projects as specified under the Reserve. We considered whether to enumerate funds to other projects and/or change funding levels but, after discussion, elected to leave unchanged the Reserve as appropriated by the General Assembly.

During our meeting, we also discussed several other important topics which we believe impact the AOC's ability to deliver information technology services. First and foremost, the AOC needs to develop a long range, strategic business plan which will establish a desired, future course for the courts. A critical component of this business plan will be the information technology strategy, which will identify what information technology resources are needed to meet the business needs of the courts. We fully recognize that the business plan drives AOC's information technology strategy, and until such a business plan is in place, CMIS Division is in an awkward position of trying to

project, with minimal guidance and direction, the best information technology strategy to meet current and future business needs.

Second, we also considered whether a portion of the Reserve funds should be designated towards developing a long range, business plan for the courts. We elected not to redirect funds for this purpose but recommend that the AOC identify another funding source for this critical need. We also recommend that the AOC move forward with the development and funding of a long range, strategic business plan as outlined in a recent consultant's report (prepared by Mr. Maddox and Mr. Ferguson) which summarized input received from court officials during a series of information systems planning sessions held in August and September 1996.

Third, we have very strong concerns about the lack of recurring funding to support the development of new applications and enhancements to existing applications, including training and other support services. The criminal tracking system, phase I, which will provide much needed automation to some 700 magistrates across the state, will require significant, on-going funding to ensure that it continues to meet the needs of the courts, and the state and local criminal justice agencies which will directly interface with it. The AOC and elected court officials must work together to ensure that the AOC receives recurring funds for the on-going support of existing and new services.

Finally, we believe that this committee can be helpful in supporting the Judicial Department's expansion budget request during the 1998 short session, and we would like to continue to provide input to the AOC about the information technology needs and priorities for the courts in North Carolina.

Please do not hesitate to contact any of us if you or your staff have questions or need further explanation regarding our report to you.

Handout #3

THE ADMINISTRATIVE OFFICE OF THE COURTS
COURT MANAGEMENT AND INFORMATION SERVICES DIVISION

IRMC Recommendations Regarding
Criminal Tracking System (Magistrate System)

The IRMC commented that " if this project were conducted under the auspices of the IRMC, it would have to comply with the policies and provisions of the its project management and quality assurance program. Accordingly, the project would have to:"

- Complete a Project Proposal Checklist to confirm that essential activities are being performed and necessary resources are available for the project to be completed successfully.

  AOC response: AOC application development staff has walked through the project checklist with IRMC staff.

- Submit project management and organization documentation (including work plans time schedules) to demonstrate that the project is properly planned and to provide milestones for measuring progress.

  AOC Response: AOC routinely prepares such project management documentation as part of any application development effort. The AOC will provide copies of such project management documentation to any third party for review.

- Develop and provide system application architecture for review by IRM staff to ensure the technical design complies with the statewide technical architecture.

  AOC response: AOC has followed IRMC's statewide technology architecture strategy and was briefed in May 1997 by Syd Wise regarding IRMC's statewide technology strategy. The AOC closely follows the IRMC technical architecture strategy and standards. The AOC Criminal Tracking System (magistrate project) will be consistent with this strategy.

- Provide monthly progress reports to describe the status of the project.

  AOC response: AOC will hire an external, independent quality assurance consultant to monitor the magistrate project and will gladly furnish monthly progress reports to such a consultant.

- Undergo periodic quality assurance reviews by an independent and unrelated third party to verify the status of the project and to provide recommendations regarding risks and other areas requiring attention.

  AOC response: IRMC staff is now checking to determine whether the AOC can hire an external third party consultant under the IRMC's existing competitively procured external quality assurance contract (IRMC RFP, August 1996).

December 16, 1997

Criminal Tracking System (Magistrate System)

The Criminal Tracking System (CTS) or Magistrate System as it is referred by some, will automate the work of magistrates. In implementing this new system, the AOC is automating the processing and handling of criminal cases at the point where they enter the court system. The criminal tracking system will share information with the existing Court Information System (CIS) Criminal System, which is now used by clerks, judges, district attorneys, and public defenders. The Criminal Tracking System embraces the principles of the Criminal Justice Information Network Study by eliminating significant redundant data entry, allows for the capture of court information and re-use at the earliest point possible, positions to the AOC to accept information electronically from law enforcement, when available, and lastly, improves access and availability of information to the criminal justice community.

The Criminal Tracking System (Magistrate System) project has these major objectives:

- Automate the magistrates' processing of warrants and all other criminal and civil processes. Magistrates will no longer need to manually prepare warrants for arrests and all other criminal processes which are magistrates now prepare using typewrites and carbon paper.

- Capture warrant and all other criminal process information at the local level and at the statewide level. Currently, DCI's warrant repository (aka statewide wanted file) is updated with unserved warrant information where the state will seek extradition of the defendant from another state. Most law enforcement agencies chose not to enter information into this file since it places on the originating agency additional responsibilities such as updating the file after the warrant is served and auditing unserved warrants pending in this file. In practice, therefore, outstanding warrants entered into this file is for the violent crimes.

- Provide 24 hours a day, seven days a week availability for magistrates.

- **REAL-TIME** sharing of warrant information with AOC's CIS Criminal System, local criminal justice information systems, and state criminal justice information systems.

  In short, as soon as the magistrates create a criminal process, a court case number is assigned, and the information will be passed automatically to AOC's CIS Criminal System, thereby eliminating the clerks having to re-enter case information.

- Defendant history file for repeat offenders. This file will also help minimize data entry since Criminal Tracking System will key demographic information will already be available for use. As important, the magistrate can update key demographic information to correct errors or to update the defendant's file.

- Capture bond information and bond history.

The AOC has been exploring the option of whether to build or buy this system. The AOC desires to purchase software for this system. The AOC has met with the National Center for State Courts regarding available software solutions.

The Criminal Tracking System (Magistrate System) project includes these major steps:

- Establish project scope and objectives.
- Obtain executive management sponsorship.
- Establish project management.
- Establish user committee.
- Establish quality assurance methods and procedures.
- Identify functional and technical requirements.
- Identify vendors that have software products that may meet the functional and technical requirements.
- Work with Criminal Justice Information Network data sharing standards project staff and oversight committee regarding data standards for the sharing of information with state and local criminal justice agencies.
- Select vendor and procure software through Purchase and Contract.
- Develop training program.
- Decide on roll-out schedule for system across state.
- Procure all equipment via state contract at state contract prices.
- Installation of equipment, etc. in court offices.
- Train AOC users and non-AOC users.
- Implement pilot sites on system.
- Continue roll-out of system.
- Provide for on-going project maintenance, help desk and technical support, and new user training.

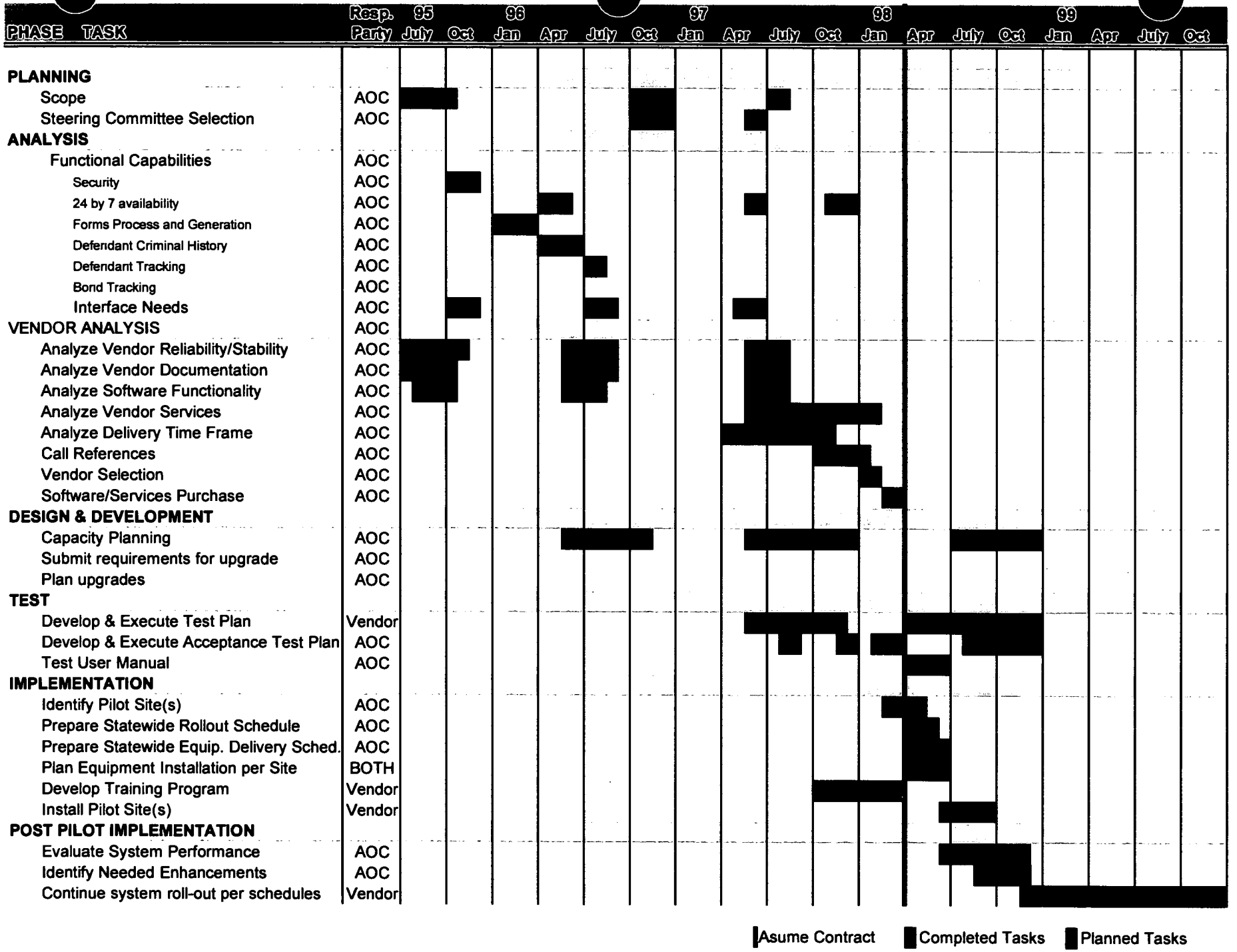
Funding

The AOC has received $2,000,000 in non-recurring funds from the General Assembly for this system. In addition, the AOC is expecting to receive $4,400,000 in federal funding for this system.

Roll-out of Criminal Tracking System

Initially, the AOC would pilot test the Criminal Tracking System in several sites, typically one or two urban counties and one or two rural counties. As with any pilot test of a new information system, the pilot test will provide feedback regarding our estimates regarding the time and resources needed per county to implement each county onto the criminal tracking system, including training and on-site support. After pilot testing is complete, the AOC will finalize its roll-out schedule for this new system. In the past, the AOC has implemented counties onto a new information system based on caseload volume.

Criminal Information Tracking System



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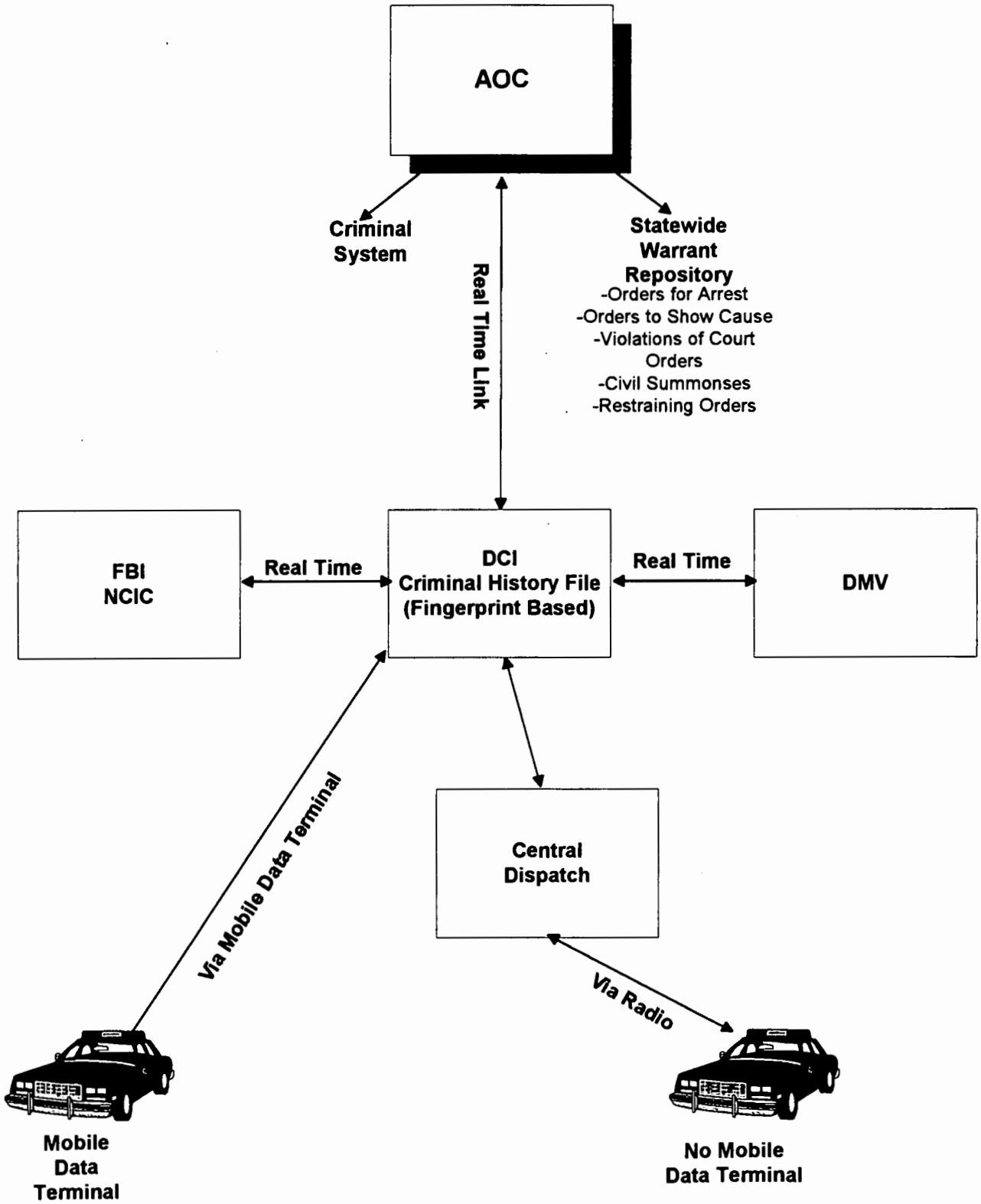
WARRANT RETRIEVAL
CONCEPTUAL FLOW FROM LAW ENFORCEMENT OFFICER IN PATROL CAR



THE ADMINISTRATIVE OFFICE OF THE COURTS
COURT MANAGEMENT AND INFORMATION SERVICES DIVISION

Judicial Department Business Plan

The Administrative Office of the Courts has begun the preparation of a business plan for the North Carolina courts. Expected completion of the business plan is May 15, 1998. AOC Director Dallas Cameron will appoint in early January 1998 a permanent Courts Advisory Committee to advise the AOC regarding future trends and emerging issues facing the courts. The Advisory Committee's first order of business will be the review and approval of a business plan for the courts. AOC's Planning and Decision Support staff will assist in the preparation of this business plan.

Judicial Department Information Technology Strategy and Plan

An important related component of AOC's business plan is the AOC's Information Technology Strategy and Plan needed to support the AOC's business plan. After the Judicial Department Business Plan is complete, AOC's Division for Court Management and Information Services will complete preparation of the Judicial Department's Information Technology Strategy and Plan for submission to the Information Resource Management Commission. IRMC staff has informed the AOC that, as in past years, the IRMC plans to request that each agency submit their information technology strategy and plan to the IRMC by mid August 1998. The Courts Advisory will advise the AOC in the preparation of AOC information technology strategy and plan.

December 16, 1997

Criminal Justice Partnership Program

December 1997

Handout #4

Year	Appropriations for Implement	Appropriations for Discretionary	Carried Over	Available for State Aid	Grants Awarded	Funds Spent	Funded Counties
1994-95	$3,000,000						
1995-96	$9,600,000	$2,400,000	$2,648,174	$14,648,174	$10,695,864	$4,254,576	70
1996-97	$9,600,000	$0	$5,310,992	$14,910,992	$9,795,521	$6,980,452	74
1997-98	$4,600,000	$0	$7,930,540	$12,530,540	$10,367,587		79
1998-99	$4,600,000	$0					

NOTES

An additional $5 Million of Carry Over Funds were taken as one time cut in 1996-7

An additional round of discretionary grants will be funded in March 1998

Dec-97

Criminal Justice Partnership Program
History of Grant Amounts

		Implementation	Discretionary	Total	Funded Co.
1995-96	Awards	$7,036,551	$3,659,313	$10,695,864	70
1995-96	Spent	$2,892,874	$1,361,702	$4,254,576	
1996-97	Awards	$7,626,729	$2,168,792	$9,795,521	74
1996-97	Spent	$5,522,429	$1,458,023	$6,980,452	
1997-98	Awards	$7,930,882	$2,436,705	$10,367,587	79

CJPP IMPLEMENTATION FUNDS ($4.6 Million appropriation)

How Are Funding Amounts Determined

- Each county is allotted a certain amount for discretionary grants. The allotment is set by statute and is based on (1) $19,200 per county; (2) allocation based on population; and (3) allocation based on entries to supervised probation. Allotments were calculated in 1994 based on current data and have been held constant since. Allotments range from $31,505 to $498,414 .

- Each county submits a specific grant proposal each year, up to the amount of their allotment. Each proposal is reviewed and approved by the CJPP staff. Grants are paid on a reimbursement basis.

- If a county does not submit a grant in a given year, the allotment is left untouched and then becomes part of carry over the following year.

- Funds that are allotted to a county but not spent by the end of the fiscal year revert to the carry over fund.

- For 1996-7, there have been 79 implementation grant awards totaling $7,930,882. Included in these grants are 47 Day Reporting Centers, 20 Satellite Substance Abuse Programs and 4 Employment Programs.nd

What Restrictions Apply to the Use of Funds

- Funds can be used for programs or to construct, acquire or renovate facilities (other than jails)

- The use of implementation funds are restricted by statute to programs serving eligible offenders defined as follows:
  adult offender, either in confinement awaiting trial or convicted of a misdemeanor or felony offense and received a nonincarcerative sentence of an intermediate punishment or serving a term of post release supervision or parole after serving an active sentence.

- The enabling legislation imposed additional restrictions: Fundable programs are defined as:
  For intermediate punishment: Residential Facilities, Day Reporting Centers, Restitution Centers, Substance Abuse Services and Employment Services.

  For pretrial release: monitoring and electronic surveillance

  For postrelease supervision: aftercare

  For parolees: not specified

- If a county receives more than $50,000, at least 50% must be used for programs for intermediate offenders

- Funds are paid out on a reimbursement basis.

- Funds may not be used to supplant existing local, state or federal funds for community based programs and may not be used for indirect costs.

- The legislation also specified that the priority population shall be offenders appropriate for pretrial release/monitoring programs and offenders sentenced to intermediate punishments.

DISCRETIONARY FUNDING(funded from carryover)

- Counties have 4 opportunities each year to submit proposals for the use of discretionary funds. Each proposal is evaluated separately. That is, there are not set allotments per county.

- By statute, discretionary funds are to :
  encourage cooperation and collaboration among existing services and avoid duplication of efforts
  to provide for technical assistance to the counties in the development of county plans and in the evaluation of funded programs funded
  to encourage the renovation of existing facilities; and to encourage innovative substance abuse programs.

- While it is not specified in the statutes, it is the policy of the program not to allocate discretionary funds for recurring expenses (eg personnel)

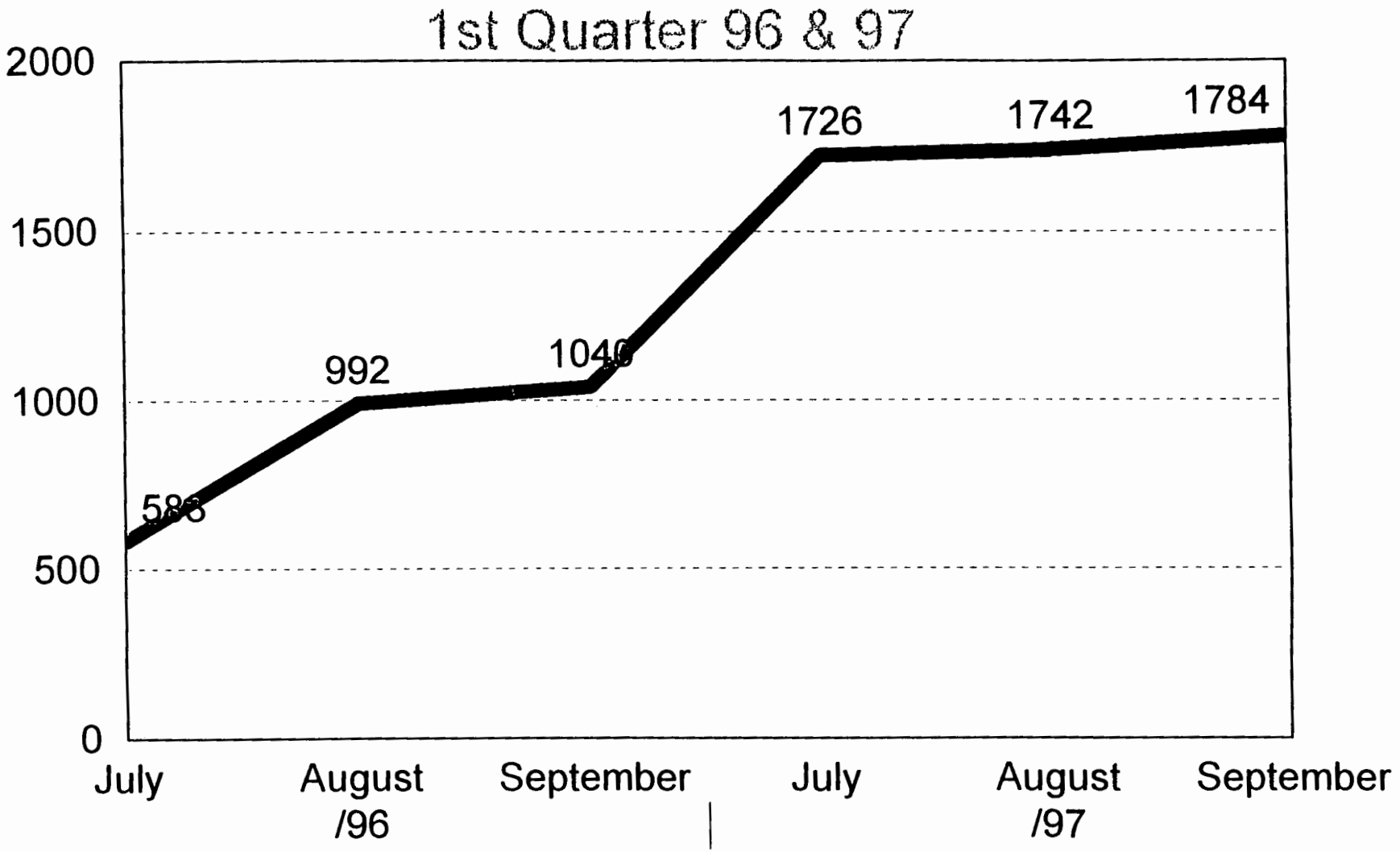
- For 1997-8, a total of $2.4 Million has been allocated in 68 discretionary grants. Specific grants include purchase of van, construction of a halfway house, board facilitators, program evaluation, purchasing slots for residential substance abuse treatment, contracts with substance abuse providers, electronic monitoring units, matches for outside grants, training, and office equipment.

NON PARTICIPATING COUNTIES	ALLOCATION	
ASHE	$56,098	*
BEAUFORT	$75,911	*
BLADEN	$70,149	
CABARRUS	$126,892	*
DARE	$53,074	
HAYWOOD	$77,309	*
HYDE	$46,458	*
JOHNSTON	$107,081	*
LINCOLN	$72,071	
MADISON	$40,479	*
MITCHELL	$40,809	*
NASH	$102,597	*
PENDER	$69,001	**
RICHMOND	$87,281	**
ROWAN	$136,630	
RUTHERFORD	$84,474	
SAMPSON	$83,416	
TYRRELL	$47,798	
UNION	$111,020	*
WASHINGTON	$49,972	**
YADKIN	$61,965	*
subtotal	$1,600,485	
share of total	16.67%	
not including 3 counties in process	$1,394,231	

New Since April 1997
Jackson
Yancey
Cherokee
Clay
Stanly

* indicates county in process of preparing grant
**indicates county expected to submit full plan this fiscal year

Total Served Month



CJPP STATEWIDE MONTHLY STATUS REPORT
CJPP Programs

for the Month of SEPTEMBER, 1997

Number Programs Requesting Funding 9 **Number of Active Programs** 59

SECTION I.

1. Total Number Enrolled on First Day of the Month 1562
2. New Admissions During the Month 334
3. Total Number Served During the Month 1892
4. Exits by Program Completion 64
5. Exits by Reasons Other Than Program Completion 160
6. Reason for Exit Other Than Program Completion:

Probation Violation-Technical	39
Probation Violation-New Crime	16
Absconded Supervision	21
Elect to Serve	18
Transferred	4
Voluntary Withdrawal	12
Removed by Program Staff	37
Other	11

7. Total Number Enrolled on the Last Day of the Month 1643

SECTION II.

ACTIVITY	TOTAL NUMBER OF OFFENDERS
Assessments	359
Itineraries	938
Collateral Contacts	1490
Case Management	1517
Aftercare	173
Other	54

PROGRAM ACTIVITY	TOTAL NUMBER OF OFFENDERS
Adult Basic Education	112
GED	308
Life Skills Training	508
Human Resource Development	137
Drug Assessments	270
Drug Screens	612
Drug Education	525
Outpatient SA Treatment	370
Intensive Outpatient SA Treatment	465
Residential SA Treatment	41
Therapeutic Community	72
Detox Services	14
Drug Aftercare	118
Service Projects	82
Work Program	81
Job Seeking Skills	270
Job Placement	122
Vocational Training	73
Other	445

SECTION III.

STAFF DURING MONTH	FULL-TIME	PART-TIME
Volunteer	1	44
TASC or E-TASC	33	8
Community College	9	23
Contractual	32	25
Total	75	100

Handout #5

CJPP Monitoring and Evaluation Policy
Criminal Justice Partnership Program

State Responsibilities for Monitoring and Evaluation

143B-273.7. Duties of State CJPP Advisory Board

(3) review the criteria for monitoring and evaluating community corrections programs

(8) evaluate the effects of categories of programs funded by this Article

143B-273.8. Duties of Department of Correction

(1) provide technical assistance to applicants in developing, implementing, monitoring, evaluating, and operating community corrections programs

(2) enter into contractual agreements with counties for the operation of community corrections programs and monitor compliance with those agreements

Local Responsibilities for Monitoring and Evaluation

143B-273.11. County Criminal Justice Partnership Boards

(1) g. develop criteria for evaluating the impact of the community-based program

(4) monitor and evaluate the impact of the community-based corrections program and prepare a written report

CJPP Monitoring and Evaluation Policy
Criminal Justice Partnership Program

Quality Assurance (Monitoring)

Monitoring is the systematic measuring of relevant information to ensure that program goals are being met.

Six-Point Monitoring Process Includes:

- Fiscal Review: Fiscal matters monitored on an ongoing basis. County requests for reimbursement processed and budgets adjusted accordingly.

- Offender Data Review: Continuously track required monthly data covering admissions, population, targeting and program goals.

- Outcome Review: Progress toward program goals and objectives measured at least once annually. Information is used to plan for next grant application.

- Administrative Review: Review program administrative records on-site to ensure minimum standards met, typically conducted at least once per year.

- Offender Case Files Review: Review offender files on-site to ensure compliance with minimum program standards and policies. Typically conducted at least once per year.

- Operational Review: An on-site review of physical facilities to ensure compliance with operational and safety standards. Typically conducted at least once per year.

CJPP Monitoring and Evaluation Policy
Criminal Justice Partnership Program

Long-Term Monitoring and Evaluation Goals

- Complete Statewide Evaluation Currently in Progress

  - Funded by National Institute of Justice
  - Helps fulfill legislative mandate to evaluate
  - Results available at the end of 1999

- Provide information to compare programs

  - To assist advisory boards and planners
  - To allow counties to compare selves to others

- Provide data (internal and external)

  - To provide information to Legislature, policy makers
  - To help create support for community corrections

Handout # 8

DEPARTMENT OF CORRECTION CAPITAL PROJECTS

SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY

DECEMBER 17, 1997

Requested by: Senators Plyler, Perdue, Odom, Ballance, Rand, Cooper

CORRECTIONAL FACILITIES

Sec. 20.20. Of the funds authorized in this act for correctional facilities, the sum of two million three hundred fifty thousand dollars ($2,350,000) shall be used for planning and design of facilities as follows:

Facility	Location	Number of Beds	Custody
Central Prison Diagnostic Center	Wake	196	Close
Warren Correctional Institution	Warren	168	Med./Close
Single Cell Facility	Metro Area	520	Close
208 Bed Dorm and Food Service Bldg. - NCCIW	Wake	-	-
Building to Centralize Personnel	Wake	-	-
Single Cell Facility	Scotland	712	Close
Single Cell Facility	Alexander	520	Close

PART 21. DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Requested by: Representatives Justus, Thompson, Senators Ballance, Parnell

EXTEND DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY STUDY COMMISSION

Sec. 21.1. (a) Section 20.4(d) of Chapter 324 of the 1995 Session Laws reads as rewritten:

"(d) The Study Commission shall make an interim report to the 1996 Regular Session of the 1995 General Assembly by May 1, 1996, and shall submit a final written report of its findings and recommendations to the ~~General Assembly by May 1, 1996.~~ 1997 General Assembly. All reports shall be filed with the Speaker of the House of Representatives and the President Pro Tempore of the Senate. Upon filing its final report, the Commission shall terminate."

(b) This section becomes effective April 30, 1996.

Requested by: Senators Ballance, Rand, Cooper, Representatives Justus, Thompson, Kiser

STUDY LAW ENFORCEMENT OFFICER COMPENSATION AND SALARY CONTINUATION FOR RESIDENTIAL FACILITY EMPLOYEES

Sec. 21.2. (a) The Office of State Personnel shall study:

(1) Employee classifications, salary schedules, pay equity, and pay inequities for all sworn law enforcement personnel certified by the North Carolina Criminal Justice Education and Training Standards Commission in every State law enforcement agency. The study shall consider appropriate factors related to the compensation of law enforcement personnel, including job specifications and qualifications required by the Office of State Personnel, the

Corrections Oversight Committee, and the Chairs of the House and Senate Appropriations Committees.

Of the funds appropriated to the Department of Correction in this act, the sum of one million nine hundred twelve thousand five hundred fifty-three dollars ($1,912,553) for the 1998-99 fiscal year shall be used to maintain the per diem reimbursement to counties at eighteen dollars ($18.00) per day for State inmates serving sentences of 30 days or more in local confinement facilities.

(b) This section becomes effective September 1, 1997.

Requested by: Senator Gulley

USE OF FEDERAL PRISON CONSTRUCTION GRANT FUNDS

Section 19.22. The Department of Correction shall use federal grant funds received from the U.S. Justice Department as part of the Violent Offender Incarceration Program and the Truth-In-Sentencing Incentive Grant Program for the further planning and design and construction of the following State prison facilities, provided that the project meets the criteria of the federal grant program:

Facility	Location	Number of Beds	Custody
Central Prison Diagnostic Center	Wake	196	Close
Warren Correctional Institution	Warren	168	Med/Close
Improvements to NCCIW	Wake	208	Med/Close
Scotland Facility	Scotland	712	Close
Alexander Facility	Alexander	520	Close
Metro Facility	Charlotte Area	520	Close

No more than the sum of seventeen million five hundred thousand dollars ($17,500,000) in federal funds may be allocated to the Central Prison Diagnostic Center Project, the proposed revised Phase I of the Central Prison Master Plan, or the planning and design of the Warren, NCCIW, or Metro projects until federal funds have been allocated to complete the working drawings phase of planning and design for the Alexander and Scotland Close Custody Prison Facilities.

The Department of Correction shall report quarterly to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections Oversight Committee on the allocation of any federal funds received and of anticipated future federal grant funds.

Requested by: Senators Gulley, Ballance, Rand, Representatives Justus, Kiser, Thompson, Hill

SUBSTANCE ABUSE FUNDS

Section 19.23. (a) Of the funds appropriated in the continuation budget to the Department of Correction for the 1997-99 biennium for private prison substance abuse beds, the Department shall allocate the sum of five hundred twenty-seven thousand eight hundred six dollars ($527,806) for the 1997-98 fiscal year and the sum of four hundred fifty-four thousand seven hundred fifteen dollars ($454,715) for the 1998-99 fiscal year to a Reserve for Substance Abuse. For the 1997-98 fiscal year, the Department shall allocate up to the sum of four hundred sixty-seven thousand eight hundred six dollars ($467,806) to the DART/DWI aftercare program at Cherry Hospital and up to the sum of sixty thousand dollars ($60,000) for an evaluation of the Department's substance abuse programs. The evaluation study shall review and update findings from the study of Department of Correction substance

DEPARTMENT OF CORRECTION (DOC) CAPITAL PROJECTS

DOC Capital Projects - Proposed

	Total Est. Cost	Est. Const. Cost	Plan/Design Cost Estimate	Expended Appropriations*
1. Central Prison Renov.- Phase 1 of Master Plan	$ 17,455,965	$ 16,605,965	$ 850,000	$ 75,680.75
2. Women's Prison (208 Beds & Food)	9,770,485	9,350,485	420,000	132,035.00
3. Warren CC - Phase III (168 Beds Med./Close)	14,093,915	13,493,915	600,000	29,500.00
Subtotal	**$ 41,320,365**	**$ 39,450,365**	**$ 1,870,000**	**$ 237,216.75**
4. Alexander (520 Close Custody)	57,589,665	55,289,665	2,300,000	123,014.00
5. Metro/Brown Creek (520 Close Custody)	57,589,665	55,289,665	2,300,000	108,785.00
6. Scotland (712 Close Custody)	66,983,740	64,583,740	2,400,000	140,836.00
7. DOC Consolidated Office Building	24,021,200	23,071,200	950,000	45,835.00
Grand Total	**$247,504,635**	**$237,684,635**	**$9,820,000**	**$655,685.75**

*1996 General Assembly appropriated $2.350 million to start planning and design of correction projects. 1997 General Assembly authorized $300,000 in state funds for planning and design of Alexander. No other state funds have been appropriated for these projects. DOC has received approximately $25.464 million in federal funds for prison construction.

Source: State Construction Office 12/11/97

Handout #9

FEDERAL&STATE FUND ALOCATION

AVAILABLE FEDERAL FUNDS----------25,000,000

AVAILABLE STATE FUNDS----------2,000,000
T0TAL---27,000,000

PROJECTS
1-ALEXANDER & SCOTLAND PLAN------6,000,000
2- CENTRAL PRISON PHASE I A----------17,500,000
3- NCCIW PROJECT PLAN----------1,000,000
4- WARREN CI PLAN----------600,000
TOTAL----25,100,000

FUND BALANCE----------1,900,000
FEDERAL FUND 1998 EST.----------13,000,000
TOTAL-----14,900,000

98 PROJECTS
1-NCCIW----------10,000,000
2-METRO PLAN----------3,000,000
TOTAL----13,000,000
BALANCE---1,900,000

DOC---12-17-97

Master Plan

1997-2007

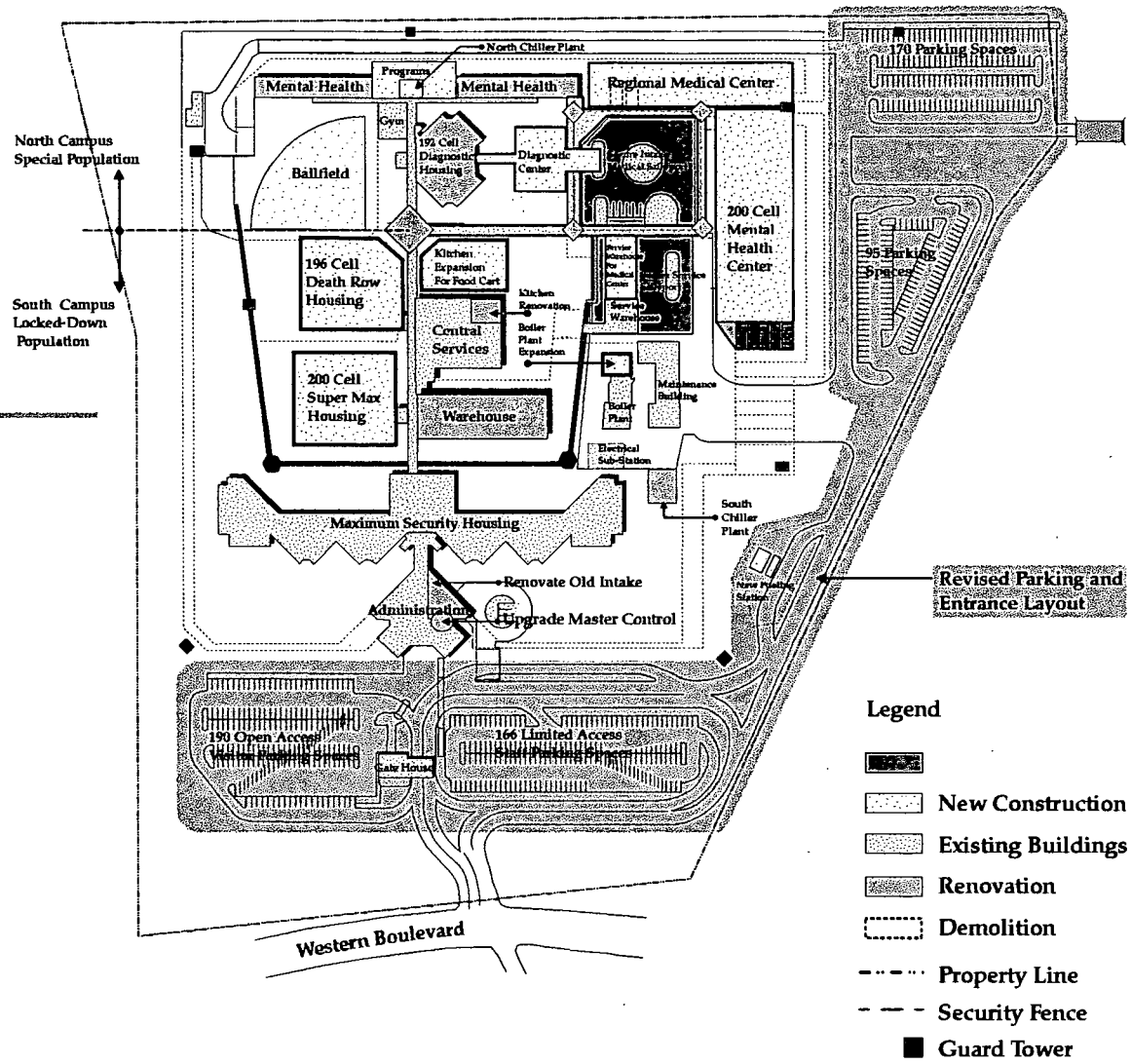


Exhibit # 10

North Carolina Central Prison 10 year Master Plan
Budget Analysis

Phase I - 192 Cell Diagnostic Center/Death Row Housing

Phase Designation	Scope Definition	subtotals	Totals
Phase I.1	**Construct 192 Death Row Housing Building**		
	@ 51,300 sf x $189/sf	$9,616,860	**$9,616,860**
I.2	**North Chiller Plant**		
	-Building @ 5000 sf x $100/sf	$500,000	
	-Equipment =1 Chiller @ 650 tons	$500,000	
	-Modifications to North-South Chase	$40,000	
	-2000 lf of Chilled Water Line	$200,000	
	South Boiler Plant Addition		
	-Building Addition @ 1200 sf @ $100/sf	$120,000	
	-Equipment =1 Boiler @ 40,000 lbs	$252,000	
	- Header Connections & Controls	$80,000	**$1,692,000**
I.3	**Demolition of 2 Warehouses & Hospital Corridor**		
	-2 Warehouses @ $100,000 ea	$200,000	
	-1 Poured-in-place Corridor @ 2 Levels	$65,000	
	-Hazardous Waste Disposal	$50,000	
	-Install Sprinkler Systems @ Indus. Bldg+ Window Repair	$160,000	**$475,000**
I.4	**Rebuild Site Roads, Parking & Security Fence**		
	-Temporary Road Construction	$25,000	
	-Temporary Parking Areas	$25,000	
	-Security Fence for Construction Security @ 2000 lf	$100,000	
	-4 Temporary Guard Towers	$50,000	
	-Relocate Fueling Station & Remove Underground tanks	$100,000	**$300,000**
I.5	**Demolition of K & O Dorms**	$227,400	**$227,400**

Sub-total page 1	**$12,538,660**

North Carolina Central Prison 10 year Master Plan
Budget Analysis

Phase I - 192 Cell Diagnostic Center/Death Row Housing

Phase Designation	Scope Definition	subtotals	Totals
Phase I.6	**New Intake & Service Sallyports**		
	-Intake Sallyport	$500,000	
	-Renovate Existing Service Sallyport	$200,000	
	-Retaining Wall & Demolition of Existing Wall/ NE Corner	$300,000	
	-Fencing & Gates	$125,000	**$1,125,000**
I.7	**New Intake & Diagnostic Center**		
	-Intake Building @ 9982 sf @ $140/sf	$1,397,480	
	-Diagnostic Center @ $7165 @ $140/sf	$1,003,100	
	-Corridor connection to RenovatedDiagnostic Housing	$120,000	
	-Sitework	$113,000	**$2,633,580**
I.8	**Temporary Link to CP Corridor**		
	- Corridor Connection @ 2600 sf @ $60/sf	$165,000	
	- Security Station & Sallyports	$90,300	**$255,300**
I.9	**Utility Tunnel from South Plant to North Plant**		
	-10' x 8' Concrete Tunnel @ 1200 lf @ $620/lf	$744,000	
	-Subsurface Foundation & Drainage	$300,000	
	-Waterproofing and Utility Rack System	$200,000	
	-Ventilation Systems	$10,000	
	-Install Sprinkler Systems @ Indus. Bldg+ Window Repair	$75,000	
	-New North Substation and Electrical Distribution	$140,000	
	-Relocate Water Line, Steam Line & Telecommunications	$500,000	
	-Relocate Gas Line and Sanitary Sewer	$110,000	
	-Reroute Storm Sewer @ New Construction Sites	$220,000	
	-Temporary Utility Connections for Uninterruptable Services	$30,000	**$2,329,000**
I.10	**Renovate 1st Flr of Working Residents Housing**	****	
	-Renovate 3600 sf @ $30/sf	****	
	-Modify control center	****	
	-Fence for Construction Security	****	
	-Sallyport to New Entrance to Diagnostic Housing	****	**$0**
I.11	**Renovate Existing Intake and Master Control Center**	$30,000	**$30,000**

**** *Deferred to Later Phase*

Sub-total page 2	**$6,402,880**
Sub-total page 1& 2	$18,941,540

North Carolina Central Prison 10 year Master Plan
Budget Analysis

Phase I - 192 Cell Diagnostic Center/Death Row Housing

Phase Designation	Scope Definition	subtotals	Totals
	Construction Balance Brought Forward		**$18,941,540**
I.12	**Construction Premium (Means Est Data)**		
	-15% Labor for lost time Labor =30% of Building cost	$644,012	
	-Laydown, Hoisting, etc. Restrictions (.08 % of Building Costs)	$1,515,323	**$2,159,336**
	Subtotal of All Construction Contracts		**$21,100,876**
I.13	**Project Contingency @3% of Construction**	$633,026	**$633,026**
I.14	**Escalation @ .42%/Month x 12 Mo (Mid-Point of Const.)**	$1,139,447	**$1,139,447**
	Subtotal of All Construction Costs		**$22,873,349**
I.15	**Professional Fees**		
	-A/E Programming	$80,000	
	-A/E Basic Services Fee	$1,601,134	
	-A/E Additional Services(FT Observer, Multple Bid Packages)	$300,000	
	-Site Survey	$25,616	
	-Soils Report	$34,900	
	-Fee for Renovations @ Industrial Building	$15,000	
	-Soils & Concrete Testing	$70,000	**$2,126,650**
	Subtotal of All Project Costs		**$25,000,000**

North Carolina Central Prison 10 year Master Plan
Budget Analysis

Phase II - 90 Bed Regional Medical Center & Infrastructure

Phase Designation	Scope Definition	subtotals	Totals
Phase II.1	**Relocate Tag Plant & Renovate Industries Building**		
	-Renovation of Existing Structure including industrial Lift	$425,500	
	-Install Sprinkler Systems	$160,000	$585,500
II.2	**90 Bed Regional Health Care Center w/ Clinic**		
	-Building @ 101360 sf x $190/sf	$18,244,800	
	-Site Work & Security for Construction	$405,000	
	-Utility Connections	$95,000	$18,744,800
II.3	**Demolition of Existing Hospital**		
	-Demolition Cost	$200,000	
	-Disposal of Hazardous Materials	$40,000	
	- Excavation of Utilities & Foundations	$10,000	$250,000
II.4	**Expand Kitchen with two New Dining Halls**		
	-2 Dining Halls @ 2500 sf @ $150/sf	$750,000	$750,000
II.5	**Renovate Existing Kitchen for Mobile Food Cart System**		
	-Kitchen Renovation	$50,000	
	-Renovation of Food Cart Area	$135,000	
	-Excavate and Rebuild Interior Sallyport @ Central Services	$40,000	
	-Install Sprinkler Systems @ Indus. Bldg+ Window Repair	$420,000	$645,000
II.6	**Rebuild South Parking Lots & Renovate Gate House**	$1,525,000	$1,525,000
II.7	**Relocate and Demolish 6 Buildings @ Eastern Property Line**	$350,000	$350,000
II.8	**Construct New Sallyport & East Parking Lots**		
	-New Multi-Caged Entrance Sallyport w/gates	$307,000	
	-Paving, Drainage & Curbs @ New East Parking Lots	$595,864	$902,864
II.9	**Construct New Corridor Link to Diagnostic/Intake Center**	$314,000	$314,000
	Subtotal Construction		$24,067,164
II.10	**Contingencies, Escalation, & Fees**	$8,182,836	$8,182,836
	Total Construction Budget Phase II		$32,250,000

Phase I

Intake/Diagnostic Center

$25,000,000

Phase IA = $[illegible] Million

Phase IB = $[illegible] Million

1. 196 Cell Maximum Security Housing Building
2. Intake & Diagnostic Facility with Secure Sallyports
3. Demolition of Existing O & K Dormitories
4. Engineering Infrastructure & Utility Tunnel.

Phase II

Regional Medical Center

$32,250,000

1. 90 Bed Acute Care Regional Hospital
2. Construct New Dining Halls & Kitchen Renov.
3. Demolish Existing Hospital
4. New Access Roads & South and East Parking

Phase III

Mental Health Center

$24,800,000

1. 200 Cell Mental Health Center
2. Renovate Existing MH for Working Resident Population
3. Relocate Death Row Population
4. Relocate Tag Plant

Phase IV

SuperMax Housing Unit

$28,550,000

1. 200 Cell Super-Max Housing Unit
2. Renovate Industries Bldg for Storage & Programs
3. Rework Master Control Center to New Security Operational Program

December 1997 — 2 years — January 2000 — 2 years — January 2002 — 2 years & 6 Months — July 2004 — 2 years & 6 Months — January 2007

North Carolina Central Prison

Master Plan (1997-2007)

J N Pease Associates/ DMJM

Associated Architects Engineers Planners

CENTRAL PRISON MASTERPLAN 1997-2007

PHASE I 25,000,000

PHASE II 32,250,000

PHASE III 24,800,000

PHASE IV 28,550,000

TOTAL ESTIMATED COST FOR ALL PHASES

110,600,000

DOC 12-17-97

Handout #
11

Revised 12/05/97

NC DEPARTMENT OF CORRECTON - DIVISION OF PRISONS

RECOMMENDED LOCATION OF 20 NEW MODULARS

"All old modulars destroyed and new modulars added."

Facility	Population Without Current Modular/s	Anticipated new modulars/ additional beds	New Population
Durham	172	1 / 36	208
Davidson	244	1 / 36	280
Forsyth	202	1 / 36	238
Catawba	184	1 / 36	220
Gaston	196	1 / 36	232
Buncombe	130	1 / 36	166
Caldwell	182	1 / 36	218
Hyde*	0	2 / 72	72
Warren*	0	2 / 72	72
Raleigh CCW	130	1 / 36	166
McCain Hosp.	367	1 / 36	403
Nash*	60	1 / 36	96
Southern* (Montgomery)	136	1 / 36	172
Haywood	86	1 / 36	122
Henderson	98	1 / 36	134
Orange**	176	1 / 36	212
Cabarrus**	194	1 / 36	230
Rowan**	276	1 / 36	312
	2833	20 / 720	3553

* The population of these facilities reflects minimum custody population only.

** Working with OSBM for short session.

COSTS OF MODULAR DORMITORIES

TOTAL APPROPRIATION		$5,000,000
DESIGN FEES AND SURVEY COSTS		335,525
AVAILABLE CONSTRUCTION FUNDS		$4,664,475
LOW BID (20 MODS @ 28 SOC)		$5,099,382
COST ESTIMATE OF 18 MODS @ 28 SOC		$4,665,882
AVAILABLE CONSTRUCTION CONTINGENCY		(-1,407)
LOW BID WITH ALTERNATE FOR LARGER MODULAR (20 MODS @ 36 SOC)		$5,487,262
DOC PROPOSAL COST ESTIMATE (16 MODS @ 36 SOC)		**$4,554,462**
CONSTRUCTION CONTINGENCY (2.3%)		104,752

CAPACITIES OF SMALLER MODULAR DORMITORIES

20 MODULARS @ 28 SOC		560
20 MODULARS @ 36 EOC		720
18 MODS @ 28 SOC		504
18 MODS @ 36 EOC		648

CAPACITIES OF LARGER MODULAR DORMITORIES

16 MODULARS @ 36 SOC		576
16 MODULARS @ 46 EOC		**736**

Handout #12

Department of Correction R.N. and L.P.N. Special Pay Plans

1. ***R.N. Site Differentials***:

   - The following Registered Nursing classifications are utilized at Central Prison, North Carolina Correctional Institute for Women, or Polk Youth Institution having a ten (10) percent site differential:

TITLE	SALARY GRADE/SITE DIFFERENTIAL	
Staff Nurse	68	70
Lead Nurse	69	71
Nurse Clinician I	70	72
Nurse Clinician II	72	74
Nurse Supervisor I	70	72
Nurse Supervisor II	72	74
Nurse Supervisor III	74	76
Asst. Dir. Of Nur. Serv.	75	77
Dir. Of Nur. Serv. II	77	79

2. ***L.P.N. Site Differential***

   - The Licensed Practical Nurse (Practical Nurse II) classification received a site differential of ten (10) percent, from salary grade 60 to 62, along with a special entry rate.

3. ***Correctional Health Assistants Special Entry Rate***

   - The Correctional Health Care Assistants were classified at salary grade 59, along with a special entry rate, so that we could recruit at the same base level of the Correctional Officer classification (salary grade 62).

4. ***Shift Premium Pay***

SHIFT	SHIFT PREMIUM PAY
Day/Evening Rotation (Any Evening Work)	10%
Day/Night Rotation (Any Night Work)	10%
Weekday Permanent Evening (8, 10, or 12 hrs)	15%
Weekday Permanent Nights (8, 10, or 12 hrs)	20%
Weekend Day	10%
Weekend Permanent Evening	25%
Weekend Permanent Night	30%

5. ***Central Prison and North Carolina Correctional Institution for Women - R.N. Special Entry Rate***

   - The Department Utilizes a special entry rate for Central Prison or North Carolina Correctional Institution for Women when employing R.N. new hires.

Handout #12

N.C. DEPARTMENT OF CORRECTION
MORTALITY REPORT FROM 01/01/96 TO 12/30/96

[redacted]ber 9, 1997 PAGE: 1

	NAME	NUMBER	AGE	UNIT	DATE	CAUSE OF DEATH
1.	Anderson, Albert	0007255	67	4110	04/08/96	Suicide by hanging
2.	Baines, William	0015169	53	3100	05/09/96	Lung Cancer
3.	Black, Thomas	2065960	36	3100	02/27/96	HIV
4.	Branden, Steven	0042899	41	3100	05/03/96	Asphyxia D/t hanging
5.	Brandon, Franklin	0042834		3100	11/07/96	CA/COPD
6.	Burney, William	0057946	54	3700	08/14/96	Bronchopneumonia
7.	Caldwell, Dwayne	0460629	22	3305	08/15/96	Stab Wounds (6)
8.	Carter, William	0069199		3100	11/26/96	Hepatorenal
9.	Champion, Leon	0079014		3100	12/20/96	unknown
10.	Cole, Alvin	0081757	42	3100	02/21/96	HIV/AIDS
11.	Collins, Robert	0083760		3700	09/04/96	Multiple Myloma
[redacted]	Dailey, Robert	0097041	45	3100	05/02/96	Lymphoma/HIV/AIDS
13.	Darien, Jackie	0098797		3700	05/30/96	AIDS related
14.	Davis, Ronnie	2096160	34	3700	02/15/96	AIDS
15.	Davis, David	0100321		3100	09/20/96	AIDS/ ESRD
16.	Dievart, Francis	0107887	44	3100	04/04/96	Metatastic CA
17.	Dixon, Michael	0109067	32	3700	01/13/96	AIDS
18.	Ector, John	0208444		3100	10/01/96	Lung cancer
19.	Edenburn, Robert	0116997	75	3100	03/29/96	Ischemic Heart Dis.
20.	Ervin, Stephen	2025360	43	3100	06/19/96	hemmor. of hepatoma
21.	Farmer, Timothy	2056533	31	3100	07/05/96	Cardiopulmonary Arr.
22.	Finkley, Dwayne	0128476	34	3700	03/24/96	AIDS
23.	Gatewood, Vernon	0142895	32	4140	01/10/96	Lacerated liver
[redacted]	Gore, Garland	0150605		3100	08/06/96	Respiratory Arrest
[redacted]	Graves, Roger	0153169	46	3700	08/25/96	HIV related
26.	Green, John	0505960	36	4150	04/22/96	cerebral hemorrage
27.	Gwynn, Roy	0016100	75	3700	05/18/96	MI

N.C. DEPARTMENT OF CORRECTION
MORTALITY REPORT FROM 01/01/96 TO 12/30/96

	NAME	NUMBER	AGE	UNIT	DATE	CAUSE OF DEATH
28.	Hampton, Abraham	0164603	63	4255	04/17/96	Cardiac Arrest
29.	Hargrove, Thomas	2056093	35	3100	02/01/96	Lymphoma
30.	Harper, Gregory	0167873	39	3700	01/09/96	IDDM complication
31.	Harris, Aretha	0169033	31	3010	03/19/96	HIV/AIDS/PCP
32.	Harris, Robert	0171275		3100	11/07/96	R/O TB
33.	Harris, Anthony	0169010	31	3100	12/02/96	Hepatic Failure
34.	Holcombe, Alvin	0186981	57	4540	07/24/96	Ruptured Spleen
35.	Holloman, Bobby	0188543	32	3100	04/03/96	Stab Wound
36.	Hooper, Freddie	0190697		3100	10/31/96	Renal Failure
37.	Hyman, Larry	0502257		3100	12/01/96	CA
38.	Johnson, William D.	0213415		3700	12/02/96	? Cardiac
39.	Jones, Jimmy	0216553		3100	10/22/96	Liver Failure
40.	Jones, Clarence	0214826		3100	11/25/96	Leukoencephalopathy
41.	Jordan, Donnie	0219582	44	3510	05/06/96	unknown
42.	King, Richard T.	0226852	63	3100	03/25/96	Metastatic Lung CA
43.	Kirk, Kerry	2116659	36	3100	02/14/96	Bronchopneumonia
44.	Laws, Wade Andrew	0234895	35	3805	04/19/96	Acute Doxepin Poison
45.	Lennon, Terry	0238756		3700	12/02/96	CAD
46.	Lewis, Immanuuel	0240286	42	3100	01/07/96	Suicide by hanging
47.	Little, Louis	0243590		3700	02/05/96	CA of Pancrease
48.	Mabrey, Glen	0252794	48	3100	02/28/96	Dehydration
49.	Malone, Gary	0254354	53	3700	11/14/96	Cardiac Arrest
50.	Maness, Sandra	0254653	33	3010	04/08/96	MI
51.	Mangum, Victor	2014892	48	3100	08/29/96	AIDS/ LUNG CA
52.	McCombs, Wayne	0265250	35	3100	10/05/96	CA/HIV
53.	McDougald, Richard	0268077	44	3100	08/02/96	Hepatic CA

	NAME	NUMBER	AGE	UNIT	DATE	CAUSE OF DEATH
54.	McLean, Robert	0483826		3710	09/09/96	Apparent MI
55.	Mooneyham, Johnny	0287839	52	3700	07/26/96	GI Bleed/ Brain CA
56.	Moore, Charles	0288231	64	3100	04/22/96	liver CA
57.	Moses, Lathrop C.	0294464	65	3100	06/10/96	Lung Cancer
58.	Moye, Milton	1076192	35	3720	10/21/96	unknown
59.	Netcliff, Lavon	0300486	40	3700	04/26/96	HIV/AIDS - PCP
60.	Noblitt, Jimmy R.	0302979	31	3500	04/23/96	HIV/AIDS
61.	Oliver, Willie	0306235	59	3700	05/19/96	Massive MI
62.	Powell, Johnny	0328715	39	3100	04/04/96	HIV/HIVS
63.	Quick, Tony	0333926		3700	04/18/96	Cardiac Arrest
64.	Radcliff, Rich	0334308		3100	10/20/96	Cancer
[redacted]	Ramseur, Tommy	0335501	71	4555	03/12/96	Unknown
66.	Ratcliff, Ted	0336298	39	3510	10/18/96	? Cardiac Arrest
67.	Richardson, Sterling	0072236		3100	08/16/96	Immediate Cardiac Ar
68.	Shutt, Kenneth			3100	11/17/96	Lung CA
69.	Smith, Wayne A.	0380602	38	3100	05/06/96	HIV/AIDS
70.	Smith, Ernest	0375947		3100	11/20/96	AIDS,Leukoencephalit
71.	Summitt, Susan	0395784	42	3010	02/29/96	HIV/AIDS
72.	Taylor, Phillip	0040199		3100	09/10/96	AIDS
73.	Taylor, Lisa	0040819		3010	12/18/96	Renal Disease
74.	Thornton, Lloyd	0040770	32	3100	01/12/96	AIDS
75.	Timberlake, Arron	0408843	32	3100	01/22/96	Cardiac Arrest
76.	Turner, Archie	0413424	34	3100	08/08/96	AIDS
[redacted]	Walker, James	0420877	55	3700	09/12/96	End Stage Liver Dis.
78.	Walton, Phillip	0423595		3100	08/28/96	subarachnoid hemorrh
79.	Washington, James	0425804	37	3100	10/08/96	AIDS
80.	Weaver, Robert	0428982	38	3100	04/07/96	HIV/AIDS

N.C. DEPARTMENT OF CORRECTION
MORTALITY REPORT FROM 01/01/96 TO 12/30/96

NAME	NUMBER	AGE	UNIT	DATE	CAUSE OF DEATH
81. Williams, John	2046574	31	3100	09/01/96	Aids/Lung Neoplasm
82. Williams, Clifford	0440058	48	3100	03/19/96	AIDS

N.C. DEPARTMENT OF CORRECTION
MORTALITY REPORT FROM 01/01/97 TO 10/09/97

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	NAME	NUMBER	AGE	UNIT	DATE	CAUSE OF DEATH
1.	Alexander, Elliot	0003060	31	3100	05/18/97	AIDS
2.	Anderson, Jimmie	0007846	67	3100	01/27/97	Metastatic CA Colon
3.	Bagley, Betty	0014155	41	3010	06/02/97	End stage heart dis.
4.	Beamon, Regrenia	0024694		3010	01/24/97	
5.	Bolden, Sammie, L.	0036385		4665	06/18/97	
6.	Brown, Franklin	0049396	48	3100	09/03/97	pnuemonia @ UNCH
7.	Bryant, Billy	0052965	59	3700	01/29/97	? Cardiac Arrhythmia
8.	Buck, John	0499349	63	3100	03/04/97	Coronary atheroscler
9.	Clax, Levin	0078392	42	3100	04/24/97	Laryngeal CA
10.	Cole, Clayton	0486654	28	3100	02/12/97	AIDS / Renal Fail
11.	Cook, James	0085848	57	4430	07/29/97	Cancer
12.	[redacted]Cooper, Harold	0086835	38	3100	02/15/97	HIV/AIDS
13.	Craven, Kenneth Donn	0091727	56	4170	03/23/97	? Cardiac Arrest
14.	Dean, Fred	0104375	69	3700	04/17/97	CA Bladder
15.	Disca, Omar	0472945	27	3730	06/28/97	Unknown
16.	Edwards, Enirris	0117892	48	3510	01/23/97	Dil. Cardiomyopathy
17.	Elliott, Alonzo	0119819	38	3100	01/31/97	? Post Seizure
18.	English, Rodney	0121595	28	3700	04/29/97	HIV/AIDS/rectal CA
19.	Folson, Cleo P.	0491845		3010	02/27/97	
20.	Franks, James	0135570	64	3700	01/15/97	COPD, Resp. Failure
21.	Friday, Charles	0137111		3100	08/12/97	Renal Disease
22.	Green, Jimmy	0154601		3700	03/16/97	Acute MI
23.	Griffin, Charles	0156993	66	3700	02/06/97	CA Kidney
24.	[redacted]Grigg, Pete	0157847	53	3700	08/08/97	Liver Disease
25.	Hall, Ralph	0162682	51	3100	02/27/97	Sepsis@ line insert.
26.	Harris, Frank	0169885	45	3700	05/20/97	AIDS, Meningitis
27.	Hayes, John	0546955		3700	02/17/97	COPD - Lung CA

N.C. DEPARTMENT OF CORRECTION
MORTALITY REPORT FROM 01/01/97 TO 10/09/97

	NAME	NUMBER	AGE	UNIT	DATE	CAUSE OF DEATH
28.	Inman, Gary D.	0201018		3500	08/22/97	
29.	Lee, Daniel	0236997	30	3100	01/11/97	rupt.berry aneurysm
30.	Lee, Delaney	0237043	49	3100	07/29/97	End stage Liver Dis.
31.	Linney, Edgar	0242600	71	3700	07/02/97	HTN, Diabetes, ASCVD
32.	Martell, Hulan	0257068	53	4625	06/11/97	unknown
33.	Owens, Clifton	0550711	46	3100	08/30/97	hydrocephalus
34.	Pence, Douglas	0317764	48	3700	01/22/97	renal failure
35.	Rippy, Tabitha		26	3010	03/29/97	Myocarditis
36.	Roary, Sam	0345703	26	3100	07/11/97	AIDS/Lung CA
37.	Royster, Earl	0353939	37	3700	05/08/97	AIDS
[redacted]	Ruggles, Edward	0093630	43	3100	06/22/97	r/o/pnue - pul embol
39.	Sanchez, Anisito	0582008	34	3100	09/07/97	R/T HIV
40.	Smith, Bobby N.	0374482	52	3100	01/15/97	Upper GI Bleed
41.	Smith, James W.	0376746	64	4240	05/11/97	Bronchopneumonia
42.	Smith, Ambrose	0577283	26	3100	08/21/97	AIDS
43.	Spaugh, Arthur	0383283	63	3500	01/13/97	Lung Cancer
44.	Sturdivant, Ben	0394408	69	3700	04/06/97	Intracerebral Hemorr
45.	Surls, Sam	0395954	66	4230	09/15/97	MI
46.	Tate, Perry	0399265	29	3100	08/14/97	AIDS
47.	Waddell, Janice	0419223	43	3050	06/10/97	Ischemic Heart Dis.
48.	Wallace, Ronald	0422607	39	3100	09/02/97	cardiac arrest
49.	Whitt, Aubrey	0436306	67	3100	04/06/97	? MI
50.	Williams, Arlester	0439283	41	3100	02/01/97	Toxoplasmosis
[redacted]	Williams, Etta L.	0550088		3010	04/11/97	
52.	Wise, Wallace	0534244	54	3100	01/19/97	Lung CA
53.	Woods, Eddie	0569000	70	3100	05/18/97	r/o sepsis/pneumonia

Handout #14

AC[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
C CI WOMEN	(3010)									
AIDS	13	0	12	1	0	2	11	0	0	0
AIDS/HTB	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	14	0	13	1	0	2	12	0	0	0
HIV	36	4	30	2	0	6	29	1	0	0
TOTAL HIV & AIDS	50	4	43	3	0	8	41	1	0	0
OUNTAIN CCW	(3020)									
AIDS	3	1	2	0	0	0	3	0	0	0
TOTAL AIDS	3	1	2	0	0	0	3	0	0	0
HIV	10	2	8	0	0	0	6	2	0	0
TOTAL HIV & AIDS	13	3	10	0	0	0	11	2	0	0
[redacted]										
RALEIGH CCW	(3030)									
HIV	3	0	3	0	0	0	3	0	0	0
TOTAL HIV & AIDS	3	0	3	0	0	0	3	0	0	0
BLACK MTN CCW	(3040)									
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
NEUSE CI	(3060)									
AIDS	2	0	2	0	0	0	2	0	0	0
AIDS/HTB	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	3	0	3	0	0	0	3	0	0	0
HIV	3	0	3	0	0	0	3	0	0	0
TOTAL HIV & AIDS	6	0	6	0	0	0	6	0	0	0

[redacted]

[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
DAN RIVER WORK FARM (3080)										
AIDS	2	0	1	1	0	0	2	0	0	0
TOTAL AIDS	2	0	1	1	0	0	2	0	0	0
HIV	7	0	7	0	0	1	6	0	0	0
TOTAL HIV & AIDS	9	0	8	1	0	1	8	0	0	0
CRAVEN CI (3085)										
HIV	1	0	1	0	0	0	0	0	0	1
TOTAL HIV & AIDS	1	0	1	0	0	0	0	0	0	1
CENTRAL PRISON (3100)										
AIDS	18	0	16	2	0	2	16	0	0	0
TOTAL AIDS	18	0	16	2	0	2	16	0	0	0
HIV	19	1	18	0	0	3	14	2	0	0
TOTAL HIV & AIDS	37	1	34	2	0	5	30	2	0	0
CALEDONIA CI (3305)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	9	0	9	0	0	1	8	0	0	0
TOTAL HIV & AIDS	10	0	10	0	0	1	9	0	0	0
ODOM CI (3310)										
AIDS	3	0	3	0	0	0	2	1	0	0
TOTAL AIDS	3	0	3	0	0	0	2	1	0	0
HIV	1	0	0	1	0	0	1	0	0	0
TOTAL HIV & AIDS	4	0	3	1	0	0	3	1	0	0

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[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
TILLERY CC (3320)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	5	0	4	1	0	0	5	0	0	0
TOTAL HIV & AIDS	6	0	5	1	0	0	6	0	0	0
EASTERN CI (3400)										
AIDS	3	0	3	0	0	0	3	0	0	0
TOTAL AIDS	3	0	3	0	0	0	3	0	0	0
HIV	11	0	10	1	0	1	10	0	0	0
TOTAL HIV & AIDS	14	0	13	1	0	1	13	0	0	0
[redacted] CI (3500)										
AIDS	7	0	5	2	0	2	5	0	0	0
TOTAL AIDS	7	0	5	2	0	2	5	0	0	0
HIV	16	0	14	2	0	5	11	0	0	0
TOTAL HIV & AIDS	23	0	19	4	0	7	16	0	0	0
BROWN CREEK CI (3510)										
AIDS	10	0	9	1	0	0	10	0	0	0
TOTAL AIDS	10	0	9	1	0	0	10	0	0	0
HIV	11	0	8	3	0	1	10	0	0	0
TOTAL HIV & AIDS	21	0	17	4	0	1	20	0	0	0

AC[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
SOUTHERN CI (3600)										
AIDS	2	0	2	0	0	1	1	0	0	0
TOTAL AIDS	2	0	2	0	0	1	1	0	0	0
HIV	10	0	8	2	0	0	9	1	0	0
TOTAL HIV & AIDS	12	0	10	2	0	1	10	1	0	0
MCCAIN HOSPITAL (3700)										
AIDS	10	0	8	2	0	3	7	0	0	0
AIDS/HTB	1	0	0	1	0	0	1	0	0	0
TOTAL AIDS	11	0	8	3	0	3	8	0	0	0
HIV	9	0	9	0	0	0	9	0	0	0
TOTAL HIV & AIDS	20	0	17	3	0	3	17	0	0	0
[redacted]										
NASH CI (3710)										
AIDS	6	0	6	0	0	1	5	0	0	0
TOTAL AIDS	6	0	6	0	0	1	5	0	0	0
HIV	7	0	6	1	0	1	6	0	0	0
TOTAL HIV & AIDS	13	0	12	1	0	2	11	0	0	0
MARION CI (3730)										
AIDS	8	0	7	1	0	2	6	0	0	0
TOTAL AIDS	8	0	7	1	0	2	6	0	0	0
HIV	8	1	7	0	0	2	6	0	0	0
TOTAL HIV & AIDS	16	1	14	1	0	4	12	0	0	0

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[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
PASQUOTANK CI (3740)										
AIDS	6	0	6	0	0	1	5	0	0	0
TOTAL AIDS	6	0	6	0	0	1	5	0	0	0
HIV	21	2	18	1	0	6	14	0	0	1
TOTAL HIV & AIDS	27	2	24	1	0	7	19	0	0	1
HARNETT CI (3805)										
AIDS	5	0	3	2	0	1	4	0	0	0
TOTAL AIDS	5	0	3	2	0	1	4	0	0	0
HIV	12	0	12	0	0	1	11	0	0	0
TOTAL HIV & AIDS	17	0	15	2	0	2	15	0	0	0
[redacted] (3905)										
AIDS	1	1	0	0	0	0	1	0	0	0
TOTAL AIDS	1	1	0	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	1	0	0	0	0	1	0	0	0
SANDHILLS YC (3915)										
HIV	1	1	0	0	0	1	0	0	0	0
TOTAL HIV & AIDS	1	1	0	0	0	1	0	0	0	0
MORRISON YI (3930)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	1	0	0	1	0	0	1	0	0	0
TOTAL HIV & AIDS	2	0	1	1	0	0	2	0	0	0

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AC[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
CARTERET CC (4110)										
AIDS	2	0	2	0	0	1	1	0	0	0
TOTAL AIDS	2	0	2	0	0	1	1	0	0	0
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	3	0	3	0	0	1	2	0	0	0
DUPLIN CC (4125)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	4	0	4	0	0	0	3	1	0	0
TOTAL HIV & AIDS	5	0	5	0	0	0	4	1	0	0
GRE[redacted] (4140)										
AIDS	6	1	3	2	0	0	6	0	0	0
TOTAL AIDS	6	1	3	2	0	0	6	0	0	0
HIV	10	1	8	0	1	1	9	0	0	0
TOTAL HIV & AIDS	16	2	11	2	1	1	15	0	0	0
PENDER CI (4150)										
AIDS	10	0	9	1	0	2	8	0	0	0
AIDS/MOTT	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	11	0	10	1	0	2	9	0	0	0
HIV	8	1	6	1	0	2	6	0	0	0
TOTAL HIV & AIDS	19	1	16	2	0	4	15	0	0	0

AC[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
EW HANOVER CC (4170)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	3	0	2	1	0	1	2	0	0	0
TOTAL HIV & AIDS	4	0	3	1	0	1	3	0	0	0
HAYNE CC (4175)										
AIDS	1	0	0	1	0	0	1	0	0	0
TOTAL AIDS	1	0	0	1	0	0	1	0	0	0
HIV	4	1	2	1	0	1	3	0	0	0
TOTAL HIV & AIDS	5	1	2	2	0	1	4	0	0	0
HYD[redacted] (4180)										
AIDS	4	0	3	1	0	0	4	0	0	0
TOTAL AIDS	4	0	3	1	0	0	4	0	0	0
HIV	6	1	5	0	0	0	6	0	0	0
TOTAL HIV & AIDS	10	1	8	1	0	0	10	0	0	0
DURHAM CC (4210)										
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
FRANKLIN CC (4215)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	10	0	8	2	0	1	9	0	0	0
TOTAL HIV & AIDS	11	0	9	2	0	1	10	0	0	0

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AC[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
JOHNSTON CC (4230)										
AIDS	3	0	3	0	0	0	3	0	0	0
TOTAL AIDS	3	0	3	0	0	0	3	0	0	0
HIV	12	0	10	2	0	0	12	0	0	0
TOTAL HIV & AIDS	15	0	13	2	0	0	15	0	0	0
ORANGE CC (4240)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	3	0	2	1	0	1	2	0	0	0
TOTAL HIV & AIDS	4	0	3	1	0	1	3	0	0	0
URS[redacted] C (4255)										
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
WAKE CC (4265)										
HIV	2	0	1	1	0	0	1	0	0	1
TOTAL HIV & AIDS	2	0	1	1	0	0	1	0	0	1
WARREN CI (4290)										
HIV	1	0	0	1	0	1	0	0	0	0
TOTAL HIV & AIDS	1	0	0	1	0	1	0	0	0	0

AC[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
HOKE CI (4320)										
AIDS	2	0	2	0	0	0	2	0	0	0
TOTAL AIDS	2	0	2	0	0	0	2	0	0	0
HIV	2	0	2	0	0	0	2	0	0	0
TOTAL HIV & AIDS	4	0	4	0	0	0	4	0	0	0
ROBESON CC (4340)										
AIDS	1	0	0	1	0	0	1	0	0	0
TOTAL AIDS	1	0	0	1	0	0	1	0	0	0
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	2	0	1	1	0	0	2	0	0	0
SAM[redacted] (4345)										
AIDS	1	0	1	0	0	1	0	0	0	0
TOTAL AIDS	1	0	1	0	0	1	0	0	0	0
HIV	5	0	5	0	0	0	5	0	0	0
TOTAL HIV & AIDS	6	0	6	0	0	1	5	0	0	0
COLUMBUS CI (4355)										
AIDS	1	0	0	1	0	0	1	0	0	0
TOTAL AIDS	1	0	0	1	0	0	1	0	0	0
HIV	9	1	8	0	0	0	8	1	0	0
TOTAL HIV & AIDS	10	1	8	1	0	0	9	1	0	0

AC[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
ANFORD CC (4360)										
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
LUMBERTON CI (4365)										
AIDS	2	0	1	1	0	0	2	0	0	0
TOTAL AIDS	2	0	1	1	0	0	2	0	0	0
HIV	10	0	9	1	0	3	6	1	0	0
TOTAL HIV & AIDS	12	0	10	2	0	3	8	1	0	0
ALAMANCE CC (4410)										
HIV	1	0	1	0	0	0	1	0	0	0
[redacted] HIV & AIDS	1	0	1	0	0	0	1	0	0	0
CASWELL CC (4415)										
AIDS	5	0	4	1	0	1	4	0	0	0
TOTAL AIDS	5	0	4	1	0	1	4	0	0	0
HIV	7	0	7	0	0	1	6	0	0	0
TOTAL HIV & AIDS	12	0	11	1	0	2	10	0	0	0
DAVIDSON CC (4420)										
AIDS	4	0	3	1	0	1	3	0	0	0
TOTAL AIDS	4	0	3	1	0	1	3	0	0	0
HIV	5	0	5	0	0	0	5	0	0	0
TOTAL HIV & AIDS	9	0	8	1	0	1	8	0	0	0

AC[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
FORSYTH CC (4430)										
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
GUILFORD CC (4440)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	2	0	2	0	0	0	2	0	0	0
RANDOLPH CC (4445)										
AIDS	2	0	2	0	0	0	2	0	0	0
TOTAL AIDS	2	0	2	0	0	0	2	0	0	0
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	3	0	3	0	0	0	3	0	0	0
YADKIN CC (4460)										
AIDS	1	0	1	0	0	0	0	0	0	1
TOTAL AIDS	1	0	1	0	0	0	0	0	0	1
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	2	0	2	0	0	0	1	0	0	1
CABARRUS CC (4510)										
HIV	4	0	4	0	0	1	3	0	0	0
TOTAL HIV & AIDS	4	0	4	0	0	1	3	0	0	0

[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
GASTON CC (4515)										
HIV	3	0	2	1	0	0	3	0	0	0
TOTAL HIV & AIDS	3	0	2	1	0	0	3	0	0	0
IREDELL CC (4520)										
AIDS	1	0	0	1	0	0	1	0	0	0
TOTAL AIDS	1	0	0	1	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	0	1	0	0	1	0	0	0
LINCOLN CC (4525)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
CHARLOTTE CC (4530)										
AIDS	2	0	2	0	0	1	1	0	0	0
TOTAL AIDS	2	0	2	0	0	1	1	0	0	0
HIV	5	0	5	0	0	0	5	0	0	0
TOTAL HIV & AIDS	7	0	7	0	0	1	6	0	0	0
MECKLENBURG CC (4535)										
AIDS	2	1	0	1	0	1	1	0	0	0
TOTAL AIDS	2	1	0	1	0	1	1	0	0	0
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	3	1	1	1	0	1	2	0	0	0

AC[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
IOWAN CC	(4540)									
AIDS	2	0	2	0	0	0	2	0	0	0
TOTAL AIDS	2	0	2	0	0	0	2	0	0	0
HIV	3	0	3	0	0	1	2	0	0	0
TOTAL HIV & AIDS	5	0	5	0	0	1	4	0	0	0
STANLY CC	(4545)									
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
UNI[redacted]	(4550)									
HIV	2	0	2	0	0	0	2	0	0	0
TOTAL HIV & AIDS	2	0	2	0	0	0	2	0	0	0
CLEVELAND CC	(4560)									
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
ANSON CC	(4570)									
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	4	0	4	0	0	0	4	0	0	0
TOTAL HIV & AIDS	5	0	5	0	0	0	5	0	0	0

[redacted]

AC[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
ALDWELL CC	(4625)									
AIDS	1	0	0	1	0	0	1	0	0	0
TOTAL AIDS	1	0	0	1	0	0	1	0	0	0
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	2	0	1	1	0	0	2	0	0	0
CRAGGY CC	(4630)									
AIDS	2	0	2	0	0	1	1	0	0	0
TOTAL AIDS	2	0	2	0	0	1	1	0	0	0
HIV	4	0	4	0	0	1	3	0	0	0
TOTAL HIV & AIDS	6	0	6	0	0	2	4	0	0	0
HA[redacted]C	(4640)									
HIV	1	0	1	0	0	1	0	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	1	0	0	0	0
RUTHERFORD CC	(4655)									
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	2	0	2	0	0	1	1	0	0	0
TOTAL HIV & AIDS	3	0	3	0	0	1	2	0	0	0
BUNCOMBE CC	(4675)									
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0

[redacted]

FAC[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
CARTERET JAIL (4790)										
HIV	1	0	1	0	0	0	1	0	0	0
TOTAL HIV & AIDS	1	0	1	0	0	0	1	0	0	0
MARY FRANCES CENTER (4810)										
AIDS	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	1	0	1	0	0	0	1	0	0	0
HIV	3	0	3	0	0	1	2	0	0	0
TOTAL HIV & AIDS	4	0	4	0	0	1	3	0	0	0
DAPP IMPACT EAST (5451)										
HIV	1	0	1	0	0	0	1	0	0	0
[redacted] HIV & AIDS	1	0	1	0	0	0	1	0	0	0

AC[redacted] - STATEWIDE

FACILITY / TYPE	TOTAL	15-24	25-44	45-64	65+	WHITE	BLACK	INDIAN	ASIAN	OTHER
AIDS	168	4	139	25	0	24	142	1	0	1
AIDS/HTB	3	0	2	1	0	0	3	0	0	0
AIDS/HOTT	1	0	1	0	0	0	1	0	0	0
TOTAL AIDS	172	4	142	26	0	24	146	1	0	1
HIV	349	16	305	27	1	47	290	9	0	3
TOTAL HIV & AIDS	521	20	447	53	1	71	436	10	0	4

Handout #

N.C. Department of Correction
Permanent Positions From Contractual Funds
From the Time Period of January 1, 1997 - November 30, 1997

Approval Date	606 #	Position Title	Position #	Annual Budgeted Salary	Fringe on Salaries	Total Salary & Fringes	Est Malprac Insurance	Total Sal, Fringe Insur	Annual $ Cancelled Contracts	Cost Reduction
16-Jan-97	120086	Dental Assistant	70251	19,486						
16-Jan-97	120086	Dental Hygienist I	70252	26,480						
16-Jan-97	120086	Dental Assistant	53568	19,486						
16-Jan-97	120086	Dentist II	53567	56,348						
16-Jan-97	120086	Staff Nurse	44344	30,046						
16-Jan-97	120086	Pharmacy Technician	14220	18,735						
16-Jan-97	120086	Pharmacist II	14219	42,676						
16-Jan-97	120086	Physician III-B	14017	106,150						
16-Jan-97	120086	Physician III-B	14016	106,150						
TOTAL 120086				425,557	94,267	519,824	6,550	526,374	537,639	11,265
16-Jan-97	120080	Pharmacy Clin Spec. I	14218	46,759	10,377	57,136	0	57,136	69,500	12,364
16-Jan-97	120086	Dentist II	70250	56,348	12,149	68,497	550	69,047	62,400	(6,647)
20-Mar-97	120098	Physician III-A	10208	96,333						
20-Mar-97	120098	Physician III-A	10207	96,333						
TOTAL 120098				192,666	39,077	231,871	6,000	237,743	231,816	(5,927)
30-Sep-97	120008	Physician III-A	31078	96,333	19,538	115,871	3,000	118,871	125,453	6,582
30-Sep-97	120005	Physician III-B	32800	106,150						
30-Sep-97	120005	Physician Extender III	14026	49,776						
30-Sep-97	120005	Physician III-A	14025	96,333						
TOTAL 120005				252,259	51,825	304,084	8,600	312,684	264,126	(48,558)
30-Sep-97	120008	Physician Extender III	31079	49,776						
30-Sep-97	120008	Physician III-A	31077	$96,333						
TOTAL 120008				$146,109	$30,473	$176,582	$5,600	182,182	$225,000	42,818
GRAND TOTAL										$11,896

Handout #15

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 12/17/97

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Bryce Morrison	IBM Corp.
Rick Webb	NC Department of Commerce Information Resource Management Staff
D. Denny McGuire	NC - Commerce Information Resource Mgmt.
R Powell	AOC
[illegible]	AOC
John Taylor	AOC
Richard Sitts	AOC
Chuck Crown	OSPL
Charles Fegley	NC - Commerce Information Resource Mgt
Jeanne Bonds	AOC
Joe Stewart	

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 12/17/97

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Patricia Reeves	NCACC
Fred Aikens	DOC
Bunny Hunting	OSBM
NANCY LOWE	DOC (CJPP)
RANDELL WOODRUFF	LEE COUNTY
Chris MARKS	AOC
Spence Flaggs	State Const Office
Alan Shaye	State Construction
Ronnie Ford	State Construction

HOUSE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY - INTERIM MEETING
Thursday, December 18, 1997 9:00am
Room 612, Legislative Office Building

I. **CALL TO ORDER**
Chairmen: Representative Larry Justus, Presiding
Representative Gregg Thompson
Representative Joe Kiser

II. **PRESENTATIONS – (FOCUS: Victims Rights)**

1) **Follow-Up and Continued Discussion on Use of Public Service Announcements by the Department of Justice**

Alan Hirsch, Director
Consumer Protection Division
Department of Justice

2) **Victims Rights**

- **Victims Compensation Program (Federal and State Statutory Requirements; Procedures; Federal and State Funding; Admin. Costs)**

Gary Eichelberger, Director
Victims and Justice Services
Crime Control and Public Safety

- **Governor's Crime Commission (Review of Grants Funded by the Commission for Victim Programs)**

Rob Lubitz, Director
Governor's Crime Commission

- **Victims and Witness Services provided by District Attorney Offices**

Peg Dorer
District Attorney's Conference

- **Summary of House Bill 665**

Karen-Cochrane Brown, Research Division
Jim Mills, Fiscal Research Division

- **Status Report on Governor's Crime Commission Study to Define Domestic Violence**

  Rob Lubitz, Director
  Governor's Crime Commission

III. **OTHER BUSINESS**

IV. **ADJOURNMENT**

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
INTERIM STUDY 1997-98
December 18, 1997

House Members Present: [9] Representatives Justus, Thompson, Kiser, McCrary, Kinney, Redwine, Smith, Crawford, and Easterling

The House Appropriations Subcommittee on Justice and Public Safety met on Thursday, December 18, 1997, in Room 612 of the Legislative Office Building. Representative Justus called the meeting to order at 9:10 AM. Representative Justus announced that the House Appropriations Subcommittee on Justice and Public Safety will be working with the Victims Rights Bill in an effort to provide the best possible solution for victims of this state.

- Follow-up and Continued Discussion on Use of Public Service Announcements by the Department of Justice.

Alan Hirsch, Special Deputy Attorney General in the Consumer Protection section provided an update on the section's actions against telemarketing fraud in general and the settlement with the NC Troopers Association that funded a series of public service announcements by Mr. Easley, Attorney General. Representative Kiser questioned the fact that this committee had been told that the NC Troopers Association has about a hundred members when he received an estimate of five hundred members. Representative Kiser asked if the stop sticks had been purchased by the Troopers Association before the $300,000 settlement. Mr. Hirsch replied that the troopers association agreed to pay $300,000 for law enforcement an other charitable organizations. Representative Kiser stated he had been informed that the stop sticks had been donated by the Troopers Association and the name imprinted on them had been covered up. Phil Lyons replied that he was not aware of this. Joe Stewart, Department of Crime Control and Public Safety, responded that decals placed by the Troopers Association on the stop sticks were replaced with ones that said property of the Highway Patrol. **Representative Kiser asked if any other items were donated by the Troopers Association. Representative Kiser also asked for the date the stop sticks were delivered and if the highway patrol has purchased any other stop sticks.**

Representative Justus asked that Mr. Hirsch to answer these questions pertaining to the Troopers Associations settlement in writing.

- Victims Rights

- Victims Compensation Program (Federal and State Statutory Requirements; Procedures; Federal and State Funding; Admin. Costs)

Gary Eichelberger, Director, Victims Compensation Program, presented Attachment 1 – *Victim and Justice Services Division.* Mr. Eichelberger explained that the commission meets quarterly. The director can approve expenditures of up to $5000.00. Representative Justus asked for the amount of money "left over." Mr. Eichelberger said there was a two million dollar carryover with eight hundred thirty-eight claims left.

There was committee discussion of the rape examinations. Tom Keith, District Attorney, added that in Winston Salem they try to get nurses to do the rape exams for $500.00. Representative Justus asked the Conference of District Attorneys for a recommendation on rape examinations.

Governor's Crime Commission
(Review of Grants Funded by the Commission for Victim Programs)

Rob Lubitz, Director, Governor's Crime Commission, distributed Attachment 3 -- *Status Report on VOCA and VAWA Program Guidelines and Grants Awarded 1995-1997.* Mr. Lubitz explained that VOCA funds must be used for direct services to victims. Projects must utilize volunteers and demonstrate how volunteers can be use. Projects must demonstrate that they will coordinate their activities with other service providers. VOCA funds can not support treatment programs for abusers/offenders. VAWA (Violence Against Women Act) funds are used for

1. Training law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against women
2. To develop, train, or expand specialized units of law enforcement officers and prosecutors targeting violent crimes against women,
3. To develop and implement more effective police and prosecution policies, protocols, orders, and services specifically dedicated to preventing, identifying, and responding to violent crimes against women;
4. To develop, install, or expand data collection and communication systems
5. To develop, enlarge, or strengthen victim service programs
6. Developing programs addressing stalking
7. Develop or expanding programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women.

Representative Justus asked for a list of grants awarded. Representative Justus also requested a copy of the Council on the Status of Women grants related to victims. Representative Kiser requested a list of all funds for domestic violence in North Carolina. Mr. Lubitz provided committee members with Attachments 4 and 5 -- *Currently Active VOCA Grants and Currently Active VAWA Grants.*

Victim and Witness Services provided by the District Attorney Offices

Representative Justus recognized Peg Dorer, District Attorney's Conference, for this presentation. Ms. Dorer distributed Attachment 6 -- *Victim Witness Assistant Program Report* –to committee members. Ms. Dorer reported that 47487 victim impact statements were distributed and 2300 were received. A full report on the victim impact statements will be available in February of 1998. Ms. Doerr continued that the Conference of District Attorney's hopes to receive grant funding from the Administrative Office of the Courts for a study on the analysis of victims' rights and public education for victims.

Summary of House Bill 665

Karen-Cochrane Brown, Research Division, proceeded with this report. Attachment 7 -- HB 665 Crime Victims Rights Act -- Summary of Legislative History, Attachment 8 HB 665. Attachment 9 -- HB 665 -- Crime Victims' Rights Act, and Attachment 10 -- Senate Bill 438 -- were distributed. Representative Redwine asked if the Fair Treatment Act could be amended to cover the necessary language requirement for the Victims' Rights Act. Ms. Brown replied that this could be done. Representative Thompson remarked that is most of the requirements are included in current statutes, these statutes could be amended and HB 665 would not be needed.

At 12:15 PM the committee recessed for lunch.

Representative Justus reconvened the committee at 1:30 PM. Karen Cochrane-Brown completed her review.

Representative Thompson stated that the Highway Patrol named two Lt. Cols. Today. There have never been two Lt. Cols. Before. He requested that this be explained at the next meeting.

Status Report on Governor's Crime Commission Study to Define Domestic Violence

Rob Lubitz, distributed Attachment 11 -- *Status Report on the Domestic Violence Study Committee.* Mr. Lubitz explained that the committee to study domestic violence has held two meetings. The committee has reviewed the definition of domestic violence used by other states. Representative Kiser asked Tom Keith, District Attorney, if he would provide this committee with a count of the number of domestic violence cases in his county. Mr. Keith will provide this information.

Representative Justus announced that the next committee meetings will be January 20, 21, and 22, 1998. The meeting was adjourned at 2:35 PM.

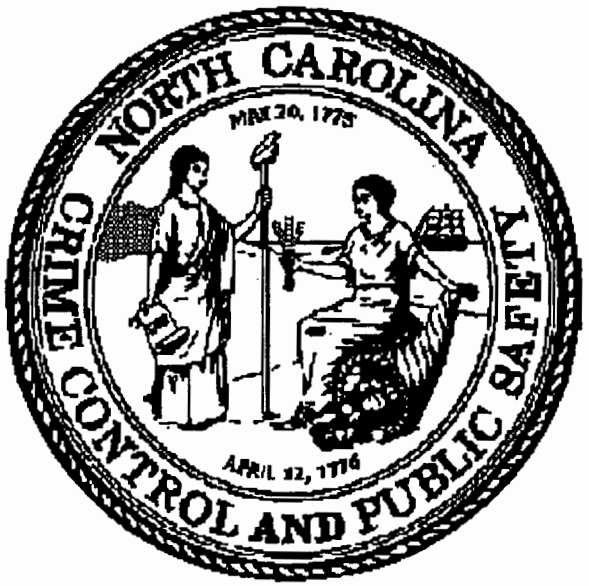
Larry Justus Carolyn Justus

Representative Larry Justus
Chairman

Carolyn Justus
Committee Clerk

N.C. Department of Crime Control and Public Safety

Victim and Justice Services Division



12-18-97
ATT. 1

NORTH CAROLINA BENEFITS

VICTIMS COMPENSATION	RAPE ASSISTANCE PROGRAM
$20,000 - maximum	Up to $500.00
$ 3,500 - Funeral expense-maximum	Paid directly to Medical Provider
$23,500 Total	for Forensic Exam

NOTE: THERE ARE SOME DIFFERENCES IN ELIGIBILITY REQUIREMENTS FOR BOTH THESE PROGRAMS.

Organization Information (G.S. 15B)

VICTIMS COMPENSATION ELIGIBILITY

A person who believes he or she is a victim of a crime which involved the use of force or threat of force and which resulted in personal injury and/or loss of income may make application to the Commission for an award. Dependents (claimants) of homicide victims may make application to the Commission.

Specific statutory requirements for eligibility are:

1. The crime must have been committed in North Carolina after August 13, 1987.

2. A North Carolina resident who is a crime victim in another state which does not have a crime victim compensation program may file a claim with the North Carolina Crime Victims Compensation Commission.

3. The incident must have been reported to law enforcement officials within 72 hours unless there was a valid reason for a later reporting.

4. The victim/claimant must cooperate with law enforcement officials in the investigation and prosecution.

5. Losses for medical and other related services must exceed $100.00 and not have been reimbursed from other sources, which include but are not limited to health insurance, sick leave pay by employer, disability insurance, worker's compensation, social

security, medicare or medicaid, restitution or a civil suit.

6. A claim must be filed within one year of the date the crime occurred.

7. Claims arising from victims of drunken driving, after October 1, 1990, and hit and run cases after April 1, 1997.

8. Economic loss must be incurred within one year of the date of the crime unless the victim was ten years old or younger at the time of the crime in which case the economic loss must be incurred within two years of the date of the crime.

9. Funeral expenses up to $3,500 and there is no longer a collateral source to disqualify reimbursements, effective April 1, 1997.

10. Acts of terrorism against citizens of N. C. outside the U. S.

RESTRICTIONS PLACED ON THE PROGRAM BY FEDERAL LEGISLATION TO BE ELIGIBLE FOR VOCA MATCH MONEY

There are very few restrictions placed on the program by Federal Legislation— they are:

11. NC must pay for acts of terrorism against citizens of North Carolina for acts of terrorism committed against them while outside of the United States --

2. NC must pay for innocent victims of crime involving Driving While Impaired--

3. NC must pay for innocent victims whether there is a criminal conviction or not--

4. NC must pay for any innocent victim victimized in North Carolina that may be visiting or traveling through our state when they are victimized--

5. NC must pay for any innocent victims that are a citizen of North Carolina that is victimized in another state if that state does not have a program. Today, Nevada is the only state that does not pay for victims from another state. They will begin doing that in March of 1998.

Organization Information

VICTIM COMPENSATION PROHIBITIONS

The following victims or persons are statutorily not eligible to receive benefits:

1. The crime was not reported to law enforcement agency within 72 hours.
2. The victim/claimant failed or refused to cooperate substantially with appropriate law enforcement officials.
3. The claimant was the offender or accomplice of the offender.
4. The claimant was a victim of a criminal attack while confined in a prison or other correctional facility.
5. The victim's misconduct contributed to the incident.
6. The claim arises only out of a motor vehicle violation other than drunk driving or hit and run.
7. The claim was not received in the Division within one year from the date the crime occurred.

Organizational Information

Maximum Award/Emergency Awards/Supplemental Awards:

The maximum award a victim may receive is $20,000 in addition to allowable funeral, cremation, and burial expenses. Emergency awards not exceeding $5,000 may be awarded by the Director.

Compensable Expenses:

- Medical care
- Rehabilitation
- Medically-related property
- Remedial treatment and care
- Funeral, cremation, and burial costs, including transportation of a body, but excluding expenses for flowers, gravestone and other expenses not directly related to the funeral service, not to exceed $3,500.
- Replacement services for those which an injured or deceased victim would have performed for himself and/or his family had he/she not been injured or killed, not to exceed $200 and 26 weeks from the date of injury/death.
- Loss of earnings not to exceed $200 per week for 26 weeks from the date of injury upon proof of gainful employment at the time of injury

Ineligible Expenses:

- Property loss or damage
- Non-economic detriment including pain and suffering, inconvenience, physical impairment, and other non-pecuniary damage
- Crime scene clean up

ADDRESS LIST
BOARD MEMBERS
AS OF JUNE 30, 1996

Mr. A. A. Adams
P. O. Box 426
Grifton, N. C. 28530

Member (Elected Chairman by the Commission
Appointed by Governor 1995
Term expires 6-30-99

Mr. Louis Pippin
Route 1, Box 182-A
Grifton, N. C. 28530

Member
Appointed by Speaker of House 1995
Term expires 6-30-99

Mr. William A. Dudley
Deputy Secretary
Crime Control & Public Safety
P. O. Box 27687
512 N. Salisbury Street
Raleigh, N. C. 27611

Member
Delegate of statutory ex officio member (Secretary of Crime Control and Public Safety)

Mr. Mark Donaldson
P. O. Box 1159
Pittsboro, N. C. 27312

Member
Appointed by Lt. Governor 1995
Term expires 6-30-99

Ms. Ellen Scouten
Special Deputy Attorney General
Raney Building - 3rd Floor
104 Fayetteville Street Mall
Raleigh, N. C. 27602

Member
Delegate of statutory ex officio member (Attorney General)

Victim and [redacted] Services
Department of Crime Control and Public Safety
Funding for Victims Compensation Program

	FY 94/95	FY95/96	FY96/97
Claims Pending Beginning Report Period	1,919	1,327	848
Claims Received	1,796	1,818	1,993
Sum of Line 1 and Line 2	3,715	3,145	2,841
Claims Approved	1,166	1,251	1,079
Claims Not Approved	828	768	735
Total Decisions	1,994	2,019	1,814
Claims Pending - September 30	1,660	785	715
Processing Time: # Weeks from Receipt to Decision	1 Year	10 Months	6 Months
Average Weeks from Decision to Payment	1 Week	2 weeks	2 weeks
Average Amount Paid Per Claim	$3,291	$3,403	$3,659
Number Emergency Payments	0	11	7
$ Amount	0	$ 7,000	$ 9,000

Payment by Crime:	# Claims	$ Paid	# Claims	$ Paid	# Claims	$ Paid
1. Assault	521	$ 2,564,045	467	$ 2,282,354	509	$ 2,507,071
2. Homicide	272	$ 603,488	292	$ 595,141	205	$ 475,179
3. Sexual Assault	126	$ 199,635	87	$ 143,963	86	$ 108,257
4. Child Abuse	146	$ 148,353	78	$ 84,377	71	$ 84,552
5. Child Physical Abuse	0	$ -	0	$ -	0	$ -
6. Domestic Violence	100	$ 3,312,424	200	$ 721,941	96	$ 313,129
7. DWI	1	$ 9,312	5	$ 6,702	8	$ 53,774
8. Other	0	$ -	17	$ 66,039	11	$ 66,223
TOTAL	1,166	$ 3,837,257	1,146	$ 3,900,517	986	$ 3,608,185

Expenses Paid			
1. Medical	$ 2,779,774	$ 2,721,835	$2,592,737.00
2. Mental Health	$ 92,562	$ 82,154	$82,590
3. Economic Support	$ 322,065	$ 332,593	$411,031
4. Funeral	$ 642,856	$ 763,935	$521,827
Forensic Evidence Collection Kits	$ 126,131	$ 98,818	$90,652

FUNDING FOR VICTIMS COMPENSATION PROGRAM

	FY 97/98	FY 96/97	FY 95/96
ADMINISTRATIVE COSTS ****	$361,632	$348,632	$301,118
State Appropriation	$2,000,000	$2,000,000	$2,000,000
Rape Assistance P rogram	$158,422	$158,422	$158,422
Prison Industries 5% *		$293,322	$507,143
Prison Canteen 5% *		$430,110	
VOCA Match 40%**	$943,000	$1,112,000	$1,524,000
		$4,342,486	$4,189,565

FUNDS AVAILABLE - FY 97/98

State Appropriation:	$2,000,000
Rape Program	$158,422
VOCA Match **	$500,000
Carry Over State Funds ***	$2,000,000
	$4,658,422

* Unknown at this time
**To be Received January, 1998
***As of July 1, 1997
****Salaries, Equipment, Supplies

COMMISSION EXPENDITURES	$	1,318	$	1,446

Att. 2
12-18-97

BY FUND, BY COUNTY

FU	NAME		TOTAL CHECKS WRITTEN
CV	ALAMANCE		
		TOTAL	18,203.73
		COUNT 10	
CV	ALEXANDER		
		TOTAL	20,000.00
		COUNT 1	
CV	ANSON		
		TOTAL	7,506.22
		COUNT 3	
CV	AVERY		
		TOTAL	4,805.92
		COUNT 4	
CV	BEAUFORT		
		TOTAL	44,570.38
		COUNT 12	
C	BERTIE		
		TOTAL	11,929.01
		COUNT 3	
CV	BLADEN		
		TOTAL	40,229.94
		COUNT 5	
CV	BRUNSWICK		
		TOTAL	20,209.78
		COUNT 7	
CV	BUNCOMBE		
		TOTAL	64,167.48
		COUNT 25	
CV	BURKE		
		TOTAL	34,685.94
		COUNT 3	
CV	CABARRUS		
		TOTAL	41,667.79
		COUNT 7	

FUND	NAME		TOTAL CHECKS WRITTEN
CV	CALDWELL		
		TOTAL	17,024.99
		COUNT 4	
CV	CARTERET		
		TOTAL	39,025.06
		COUNT 4	
CV	CASWELL		
		TOTAL	2,544.11
		COUNT 2	
CV	CATAWBA		
		TOTAL	82,580.80
		COUNT 10	
CV	CHATHAM		
		TOTAL	6,720.78
		COUNT 5	
CV	CHEROKEE		
		TOTAL	18,855.83
		COUNT 3	
CV	CHOWAN		
		TOTAL	3,305.46
		COUNT 2	
CV	CLAY		
		TOTAL	4,000.00
		COUNT 2	
CV	CLEVELAND		
		TOTAL	55,129.92
		COUNT 12	
CV	COLUMBUS		
		TOTAL	69,573.92
		COUNT 21	
CV	CRAVEN		
		TOTAL	6,829.57
		COUNT 4	

FU	NAME		TOTAL CHECKS WRITTEN
CV	CUMBERLAND		
		TOTAL	287,436.27
		COUNT 70	
CV	CURRITUCK		
		TOTAL	412.00
		COUNT 1	
CV	DARE		
		TOTAL	2,083.13
		COUNT 3	
CV	DAVIDSON		
		TOTAL	43,156.78
		COUNT 16	
CV	DAVIE		
		TOTAL	20,245.00
		COUNT 2	
	DUPLIN		
		TOTAL	25,301.13
		COUNT 9	
CV	DURHAM		
		TOTAL	148,944.73
		COUNT 38	
CV	EDGECOMBE		
		TOTAL	63,695.90
		COUNT 19	
CV	FORSYTH		
		TOTAL	165,548.35
		COUNT 35	
CV	FRANKLIN		
		TOTAL	58,461.23
		COUNT 6	
CV	GASTON		
		TOTAL	52,893.35
		COUNT 12	

FUND	NAME		TOTAL CHECKS WRITTEN
CV	GRANVILLE		
		TOTAL	3,445.65
		COUNT 2	
CV	GREENE		
		TOTAL	31,274.34
		COUNT 4	
CV	GUILFORD		
		TOTAL	317,386.55
		COUNT 93	
CV	HALIFAX		
		TOTAL	29,588.25
		COUNT 5	
CV	HARNETT		
		TOTAL	5,711.43
		COUNT 4	
CV	HAYWOOD		
		TOTAL	374.64
		COUNT 1	
CV	HENDERSON		
		TOTAL	137.10
		COUNT 1	
CV	HERTFORD		
		TOTAL	1,512.54
		COUNT 2	
CV	HOKE		
		TOTAL	37,020.33
		COUNT 5	
CV	IREDELL		
		TOTAL	82,933.33
		COUNT 17	
CV	JACKSON		
		TOTAL	6,125.32
		COUNT 1	

BY FUND, BY COUNTY

FU	NAME		TOTAL CHECKS WRITTEN
CV	JOHNSTON		
		TOTAL	52,371.87
		COUNT 11	
CV	LEE		
		TOTAL	13,059.04
		COUNT 7	
CV	LENOIR		
		TOTAL	67,315.17
		COUNT 15	
CV	MACON		
		TOTAL	1,339.00
		COUNT 2	
CV	MARTIN		
		TOTAL	37,454.89
		COUNT 3	
C	MCDOWELL		
		TOTAL	1,338.20
		COUNT 2	
CV	MECKLENBURG		
		TOTAL	344,883.60
		COUNT 84	
CV	MITCHELL		
		TOTAL	277.64
		COUNT 1	
CV	MOORE		
		TOTAL	4,721.68
		COUNT 5	
CV	NASH		
		TOTAL	77,785.35
		COUNT 16	
CV	NEW HANOVER		
		TOTAL	72,626.31
		COUNT 22	

BY FUND, BY COUNTY

FUND	NAME		TOTAL CHECKS WRITTEN
CV	NORTHAMPTON		
		TOTAL	11,927.10
		COUNT 3	
CV	ONSLOW		
		TOTAL	24,189.53
		COUNT 10	
CV	ORANGE		
		TOTAL	41,593.02
		COUNT 7	
CV	PASQUOTANK		
		TOTAL	12,372.32
		COUNT 4	
CV	PENDER		
		TOTAL	3,576.75
		COUNT 3	
CV	PERSON		
		TOTAL	3,841.14
		COUNT 4	
CV	PITT		
		TOTAL	50,121.91
		COUNT 30	
CV	POLK		
		TOTAL	4,357.62
		COUNT 3	
CV	RANDOLPH		
		TOTAL	46,985.37
		COUNT 8	
CV	RICHMOND		
		TOTAL	14,181.32
		COUNT 6	
CV	ROBESON		
		TOTAL	38,745.22
		COUNT 9	

FUND	NAME		TOTAL CHECKS WRITTEN
CV	ROCKINGHAM		
		TOTAL	42,896.98
		COUNT 10	
CV	ROWAN		
		TOTAL	40,708.66
		COUNT 11	
CV	RUTHERFORD		
		TOTAL	27,258.15
		COUNT 5	
CV	SAMPSON		
		TOTAL	41,117.15
		COUNT 8	
CV	SCOTLAND		
		TOTAL	19,169.53
		COUNT 5	
CV	STOKES		
		TOTAL	9,265.00
		COUNT 3	
CV	SURRY		
		TOTAL	6,601.94
		COUNT 4	
CV	SWAIN		
		TOTAL	3,216.60
		COUNT 1	
CV	TRANSYLVANIA		
		TOTAL	26,139.34
		COUNT 4	
CV	TYRELL		
		TOTAL	1,863.98
		COUNT 1	
CV	UNION		
		TOTAL	8,213.25
		COUNT 3	

FUND	NAME		TOTAL CHECKS WRITTEN
CV	VANCE		
		TOTAL	54,655.90
		COUNT 9	
CV	WAKE		
		TOTAL	102,186.41
		COUNT 22	
CV	WARREN		
		TOTAL	2,781.24
		COUNT 2	
CV	WASHINGTON		
		TOTAL	37,824.69
		COUNT 3	
CV	WATAUGA		
		TOTAL	4,845.13
		COUNT 5	
CV	WAYNE		
		TOTAL	66,280.93
		COUNT 16	
CV	WILKES		
		TOTAL	5,427.86
		COUNT 3	
CV	WILSON		
		TOTAL	116,964.03
		COUNT 24	
CV	YADKIN		
		TOTAL	849.95
		COUNT 1	
CV	YANCEY		
		TOTAL	9,291.20
		COUNT 3	
CV			
		FUND CV TOTALS	
		TOTAL	3,549,875.95
		COUNT 893	

QUERY "PDLASTFYR"

FUND	NAME		TOTAL CHECKS WRITTEN
RV	ALAMANCE		
		TOTAL	758.75
		COUNT 2	
RV	ALEXANDER		
		TOTAL	177.00
		COUNT 1	
RV	BEAUFORT		
		TOTAL	94.00
		COUNT 1	
RV	BLADEN		
		TOTAL	162.00
		COUNT 1	
RV	BRUNSWICK		
		TOTAL	120.00
		COUNT 1	
RV	BUNCOMBE		
		TOTAL	5,735.08
		COUNT 20	
RV	BURKE		
		TOTAL	415.84
		COUNT 1	
RV	CABARRUS		
		TOTAL	208.00
		COUNT 1	
RV	CARTERET		
		TOTAL	330.00
		COUNT 1	
RV	CATAWBA		
		TOTAL	1,003.15
		COUNT 3	
RV	CHATHAM		
		TOTAL	280.00
		COUNT 1	

FUND	NAME		TOTAL CHECKS WRITTEN
RV	CHOWAN		
		TOTAL	55.00
		COUNT 1	
RV	CUMBERLAND		
		TOTAL	5,991.19
		COUNT 20	
RV	DARE		
		TOTAL	135.00
		COUNT 1	
RV	DAVIDSON		
		TOTAL	336.05
		COUNT 2	
RV	DURHAM		
		TOTAL	4,631.80
		COUNT 10	
RV	EDGECOMBE		
		TOTAL	500.00
		COUNT 1	
RV	FORSYTH		
		TOTAL	2,000.00
		COUNT 5	
RV	FRANKLIN		
		TOTAL	500.00
		COUNT 1	
RV	GASTON		
		TOTAL	500.00
		COUNT 1	
RV	GATES		
		TOTAL	350.00
		COUNT 1	
RV	GUILFORD		
		TOTAL	12,373.76
		COUNT 36	

FUND	NAME		TOTAL CHECKS WRITTEN
RV	HARNETT		
		TOTAL	300.00
		COUNT 1	
RV	HAYWOOD		
		TOTAL	500.00
		COUNT 1	
RV	IREDELL		
		TOTAL	500.00
		COUNT 1	
RV	JACKSON		
		TOTAL	954.80
		COUNT 4	
RV	JOHNSTON		
		TOTAL	1,346.00
		COUNT 3	
	LEE		
		TOTAL	500.00
		COUNT 1	
RV	LENOIR		
		TOTAL	447.00
		COUNT 3	
RV	MCDOWELL		
		TOTAL	125.30
		COUNT 1	
RV	MECKLENBURG		
		TOTAL	5,529.31
		COUNT 15	
RV	NEW HANOVER		
		TOTAL	1,058.48
		COUNT 4	
RV	ONSLOW		
		TOTAL	500.00
		COUNT 1	

FUND	NAME		TOTAL CHECKS WRITTEN
RV	ORANGE		
		TOTAL	500.00
		COUNT 1	
RV	PASQUOTANK		
		TOTAL	246.97
		COUNT 1	
RV	PENDER		
		TOTAL	1,148.81
		COUNT 3	
RV	PITT		
		TOTAL	6,302.93
		COUNT 20	
RV	RANDOLPH		
		TOTAL	445.50
		COUNT 2	
RV	RICHMOND		
		TOTAL	208.00
		COUNT 1	
RV	ROBESON		
		TOTAL	1,056.64
		COUNT 4	
RV	ROCKINGHAM		
		TOTAL	814.87
		COUNT 4	
RV	ROWAN		
		TOTAL	708.00
		COUNT 2	
RV	SAMPSON		
		TOTAL	144.00
		COUNT 1	
RV	SCOTLAND		
		TOTAL	459.47
		COUNT 1	

FUND	NAME		TOTAL CHECKS WRITTEN
RV	STANLEY		
		TOTAL	370.00
		COUNT 1	
RV	STOKES		
		TOTAL	400.00
		COUNT 1	
RV	SWAIN		
		TOTAL	240.00
		COUNT 1	
RV	WAKE		
		TOTAL	17,356.96
		COUNT 40	
RV	WATAUGA		
		TOTAL	500.00
		COUNT 1	
	WAYNE		
		TOTAL	1,174.00
		COUNT 3	
RV	WILSON		
		TOTAL	2,785.00
		COUNT 8	
RV			
		FUND RV TOTALS	
		TOTAL	83,278.66
		COUNT 242	

FUND	NAME	TOTAL CHECKS WRITTEN
	GRAND TOTALS	
	TOTAL	3,633,154.61
	COUNT 1,135	

* * * E N D O F R E P O R T * * *

ATT. 3
12-18-97

GOVERNOR'S CRIME COMMISSION

STATUS REPORT ON VOCA AND VAWA PROGRAM GUIDELINES AND GRANTS AWARDED 1995-1997

PRESENTED TO THE JUSTICE AND PUBLIC SAFETY SUBCOMMITTEE OF THE APPROPRIATIONS COMMITTEE

DECEMBER 18, 1997

VICTIMS OF CRIME ACT
(VOCA)

In 1982, President Ronald Reagan recognized many inequities in the criminal justice system's treatment of our Nation's victims and, therefore, established the President's Task Force on Victims of Crime. Among the recommendations for Federal action was for Congress to enact legislation to provide Federal funding to assist Federal, State, local, and private nonprofit victim advocate and victim/witness agencies to provide services to innocent victims of crime. This recommendation became a reality with the enactment of the Victims of Crime Act of 1984.

The primary purposes of these grants are to supplement State and local efforts to provide services to crime victims throughout the Nation and to encourage victim participation and cooperation in the criminal justice system.

The Victims of Crime Act guidelines require that each state allocate a minimum of 30% of each year's award (10% to each group) to victims of sexual assault, domestic violence, and child abuse.

VOCA funds **must be used** for direct services to victims. Projects **must utilize volunteers** and demonstrate how volunteers will be used. Projects **must demonstrate** that they will coordinate their activities with other service providers, and assist victims in seeking available crime victim compensation benefits. Although funds must be for direct services, a portion of each agency's funding request can include funds to support community education and awareness. VOCA funds can not support treatment programs for abusers/offenders.

The following are the approved priority strategies for 1998/1999 VOCA funds:

- Projects serving victims of domestic violence, sexual assault and/or child abuse based on the availability of existing services in your local area.

- Eastern Band of Cherokees

- Projects using the multi-disciplinary team concept at the local level such as:
  - Child sexual abuse projects
  - Child physical abuse projects

- Projects serving the * under served victim population.

- Victim service projects / advocates in law enforcement agencies serving a wide range of crime victims.

- Projects that provide system wide victims' advocates.

* As amended in 1988, the Victims of Crime Act requires states to provide at least 10% of each year's award for services to previously under served victim populations. These under served victims may include but are not limited to:

- Survivors of Homicide Victims
- Elder Abuse Victims **
- DWI Victims
- Federal Crime Victims ***
- Adult Survivors of Incest

Previously under served victims can also refer to service gaps to a certain victim population. With this in mind, priority will also be given to programs with the greatest showing of need based on the availability of existing services in the area served.

** For the purpose of this program, elder abuse is defined as the mistreatment of older persons through physical, sexual, or psychological violence, neglect, or economic exploitation and fraud.

*** For the purpose of this program, a victim of federal crime is a victim of an offense that violates a federal criminal statute or regulation. Federal crimes also include crimes that occur in an area where the federal government has jurisdiction.

Agencies requesting funds are required to provide a matching share equal to 20% of the total project budget. Match may consist of cash or in-kind contributions and may be provided by either the applicant or the implementing agency.

Violence Against Women Act
(VAWA)
S.T.O.P. (Services-Training-Officers-Prosecutors) Program

The Violence Against Women Act (VAWA)was signed by President Bill Clinton as part of the 1994 Crime Bill. The S.T.O.P. program encourages the development and implementation of effective law enforcement and prosecution strategies to combat violent crimes against women and the development and enhancement of victim services in cases involving violent crimes against women.

Additionally, the goal of this program is to restructure and strengthen the criminal justice system's response to be proactive in addressing violence against women.

At least 25 percent of the amount granted must be allocated, without duplication to each of the following three areas: law enforcement, prosecution, and victim service agencies. The remaining 25 percent is allocated at the discretion of the Governor's Crime Commission and the Violence Against Women Committee.

Grants funded under this Program must meet one or more of the following purposes:

1) training law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against women, including sexual assault and domestic violence

2)* developing, training, or expanding specialized units of law enforcement officers and prosecutors targeting violent crimes against women, including sexual assault and domestic violence

3)* developing and implementing more effective police and prosecution policies, protocols, orders, and services specifically dedicated to preventing, identifying, and responding to violent crimes against women, including sexual assault and domestic violence

4) developing, installing, or expanding data collection and communication systems, including computerized systems, including computerized systems that link police, prosecutors, and courts or that are designed to identify and track arrests, protection orders, prosecutions, and convictions for violent crimes against women, including sexual assault and domestic violence

5)* developing, enlargening, or strengthening victim service programs, including sexual assault and domestic violence programs; developing or improving delivery of victim services to racial, cultural, ethnic, and language minorities; providing specialized domestic violence advocates in courts where a significant number of protection orders are granted; and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including sexual assault and domestic violence

6) developing, enlargening, or strengthening programs addressing stalking

7) developing, enlargening, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including sexual assault and domestic violence

* Approved priority strategies for 1998/1999 VAWA funds

In general, grants under this program may support personnel, training, technical assistance, evaluation, data collection, and equipment costs to enhance the apprehension, prosecution, and adjudication of persons committing violent crimes against women.

Applicants are required to provide a matching share equal to 25% of the total project budget. Match can consist of cash or in-kind contributions and may be provided by either the applicant or the implementing agency. Nonprofit, nongovernmental victim service agencies are exempt from the match requirement and can apply directly for these funds.

DISTRIBUTION OF VICTIMS OF CRIME ACT (VOCA) AND VIOLENCE AGAINST WOMEN ACT (VAWA) GRANT FUNDING IN NORTH CAROLINA (1995-1997)

YEAR	VOCA FUNDING AWARDED TO NORTH CAROLINA	VAWA FUNDING AWARDED TO NORTH CAROLINA
1995	$ 2,018,000.	$ 426,000.00
1996	$ 3,306,000.	$2,964,000.00
1997	$10,475,000.	$3,332,000.00

VOCA Funding By Priority (1995-1997)

PRIORITY	# OF PROPOSALS	$ AMOUNT
Victims of Domestic Violence	95	$5,606,602.
Victims of Sexual Assault	55	$2,845,706.
Victims of Child Abuse	31	$2,170,879.
Eastern Band of Cherokees	2	$ 108,094.
Projects That Notify Victims of Offender Status	4	$ 304,994.
Projects That Address Under Served Victim Population	23	$1,311,304.
Advocates in Law Enforcement/Prosecution	17	$1,343,010.

VAWA Funding By Priority (1995-1997)

PRIORITY	# OF PROGRAMS	$$ AMOUNT
Victim Service Agencies	50	$ 2,099,136.
Law Enforcement	21	$1,697,265.
Prosecution	15	$ 1,504,029.
Discretionary (SANE/SART Training, Training for LE and Courts, Interagency DV Council)	14	$ 451,454.

CURRENTLY ACTIVE VOCA GRANTS

Applicant/Imp. Agency/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Alamance						
County of Alamance	**7732**	110,611.20	110,176.00	110,176.00	VOCA 80%	This project will support staff to provide pre and pro-arrest assistance, support services, court preparation, counseling, child medical exams, and victims compensation claims assistance to child sexual abuse victims.
CROSSROADS: Sexual Assault Respon	001-1-97-003-V-053	0.00	0.00	0.00	7/1/97 - 6/30/98	
Crossroads Childrens Advocacy Center	003	110,611.20	110,176.00	110,176.00		
County of Alamance	**7735**	46,364.80	46,364.80	46,364.80	VOCA 80%	This project will provide individual counseling, group treatment, therapy, personal support, and referral services to child and adult victims of domestic violence.
Family Abuse Services of Alamance Cou	001-3-97-003-V-031	0.00	48,000.00	48,000.00	7/1/97 - 6/30/98	
Take Time for Children	003	46,364.80	94,364.80	94,364.80		
	County Totals:	156,976.00	204,540.80	204,540.80		
AOC						
Administrative Office of the Courts	**6628**			86,169.60	VOCA 80%	To establish a computer-based victim notification system and hotline to provide updates and case status to victims of crime.
District Attorney's Office	110-1-96-003-V-043			0.00	7/1/96 - 9/30/97	
Victim's Information Hotline	003			86,169.60		
Administrative Office of the Courts	**7610**	92,711.00	89,086.40	89,086.40	VOCA 80%	The Victim Response Team made up of three coordinators and volunteers would provide assistance with victim compensation, restitution and notification to victims of crime in Nashville, Wilson and Rocky Mount District Courts.
District Attorney's Office	110-1-97-003-V-041	76,636.16	76,636.00	76,636.00	7/1/97 - 6/30/98	
Victim Response Team	003	169,347.16	165,722.40	165,722.40		
Administrative Office of the Courts	**7613**	52,384.00	48,384.00	48,384.00	VOCA 80%	Victim Assistant hired by the District Attorney to focus on investigating and prosecuting incidents of child sexual abuse, caretaker exploitation and fraud against the elderly.
District Attorney's Office - 9A	110-1-97-003-V-043	42,202.40	41,806.40	41,806.40	7/1/97 - 6/30/98	
Child and Elderly Victim's Relief Program	003	94,586.40	90,190.40	90,190.40		
Administrative Office of the Courts	**7711**	287,673.52	104,249.60	104,249.60	VOCA 80%	This project will provide a variety of services to domestic violence victims and their children in Anson, Richmond, Stanly, and Union counties.
District Attorney's Office - 20th	110-1-97-003-V-089	0.00	98,987.20	98,987.20	7/1/97 - 6/30/98	
Victims First Program	003	287,673.52	203,236.80	203,236.80		
	County Totals:	551,607.08	459,149.60	545,319.20		
Beaufort						
County of Beaufort	**7768**	35,368.00	35,368.00	35,368.00	VOCA 80%	
Options, Inc.	007-2-97-003-V-004	0.00	0.00	0.00	7/1/97 - 9/30/98	
Parenting Skills Class and Child Advocat	003	35,368.00	35,368.00	35,368.00		
	County Totals:	35,368.00	35,368.00	35,368.00		
Brunswick						
County of Brunswick	**7637**	419,323.40	190,355.20	190,355.20	VOCA 80%	This project will establish a tri-county task force to provide enhanced services to victims of domestic violence to include a Victims Specialist, Detectives, and a Bi-Lingual investigator.
District Attorney's Office - 13th	010-1-97-003-V-073	397,684.90	184,000.00	184,000.00	7/1/97 - 6/30/98	
Family Triage Unit	003	817,008.30	374,355.20	374,355.20		
County of Brunswick	**7769**	36,773.60	36,773.60	36,773.60	VOCA 80%	
Hope Harbor Home, Inc.	010-2-97-003-V-011	0.00	0.00	0.00	7/1/97 - 6/30/98	
Children's Program	003	36,773.60	36,773.60	36,773.60		
	County Totals:	853,781.90	411,128.80	411,128.80		
Buncombe						
County of Buncombe	**7411**	42,694.40	42,690.40	42,690.40	VOCA 80%	A clinical counselor position will be added to the Child Abuse Center to provide assessments and counseling services to sexually/physically abused children.
Western NC Regional Child Abuse Ctr	011-1-97-003-V-050	40,616.00	40,616.00	40,616.00	7/1/97 - 6/30/98	
Clinical Counselor	003	83,310.40	83,306.40	83,306.40		

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Applicant/Imp[redacted]/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approve[redacted]	Awarded Y1/Y2	Source/Dates	Summary
County of Bunco[redacted]	**7423**	28,378.40	2[redacted]0	27,356.80	VOCA 80%	Children's Coordinator will provide ch[redacted]groups, play therapy, parenting skill clases and case management support for mothers and children during their shelter stay.
Helpmate, Inc	011-1-97-003-V-051	30,736.80	30,736.80	30,736.80	7/1/97 - 6/30/98	
Children's Program	003	59,115.20	58,093.60	58,093.60		
County of Buncombe	**7425**	56,800.00	56,857.60	58,697.60	VOCA 80%	This project will provide legal services in collaboration with Mainstay to DV victims in Buncombe, Henderson, Madison, Polk, Rutherford, and Transylvania counties.
Pisgah Legal Services	011-1-97-003-V-053	0.00	0.00	0.00	7/1/97 - 6/30/98	
Mountain Violence Protection Project	003	56,800.00	56,857.60	58,697.60		
County of Buncombe	**7528**	12,000.00	9,024.00	9,024.00	VOCA 80%	This project will provide equipment to upgrade the victim service area in the District Attorneys office for victims or survivors.
District Attorney's Office - 28th District	011-1-97-003-V-058	4,000.00	0.00	0.00	7/1/97 - 6/30/98	
District Attorney's Investigator	003	16,000.00	9,024.00	9,024.00		
County of Buncombe	**7643**	67,098.40	41,534.40	41,534.40	VOCA 80%	An Intake Case Manager and counselor will provide and coordinate crisis intervention and therapeutic services to victims of sexual assault and their families.
Rape Crisis Center - Buncombe	011-1-97-003-V-078	64,500.00	36,805.60	36,805.60	7/1/97 - 6/30/98	
Effective Direct Services	003	131,598.40	78,340.00	78,340.00		
	County Totals:	346,824.00	285,621.60	287,461.60		

Burke

County of Burke	**6626**	19,944.00	19,944.00	19,944.00	VOCA 80%	Funding will support hiring a court advocate to provide services to victims of domestic violence.
Options, Inc.	012-1-96-003-V-041	0.00	0.00	0.00	7/1/96 - 9/30/97	
Family Violence Court Advocate	003	19,944.00	19,944.00	19,944.00		
County of Burke	**7770**	22,549.60	22,528.00	22,528.00	VOCA 80%	
Options, Inc.	012-2-97-003-V-041	0.00	0.00	0.00	7/1/97 - 9/30/98	
Family Violence Court Advocate	003	22,549.60	22,528.00	22,528.00		
	County Totals:	42,493.60	42,472.00	42,472.00		

Cabarrus

City of Concord	**7771**	24,932.00	24,773.60	24,773.60	VOCA 80%	
Cabarrus Victims Assistance Network	013-4-97-003-V-062	0.00	0.00	0.00	7/1/97 - 8/31/98	
Services for Abused Teens	003	24,932.00	24,773.60	24,773.60		
	County Totals:	24,932.00	24,773.60	24,773.60		

Caldwell

County of Caldwell	**7817**	33,369.60	33,369.60	33,369.60	VOCA 80%	
Shelter Home of Caldwell County , Inc.	014-2-97-003-V-040	0.00	0.00	0.00	7/1/97 - 6/30/98	
Shelter Home Court Advocate	003	33,369.60	33,369.60	33,369.60		
	County Totals:	33,369.60	33,369.60	33,369.60		

Carteret

County of Carteret	**7158**	18,400.00	16,880.00	16,880.00	VOCA 80%	This project will provide training to Carteret, Craven and Pamlico County law enforcement, social service agencies and medical personnel on identification, investigation and evidence collection in child abuse cases. Additionally, the agency will provide direct services to child victims, including therapy, referrals and case management.
Carteret County Rape Crisis Program	016-1-97-003-V-012	0.00	0.00	0.00	7/1/97 - 6/30/98	
Child Sexual Abuse Training and Service	003	18,400.00	16,880.00	16,880.00		
	County Totals:	18,400.00	16,880.00	16,880.00		

Catawba

County of Catawba	**7628**	40,780.78	39,980.80	39,980.80	VOCA 80%	This project provides support groups, victim comp. assistance, and court advocacy services in addition to law enforcement training in Catawba and Alexander Counties.
Rape Crisis Center of Catawba County, I	018-1-97-003-V-066	42,819.82	41,979.20	41,979.20	7/1/97 - 6/30/98	
SAVE	003	83,600.61	81,960.00	81,960.00		
	County Totals:	83,600.61	81,960.00	81,960.00		

Applicant/Imp. /Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approve	Awarded Y1/Y2	Source/Dates	Summary
CC&PS						
Department of Crime Control and Public	**7826**	165,300.00	165,300.00	165,300.00	VOCA 80%	
GCC	130-1-96-ADM-V-501	0.00	0.00	0.00	10/1/96 - 9/30/97	
Administrative Funds - '96 VOCA	ADM	165,300.00	165,300.00	165,300.00		
Department of CCPS -External	**7614**	65,405.60	45,130.00	55,130.00	VOCA 80%	This project provides financial subsistence assistance to survivors of of homicide victims, enabling family members to attend the trial or sentencing of the accused.
NC-VAN	130-1-97-003-V-044	65,405.60	0.00	0.00	7/1/97 - 6/30/98	
Violent Crime Victim Subsistence Project	003	130,811.20	45,130.00	55,130.00		
Department of Crime Control and Public	**7863**	523,750.00	523,750.00	523,750.00	VOCA 80%	1997 VOCA Administrative Funds for the Governor's Crime Commission.
GCC	130-1-97-ADM-V-570	0.00	0.00	0.00	7/1/97 - 6/30/99	
'97 VOCA Admin. Funds	ADM	523,750.00	523,750.00	523,750.00		
	County Totals:	819,861.20	734,180.00	744,180.00		
Chatham						
County of Chatham	**7055**	36,024.00	36,384.00	36,384.00	VOCA 80%	This project will provide a bilingual victim advocate that will assist victims of crime with interpreting, translating, and resource referral service to the growing Hispanic population in Chatham County. This program will coordinate with law enforcement, DSS, the courts, etc., when attempting to provide the most effective services to victims.
Hispanic Liaison of Chatham County	019-1-97-003-V-001	37,460.80	38,468.80	38,468.80	7/1/97 - 6/30/98	
Bilingual Services to Hispanic Victims	003	73,484.80	74,852.80	74,852.80		
County of Chatham	**7603**	98,175.20	100,640.00	100,640.00	VOCA 80%	This project will provide shelter staff and a victim advocate to provide 24 hour crisis intervention, counseling, support groups and criminal justice assistance to domestic violence and sexual assault victims and their children.
Family Violence & Rape Crisis Services	019-1-97-003-V-036	102,102.40	104,666.40	104,666.40	7/1/97 - 6/30/98	
The Garden Place	003	200,277.60	205,306.40	205,306.40		
	County Totals:	273,762.40	280,159.20	280,159.20		
Cleveland						
City of Shelby	**7772**	40,176.00	39,696.00	39,696.00	VOCA 80%	
Cleveland County Abuse Prevention Cou	023-2-97-003-V-019	0.00	0.00	0.00	7/1/97 - 6/30/98	
Court Advocate/Court Advocate Asst.	003	40,176.00	39,696.00	39,696.00		
	County Totals:	40,176.00	39,696.00	39,696.00		
Columbus						
County of Columbus	**7165**	24,998.40	24,998.40	24,998.40	VOCA 80%	This project will provide direct services to domestic violence and sexual assault victims and their children. This program will also develop protocols for law enforcement and hospitals when responding to DV and sexual assault.
Families First, Inc.	024-1-97-003-V-014	0.00	0.00	0.00	7/1/97 - 6/30/98	
Families First , Inc.	003	24,998.40	24,998.40	24,998.40		
	County Totals:	24,998.40	24,998.40	24,998.40		
Craven						
County of Craven	**7159**	56,664.80	56,664.80	56,664.80	VOCA 80%	This project will provide court advocacy and shelter services to victims of domestic violence and their families in Craven, Jones, and Pamlico counties.
Coastal Women's Shelter, Inc.	025-1-97-003-V-013	0.00	59,792.00	59,792.00	7/1/97 - 6/30/98	
DV Court Advocate / Shelter Day & Night	003	56,664.80	116,456.80	116,456.80		
County of Craven	**7649**	70,146.40	69,718.40	69,718.40	VOCA 80%	An attorney and a paralegal will provide free legal services to DV victims referred to the staff by Coastal Women's Shelter and Carteret County DV Program.
Pamlico Sound Legal Services	025-1-97-003-V-083	72,935.20	0.00	0.00	7/1/97 - 6/30/98	
Domestic Violence Intervention and Prev	003	143,081.60	69,718.40	69,718.40		
County of Craven	**7773**	21,445.60	20,805.60	20,805.60	VOCA 80%	
Craven County Council on Women, Inc.	025-2-97-003-V-020	0.00	0.00	0.00	7/1/97 - 6/30/98	
Sexual Assault Assistance	003	21,445.60	20,805.60	20,805.60		

Applicant/Imp. /Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approve	Awarded Y1/Y2	Source/Dates	Summary
County of Craven	**7774**	28,411.79	28	28,102.40	VOCA 80%	
United Senior Services, Inc.	025-2-97-003-V-036	0.00	0.00	0.00	7/1/97 - 6/30/98	
Silver Crime Advocacy Program	003	28,411.79	28,102.40	28,102.40		
	County Totals:	249,603.79	235,083.20	235,083.20		
Cumberland						
County of Cumberland	**7205**	38,472.00	38,377.60	38,377.60	VOCA 80%	This project will provide enhanced services to primary victims, training to direct service providers, and train volunteers to facilitate support groups for secondary victims (non-offending parents).
Rape Crisis Volunteers of Cumberland	026-1-97-003-V-026	0.00	0.00	0.00	7/1/97 - 6/30/98	
Victim Wellness Project	003	38,472.00	38,377.60	38,377.60		
	County Totals:	38,472.00	38,377.60	38,377.60		
Dare						
County of Dare	**7204**	70,000.00	70,000.00	70,000.00	VOCA 80%	This project will provide enhanced crisis intervention services to domestic violence victims in Dare County.
Outer Banks Hotline, Inc.	028-1-97-003-V-025	70,000.00	70,000.00	70,000.00	7/1/97 - 6/30/98	
Brief Solution Focused Intervention and	003	140,000.00	140,000.00	140,000.00		
	County Totals:	140,000.00	140,000.00	140,000.00		
Davidson						
County of Davidson	**7811**	1,505.60	1,505.60	1,505.60	VOCA 80%	
Family Services of Davidson County	029-4-97-003-V-053	0.00	0.00	0.00	7/1/97 - 6/30/98	
DCDVS Sexual Assault Support Services	003	1,505.60	1,505.60	1,505.60		
	County Totals:	1,505.60	1,505.60	1,505.60		
Davie						
County of Davie	**7631**	42,889.60	42,689.60	42,689.60	VOCA 80%	A full time clinician will provide counseling and therapeutic services to children and their families who have been victimized by sexual abuse, neglect, exposure to DV, etc.
Family Services, Inc.	030-1-97-003-V-069	0.00	0.00	0.00	7/1/97 - 6/30/98	
Child Trauma Treatment Project	003	42,889.60	42,689.60	42,689.60		
County of Davie	**7731**	56,644.00	56,644.00	56,644.00	VOCA 80%	Funding will support two staff members to provide court advocacy, information and referral services, victim's compensation claims assistance, and advocacy services to domestic violence victims and their families. This project will also provide training to law enforcement and other criminal justice professionals who work with DV victims.
Davie Domestic Violence Services	030-1-97-003-V-090	67,336.00	67,336.00	67,336.00	7/1/97 - 6/30/98	
Davie Domestic Violence Services	003	123,980.00	123,980.00	123,980.00		
County of Davie	**7775**	53,863.20	53,172.00	56,875.00	VOCA 80%	Continuation of first year program to provide crisis intervention and other domestic violence services to victims and their families.
Davie County Sheriff's Department	030-2-97-003-V-054	0.00	0.00	0.00	7/1/97 - 6/30/98	
Davie Domestic Violence Services	003	53,863.20	53,172.00	56,875.00		
	County Totals:	220,732.80	219,841.60	223,544.60		
DOJ						
Department of Justice	**7615**	54,799.60	52,524.00	52,524.00	VOCA 80%	A Victim Assistant will be hired in the Attorney General's Office to provide services to victims of violent and property crimes that are received in the appellate, capital litigation, special prosecution and federal habeas corpus sections.
Justice Department	170-1-97-003-V-045	0.00	0.00	0.00	7/1/97 - 6/30/98	
Appellate Victim Assistant	003	54,799.60	52,524.00	52,524.00		
	County Totals:	54,799.60	52,524.00	52,524.00		
DOT						
Department of Transportation	**7167**	68,803.92	65,444.00	65,444.00	VOCA 80%	This project will provide direct services statewide to victims of impaired driving crashes in the 71 counties that MADD currently does not provide services. This program will also provide education/awareness training to communities and to system-wide advocates to provide improved victim services.
MADD - North Carolina	202-1-97-003-V-015	71,301.42	68,101.60	68,101.60	7/1/97 - 6/30/98	
Victim Services Coordinator	003	140,105.34	133,545.60	133,545.60		

Applicant/Imp. /Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approve	Awarded Y1/Y2	Source/Dates	Summary
	County Totals:	140,105.34	133	133,545.60		
Duplin						
Town of Warsaw	**7624**	77,664.00	77,664.00	77,664.00	VOCA 80%	This project provides 24 hour crisis intervention, personal and court advocacy, and shelter services to DV victims and their children.
Sarah's Refuge, Inc.	031-1-97-003-V-062	0.00	0.00	0.00	7/1/97 - 6/30/98	
Sarah's Refuge, Inc.	003	77,664.00	77,664.00	77,664.00		
	County Totals:	77,664.00	77,664.00	77,664.00		
Durham						
County of Durham	**7118**	153,363.20	153,363.20	153,363.20	VOCA 80%	This project will provide crisis intervention direct services and system-wide coordination of services to sexual assault survivors.
Rape Crisis of Durham	032-1-97-003-V-008	0.00	0.00	0.00	7/1/97 - 6/30/98	
Comprehensive response to sexual assa	003	153,363.20	153,363.20	153,363.20		
City of Durham	**7641**	147,603.20	57,190.40	57,190.40	VOCA 80%	This Hispanic outreach project will provide five bilingual advocates to work as liaisons between the growing Hispanic population and the Durham Police Dept and to assist the Latino community in accessing services.
Durham Police Department	032-1-97-003-V-076	0.00	0.00	0.00	7/1/97 - 6/30/98	
Hispanic Outreach Intervention and Strat	003	147,603.20	57,190.40	57,190.40		
	County Totals:	300,966.40	210,553.60	210,553.60		
Edgecombe						
City of Rocky Mount	**7170**	37,336.40	32,072.80	32,072.80	VOCA 80%	This project will enhance services to domestic violence and sexual assault victims by providing court advocacy services and a collaborative/coordinated effort with law enforcement and the courts.
My Sister's House, Inc.	033-1-97-003-V-018	31,896.61	28,023.20	28,023.20	7/1/97 - 6/30/98	
MSH - Court Advocacy Program	003	69,233.01	60,096.00	60,096.00		
City of Rocky Mount	**7199**	59,496.00	39,496.00	39,496.00	VOCA 80%	The Rocky Mount Police Department will hire a detective to provide follow-up services and investigation to domestic violence victims and cases.
Rocky Mount Police Department	033-1-97-003-V-020	39,444.80	38,644.80	38,644.80	7/1/97 - 6/30/98	
Rocky Mount Domestic Violence Detectiv	003	98,940.80	78,140.80	78,140.80		
	County Totals:	168,173.81	138,236.80	138,236.80		
Forsyth						
County of Forsyth	**7630**	18,248.00	13,328.00	13,328.00	VOCA 80%	This project provides victim assistance services to the Wake Forest University campus community.
Wake Forest University Police	034-1-97-003-V-068	8,465.60	8,465.60	8,465.60	7/1/97 - 6/30/98	
Collegiate Victim Services	003	26,713.60	21,793.60	21,793.60		
County of Forsyth	**7644**	321,820.18	140,376.80	140,376.80	VOCA 80%	This project will (1) develop a SANE program with two major hospitals in Forsyth, (2) provide case managers to assist prosecutors in family violence cases, (3) increase counseling to victims of DV and sexual assault.
Forsyth County District Attorney's Office	034-1-97-003-V-079	283,053.98	115,894.40	115,894.40	7/1/97 - 6/30/98	
Forsyth Co. Integrated Comm. Response	003	604,874.15	256,271.20	256,271.20		
City of Winston-Salem	**7776**	28,110.48	28,110.40	65,416.80	VOCA 80%	
Winston-Salem Police Department	034-2-97-003-V-035	0.00	0.00	0.00	7/1/97 - 6/30/98	
Victims Advocate	003	28,110.48	28,110.40	65,416.80		
County of Forsyth	**7777**	138,380.00	138,380.00	138,380.00	VOCA 80%	
Family Services, Inc.	034-2-97-003-V-047	0.00	0.00	0.00	7/1/97 - 6/30/98	
Victim Intervention Project	003	138,380.00	138,380.00	138,380.00		
	County Totals:	798,078.23	444,555.20	481,861.60		
Gaston						
County of Gaston	**7626**	11,324.00	11,199.20	11,199.20	VOCA 80%	This project will provide a part-time Victim Assistant to provide crisis intervention services to victims of domestic violence and will recruit and train volunteers.
The Shelter of Gaston County	036-1-97-003-V-064	11,870.40	11,870.40	11,870.40	7/1/97 - 6/30/98	
The Shelter of Gaston County	003	23,194.40	23,069.60	23,069.60		
	County Totals:	23,194.40	23,069.60	23,069.60		

Applicant/Imp. /Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approve	Awarded Y1/Y2	Source/Dates		Summary
Guilford							
City of High Point	**7634**	31,614.40	31,614.40	31,614.40	VOCA	80%	A victim advocate will be added at the Guilford County Sheriff's Office to provide support, information and referral services to victims of crime.
Family Service of High Point	041-1-97-003-V-071	34,014.40	34,014.40	34,014.40	7/1/97 - 6/30/98		
Victim Services of Guilford County	003	65,628.80	65,628.80	65,628.80			
City of High Point	**7636**	88,136.00	88,136.80	88,136.80	VOCA	80%	This project will provide a crisis intake specialist, a victim advocate and a therapist to provide counseling and support services to DV victims.
Family Service of High Point	041-1-97-003-V-072	80,121.60	80,121.60	80,121.60	7/1/97 - 6/30/98		
Victim Assistance for High Point Women'	003	168,257.60	168,258.40	168,258.40			
City of Greensboro	**7818**	34,144.00	34,144.00	34,144.00	VOCA	80%	
Greensboro Police Department	041-4-97-003-V-002	0.00	0.00	0.00	7/1/97 - 6/30/98		
Victim of Crime Services	003	34,144.00	34,144.00	34,144.00			
City of High Point	**7778**	28,992.00	28,992.00	28,992.00	VOCA	80%	
Family Service of High Point, Inc.	041-4-97-003-V-006	0.00	0.00	0.00	7/1/97 - 6/30/98		
Hope House Court School	003	28,992.00	28,992.00	28,992.00			
	County Totals:	297,022.40	297,023.20	297,023.20			
Harnett							
County of Harnett	**7616**	22,779.20	25,199.20	25,199.20	VOCA	80%	This project provides continued support services to victims of DV, including shelter, counseling and court advocacy.
SAFE of Harnett County, Inc.	043-1-97-003-V-046	25,957.60	25,199.20	25,199.20	7/1/97 - 6/30/98		
Judicial Advocacy Program	003	48,736.80	50,398.40	50,398.40			
	County Totals:	48,736.80	50,398.40	50,398.40			
Haywood							
County of Haywood	**7621**	39,901.60	39,901.60	39,901.60	VOCA	80%	This project will provide court advocacy, counseling and therapy services to victims of DV/SA.
REACH of Haywood County, Inc.	044-1-97-003-V-052	36,200.00	36,224.00	36,224.00	7/1/97 - 6/30/98		
Victim Empowerment Program	003	76,101.60	76,125.60	76,125.60			
County of Haywood	**7814**	82,686.40	82,686.40	82,686.40	VOCA	80%	
Haywood County Sheriff's Department	044-1-97-003-V-441	50,000.00	50,000.00	50,000.00	7/1/97 - 6/30/98		
Domestic Violence Enforcement Team	003	132,686.40	132,686.40	132,686.40			
County of Haywood	**7806**	30,788.14	31,600.00	31,600.00	VOCA	80%	
KARE (Kids Advocacy Resource Effort)	044-2-97-003-V-045	0.00	0.00	0.00	7/1/97 - 6/30/98		
Victim Services Coordinator	003	30,788.14	31,600.00	31,600.00			
	County Totals:	239,576.14	240,412.00	240,412.00			
Henderson							
City of Hendersonville	**7169**	42,376.00	41,911.20	41,911.20	VOCA	80%	This project provides crisis intervention, counseling, and support groups for sexual assault victims and their families.
The Healing Place, Inc.	045-1-97-003-V-017	0.00	0.00	0.00	7/1/97 - 6/30/98		
Support to Survivors	003	42,376.00	41,911.20	41,911.20			
City of Hendersonville	**7779**	56,219.20	56,219.20	56,219.20	VOCA	80%	
Mainstay, Inc.	045-2-97-003-V-008	0.00	0.00	0.00	7/1/97 - 6/30/98		
Mainstay, Inc.	003	56,219.20	56,219.20	56,219.20			
	County Totals:	98,595.20	98,130.40	98,130.40			
Hertford							
County of Hertford	**7780**	36,578.40	41,761.60	41,761.60	VOCA	80%	
Roanoke Chowan SAFE	046-4-97-003-V-064	0.00	0.00	0.00	7/1/97 - 6/30/98		
S.A.F.E. Rape Crisis	003	36,578.40	41,761.60	41,761.60			
	County Totals:	36,578.40	41,761.60	41,761.60			

Applicant/Imp. /Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approve	Awarded Y1/Y2	Source/Dates	Summary
Jackson						
County of Jackson	**7089**	23,756.80	20,559.20	20,559.20	VOCA 80%	This project will coordinate child abuse services through a collaborative effort of the Department of Social Services, law enforcement, the District Attorney's office, mental health professionals, and the local domestic violence service provider (REACH).
AWAKE, Inc.	050-1-97-003-V-005	24,753.60	22,592.80	22,592.80	7/1/97 - 6/30/98	
AWAKE Victim's Advocacy Program	003	48,510.40	43,152.00	43,152.00		
County of Jackson	**7090**	77,537.60	77,537.60	77,537.60	VOCA 80%	This project will provide case management, counseling, and victim advocacy services to victims of sexual assault and domestic violence.
REACH of Jackson County, Inc.	050-1-97-003-V-006	81,556.80	81,556.80	81,556.80	7/1/97 - 6/30/98	
R.E.A.C.H. Out	003	159,094.40	159,094.40	159,094.40		
	County Totals:	207,604.80	202,246.40	202,246.40		
Johnston						
County of Johnston	**7652**	48,936.86	49,241.60	49,241.60	VOCA 80%	This project will provide child support groups for children of abuse and neglect and parenting workshops for their mothers who are staying in the shelter; follow-up for these families will continue once they have left the shelter.
Harbor, Inc.	051-1-97-003-V-087	0.00	48,920.00	48,920.00	7/1/97 - 6/30/98	
Community Response Project	003	48,936.86	98,161.60	98,161.60		
	County Totals:	48,936.86	98,161.60	98,161.60		
Lee						
County of Lee	**7781**	33,667.20	33,667.20	33,667.20	VOCA 80%	
HAVEN in Lee County, Inc.	053-2-97-003-V-025	0.00	0.00	0.00	7/1/97 - 6/30/98	
HAVEN in Lee County, Inc.	003	33,667.20	33,667.20	33,667.20		
County of Lee	**6823**	28,632.00	28,632.00	31,890.40	VOCA 80%	Funding will support staff to provide services to Hispanic victims of crime.
Hispanic Task Force	053-3-96-003-V-071	0.00	0.00	0.00	7/1/96 - 9/30/97	
Victim Advocacy Project	003	28,632.00	28,632.00	31,890.40		
County of Lee	**7782**	31,147.20	31,147.20	31,147.20	VOCA 80%	
Hispanic Task Force of Lee County	053-4-97-003-V-071	0.00	0.00	0.00	7/1/97 - 6/30/98	
Victim Advocacy Project	003	31,147.20	31,147.20	31,147.20		
	County Totals:	93,446.40	93,446.40	96,704.80		
Lenoir						
City of Kinston	**7633**	36,400.00	36,400.00	40,525.60	VOCA 80%	This project provides court advocacy, support, information and referral services to victims of DV in Greene and Jones County, as well as training to other service providers in those areas.
SAFE in Lenoir County, Inc.	054-1-97-003-V-070	38,400.00	38,560.00	38,560.00	7/1/97 - 6/30/98	
Client Outreach	003	74,800.00	74,960.00	79,085.60		
	County Totals:	74,800.00	74,960.00	79,085.60		
Lincoln						
County of Lincoln	**7074**	121,287.12	116,892.80	116,892.80	VOCA 80%	This project will provide 24-hour crisis intervention services to domestic violence as well as individual and support group counseling.
Lincoln County Coalition Against Domesti	055-1-97-003-V-004	0.00	0.00	0.00	7/1/97 - 6/30/98	
Domestic Violence	003	121,287.12	116,892.80	116,892.80		
	County Totals:	121,287.12	116,892.80	116,892.80		
Macon						
County of Macon	**7451**	27,756.00	34,696.00	34,696.00	VOCA 80%	This effort between REACH, Macon Co. Sheriff's Office and DSS would provide a variety of direct services to DV/SA victims, including court advocacy, information referral, victim's compensation, housing assistance, etc.
Reach of Macon Co, Inc	056-1-97-003-V-055	27,756.00	34,696.00	34,696.00	7/1/97 - 6/30/98	
Victims Assistant	003	55,512.00	69,392.00	69,392.00		
County of Macon	**7783**	38,684.80	38,684.80	38,684.80	VOCA 80%	
Kids InterDisciplinary, Inc.	056-2-97-003-V-007	0.00	0.00	0.00	7/1/97 - 6/30/98	
KIDS Place Victims Advocacy Program	003	38,684.80	38,684.80	38,684.80		

Applicant/Imp. /Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approve	Awarded Y1/Y2	Source/Dates	Summary
	County Totals:	94,196.80	108	108,076.80		
McDowell						
County of McDowell	**7784**	66,788.51	59,200.00	59,200.00	VOCA 80%	
Family Services of McDowell County	059-2-97-003-V-068	0.00	0.00	0.00	7/1/97 - 6/30/98	
Direct Client Services Team	003	66,788.51	59,200.00	59,200.00		
	County Totals:	66,788.51	59,200.00	59,200.00		
Mecklenburg						
County of Mecklenburg	**7124**	15,653.60	13,938.40	13,938.40	VOCA 80%	This project will provide education/early intervention program to address dating violence for teens in the Charlotte-Mecklenburg school system.
United Family Services	060-1-97-003-V-009	14,876.00	14,876.00	14,876.00	7/1/97 - 6/30/98	
Heart to Heart	003	30,529.60	28,814.40	28,814.40		
County of Mecklenburg	**7143**	25,068.80	24,668.80	24,668.80	VOCA 80%	This project will provide court advocacy services to domestic violence victims as well as providing follow-up services to former clients.
Victim Assistance - United Family Servic	060-1-97-003-V-010	22,557.60	22,557.60	22,557.60	7/1/97 - 6/30/98	
Victim Advocate	003	47,626.40	47,226.40	47,226.40		
County of Mecklenburg	**7144**	76,034.40	76,034.40	76,034.40	VOCA 80%	This project provides services to children aged 5-18 who have witnessed domestic violence in their homes. The program also provides counseling, and information and referral services to all family members.
Mecklenburg County Women's Commissi	060-1-97-003-V-011	0.00	76,034.40	76,034.40	7/1/97 - 6/30/98	
Domestic Violence Child Observers/Victi	003	76,034.40	152,068.80	152,068.80		
County of Mecklenburg	**7198**	73,552.80	38,403.20	39,987.20	VOCA 80%	This project will provide intensive social work services to domestic violence victims and will establish a system-wide data keeping system for Mecklenburg County.
Community Link	060-1-97-003-V-019	70,328.00	36,715.20	35,131.20	7/1/97 - 6/30/98	
"A STEP UP"	003	143,880.80	75,118.40	75,118.40		
	County Totals:	298,071.20	303,228.00	303,228.00		
Mitchell						
County of Mitchell	**7168**	48,064.00	47,574.40	47,574.40	VOCA 80%	This project will provide 24-hour crisis intervention, shelter, and information and referral services to domestic violence victims. The program will work with Mayland Community College to increase public awareness of DV.
Mitchell County SafePlace	061-1-97-003-V-016	55,938.40	0.00	0.00	7/1/97 - 6/30/98	
Mitchell County SafePlace	003	104,002.40	47,574.40	47,574.40		
	County Totals:	104,002.40	47,574.40	47,574.40		
Montgomery						
Town of Troy	**7785**	27,689.11	27,521.60	27,521.60	VOCA 80%	
Crisis Council, Inc.	062-4-97-003-V-012	0.00	0.00	0.00	7/1/97 - 6/30/98	
Crisis Council, Inc.	003	27,689.11	27,521.60	27,521.60		
	County Totals:	27,689.11	27,521.60	27,521.60		
Moore						
County of Moore	**7786**	17,640.00	17,640.00	17,640.00	VOCA 80%	
Friend to Friend	063-2-97-003-V-056	0.00	0.00	0.00	7/1/97 - 9/30/98	
Court Outreach Advocate	003	17,640.00	17,640.00	17,640.00		
	County Totals:	17,640.00	17,640.00	17,640.00		
New Hanover						
County of New Hanover	**7787**	61,236.80	61,236.80	61,236.80	VOCA 80%	
Domestic Violence Shelter & Services, In	065-2-97-003-V-013	0.00	0.00	0.00	7/1/97 - 6/30/98	
Domestic Violence Direct Service	003	61,236.80	61,236.80	61,236.80		
County of New Hanover	**7788**	87,369.60	87,624.00	87,624.00	VOCA 80%	
Coastal Horizons Center, Inc	065-4-97-003-V-037	0.00	0.00	0.00	7/1/97 - 6/30/98	
Crisis Intervention & Support Services	003	87,369.60	87,624.00	87,624.00		

Applicant/Imp. /Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approve	Awarded Y1/Y2	Source/Dates	Summary
	County Totals:	148,606.40	148	148,860.80		
Onslow						
County of Onslow	**7789**	42,143.57	35,814.40	35,814.40	VOCA 80%	
Onslow Women's Center, Inc.	067-2-97-003-V-015	0.00	0.00	0.00	7/1/97 - 6/30/98	
Children's Advocacy Program	003	42,143.57	35,814.40	35,814.40		
	County Totals:	42,143.57	35,814.40	35,814.40		
Orange						
County of Orange	**7200**	56,040.00	56,040.00	56,040.00	VOCA 80%	This project will enhance the 24-hour crisis intervention and support group services currently being offered to sexual assault victims. Additionally, the program will strengthen the system of care within Orange County by adding a staff person to facilitate communication among all service providers.
Orange County Rape Crisis Center	068-1-97-003-V-021	58,399.20	0.00	0.00	7/1/97 - 6/30/98	
Direct Services Project	003	114,439.20	56,040.00	56,040.00		
County of Orange	**7605**	51,786.40	51,786.40	51,786.40	VOCA 80%	Crisis Intervention team will provide personal and court advocacy, support groups, information and referral services to crime victims.
Orange County Sheriff's Department	068-1-97-003-V-038	0.00	53,386.40	53,386.40	7/1/97 - 6/30/98	
Crisis Intervention Unit	003	51,786.40	105,172.80	105,172.80		
County of Orange	**6744**	50,578.40	50,071.20	50,071.20	VOCA 80%	To provide services to victims of crime, particularly victims of non-custodial child physical and sexual assault.
Orange County Sheriff's Department	068-3-96-003-V-031	0.00	0.00	0.00	7/1/96 - 8/31/97	
Crisis Intervention Team	003	50,578.40	50,071.20	50,071.20		
	County Totals:	216,804.00	211,284.00	211,284.00		
Pasquotank						
County of Pasquotank	**7733**	110,781.60	103,413.60	103,413.60	VOCA 80%	This project will provide direct services to child victims of child abuse/assault in Northeastern North Carolina. Services will include clinincal evaluation/treatment, early intervention, and support/advocacy.
KIDS FIRST, INC. Child Advocacy Cente	070-1-97-003-V-014	109,595.20	109,595.20	109,595.20	7/1/97 - 6/30/98	
Child Abuse Victim Support Services	003	220,376.80	213,008.80	213,008.80		
County of Pasquotank	**7790**	70,844.00	70,844.00	70,844.00	VOCA 80%	
Albemarle Hopeline	070-4-97-003-V-052	0.00	0.00	0.00	7/1/97 - 6/30/98	
"Project Support"	003	70,844.00	70,844.00	70,844.00		
	County Totals:	291,220.80	283,852.80	283,852.80		
Pender						
County of Pender	**7601**	78,301.60	59,100.80	59,100.80	VOCA 80%	This project will provide an array of services to victims of DV including shelter, court advocacy, victims compensation filing assistance, and information and referral.
Safe Haven of Pender, Inc.	071-1-97-003-V-034	82,216.00	58,200.80	58,200.80	7/1/97 - 6/30/98	
Safe Haven of Pender, Inc.	003	160,517.60	117,301.60	117,301.60		
	County Totals:	160,517.60	117,301.60	117,301.60		
Person						
County of Person	**7736**	44,911.86	27,423.20	27,423.20	VOCA 80%	This project will provide services to domestic violence victims with special emphasis on children and teens. Funds will support a Children's Program Coordinator to provide therapy and support groups for children and teens and community awareness about DV.
Safe Haven of Person County, Inc.	073-1-97-003-V-025	0.00	0.00	0.00	7/1/97 - 6/30/98	
Childrens Program & Community Educat	003	44,911.86	27,423.20	27,423.20		
	County Totals:	44,911.86	27,423.20	27,423.20		
Pitt						
County of Pitt	**7220**	28,547.20	28,484.80	28,484.80	VOCA 80%	This project provides a victim assistant to the Pitt County D. A.'s office to enhance court advocacy and referral services (resource sharing) to victims of domestic violence.
District Attorney's Office	074-1-97-003-V-027	0.00	28,484.80	28,484.80	7/1/97 - 6/30/98	
Domestic Violence Victim Assistant	003	28,547.20	56,969.60	56,969.60		

Applicant/Imp. /Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approve	Awarded Y1/Y2	Source/Dates		Summary
City of Greenville	**7257**	68,640.18	67	67,040.00	VOCA	80%	This project will provide two police off provide victim advocacy services to all victims of crime.
Greenville Police Department	074-1-97-003-V-033	59,434.58	59,434.40	59,434.40	7/1/97 - 6/30/98		
Victim Advocacy	003	128,074.76	126,474.40	126,474.40			
County of Pitt	**7791**	93,458.40	92,750.40	92,750.40	VOCA	80%	
Pitt Co. Family Violence Program, Inc.	074-2-97-003-V-022	0.00	0.00	0.00	7/1/97 - 6/30/98		
Fresh Start	003	93,458.40	92,750.40	92,750.40			
	County Totals:	250,080.36	276,194.40	276,194.40			

Randolph

County of Randolph	**7792**	26,366.40	26,366.40	26,366.40	VOCA	80%	
Randolph County Family Crisis Center	076-2-97-003-V-021	0.00	0.00	0.00	7/1/97 - 6/30/98		
Family Enrichment Program	003	26,366.40	26,366.40	26,366.40			
	County Totals:	26,366.40	26,366.40	26,366.40			

Richmond

County of Richmond	**7650**	15,274.40	15,278.40	15,278.40	VOCA	80%	This project will provide therapy sessions, parenting classes and counseling for child victims of sexual and emotional abuse and their mothers who are staying in the shelter.
Richmond County Mental Health Society	077-1-97-003-V-084	15,274.40	15,278.40	15,278.40	7/1/97 - 6/30/98		
Rainbow House Children's Victim Assista	003	30,548.80	30,556.80	30,556.80			
County of Richmond	**7793**	27,612.80	34,716.80	34,716.80	VOCA	80%	
Womenfolk Unlimited	077-2-97-003-V-042	0.00	0.00	0.00	7/1/97 - 6/30/98		
Victim Empowerment	003	27,612.80	34,716.80	34,716.80			
	County Totals:	58,161.60	65,273.60	65,273.60			

Robeson

City of Lumberton	**7902**	122,492.00	115,021.00	115,021.00	VOCA	80%	
Robeson Health Care Corporation	078-1-97-003-V-200	127,196.80	113,466.40	113,466.40	10/1/97 - 9/30/98		
Social Work and Police Partnership (SW	003	249,688.80	228,487.40	228,487.40			
	County Totals:	249,688.80	228,487.40	228,487.40			

Rockingham

County of Rockingham	**7794**	39,209.60	39,209.60	48,614.40	VOCA	80%	
HELP, Inc.	079-2-97-003-V-034	0.00	0.00	0.00	7/1/97 - 6/30/98		
Early Intervention	003	39,209.60	39,209.60	48,614.40			
	County Totals:	39,209.60	39,209.60	48,614.40			

Rutherford

County of Rutherford	**7795**	33,823.20	33,823.20	33,823.20	VOCA	80%	
Family Resources, Inc.	081-2-97-003-V-065	0.00	0.00	0.00	7/1/97 - 6/30/98		
Child Abuse Response Team	003	33,823.20	33,823.20	33,823.20			
	County Totals:	33,823.20	33,823.20	33,823.20			

Scotland

County of Scotland	**7804**	46,926.66	46,926.40	78,325.60	VOCA	80%	
Rape Crisis Center of Scotland County	083-2-97-003-V-039	0.00	0.00	0.00	7/1/97 - 6/30/98		
Rape Crisis Center (Direct Services Proj	003	46,926.66	46,926.40	78,325.60			
	County Totals:	46,926.66	46,926.40	78,325.60			

Applicant/Imp. /Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approve	Awarded Y1/Y2	Source/Dates	Summary
Surry						
County of Surry	**7651**	51,437.60	44,842.40	45,642.40	VOCA 80%	This project will provide 24 hour services to SA victims by establishing a Rape Crisis Center, training volunteers, educating the community about these services, and working with law enforcement, hospitals and other community service providers.
Tri-County Women's Resource Center, I	086-1-97-003-V-086	45,537.60	42,079.20	42,079.20	7/1/97 - 6/30/98	
Rape /Crisis Sexual Assault Center	003	96,975.20	86,921.60	87,721.60		
	County Totals:	96,975.20	86,921.60	87,721.60		
Swain						
Swain County	**7803**	84,724.80	84,724.80	84,724.80	VOCA 80%	
Swain/Qualla SAFE, Inc.	087-2-97-003-V-057	0.00	0.00	0.00	7/1/97 - 6/30/98	
Legal Advocacy, Shelter and Counseling	003	84,724.80	84,724.80	84,724.80		
	County Totals:	84,724.80	84,724.80	84,724.80		
Transylvania						
County of Transylvania	**7203**	37,975.20	24,876.80	24,876.80	VOCA 80%	Will provide law enforcement training and victim advocates to improve services to victims of domestic violence in Transylvania, Henderson, and Polk counties.
S.A.F.E., Inc.	088-1-97-003-V-024	0.00	25,000.00	25,000.00	7/1/97 - 6/30/98	
Victim Assistant/Law Enforcement Traini	003	37,975.20	49,876.80	49,876.80		
County of Transylvania	**7796**	49,221.60	49,214.40	49,214.40	VOCA 80%	They will continue to provide services to victims of domestic violence.
S.A.F.E., Inc. of Transylvania County	088-4-97-003-V-061	0.00	0.00	0.00	7/1/97 - 6/30/98	
Battered Women's Tracking System	003	49,221.60	49,214.40	49,214.40		
	County Totals:	87,196.80	99,091.20	99,091.20		
Universities						
UNC Department of Psychiatry - UNC	**7253**	43,367.20	38,414.40	38,414.40	VOCA 80%	Funding will support expansion of clinical services offered to child and adolescent victims of abuse and sexual assault.
Program on Childhood Trauma & Maltrea	180-1-97-003-V-029	42,179.20	37,365.60	37,365.60	7/1/97 - 6/30/98	
Program for Childhood Trauma & Maltrea	003	85,546.40	75,780.00	75,780.00		
ECU Pediatrics	**7256**	137,388.80	168,304.00	168,304.00	VOCA 80%	This project will provide long-term assessment and mental health evaluations and treatment to child victims of abuse and neglect
ECU Pediatrics	180-1-97-003-V-032	0.00	179,533.60	179,533.60	7/1/97 - 6/30/98	
TEDI BEAR: Children's Advocacy Center	003	137,388.80	347,837.60	347,837.60		
N.C. A&T State University	**7802**	77,560.00	76,552.00	76,552.00	VOCA 80%	
NC A&T State University	180-4-97-003-V-060	0.00	0.00	0.00	7/1/97 - 6/30/98	
Victim's Assistance Program	003	77,560.00	76,552.00	76,552.00		
	County Totals:	300,495.20	500,169.60	500,169.60		
Wake						
County of Wake	**7056**	48,558.18	42,120.00	42,120.00	VOCA 80%	To implement a nuturing program that provides child abuse and neglect services for children aged 4-12. The program will provide a 15 week, one day a week, two hours per day counseling session for parents and abused children.
SAFEchild	092-1-97-003-V-002	47,818.74	46,985.60	46,985.60	7/1/97 - 6/30/98	
The Nurturing Program	003	96,376.92	89,105.60	89,105.60		
City of Raleigh	**7618**	52,652.80	53,386.40	53,386.40	VOCA 80%	This project will expand the court advocacy services to both civil and criminal court assistance for DV victims, collaborating with the RPD/Wake DA program.
Family Violence Prevention Center, Inc.	092-1-97-003-V-047	51,233.60	53,597.60	53,597.60	7/1/97 - 6/30/98	
Court Advocacy Expansion	003	103,886.40	106,984.00	106,984.00		
County of Wake	**7619**	40,007.43	31,668.00	31,668.00	VOCA 80%	A court screener/liaison will screen all DV cases for civil court judges to enhance victim safety; a workshop for victims will provide safety checks and information while partners are in the DOSE treatment program.
Triangle Family Services, Inc.	092-1-97-003-V-048	41,251.81	31,570.40	31,570.40	7/1/97 - 6/30/98	
Court Screener / Advocate	003	81,259.24	63,238.40	63,238.40		
County of Wake	**7620**	45,207.15	44,646.40	44,646.40	VOCA 80%	This project will provide mental health treatment services to DV/SA and child abuse victims.
Triangle Family Services, Inc.	092-1-97-003-V-049	46,711.83	46,593.60	46,593.60	7/1/97 - 6/30/98	
Individual and Family Therapy	003	91,918.98	91,240.00	91,240.00		

Applicant/Imp[redacted]/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approve[redacted]	Awarded Y1/Y2	Source/Dates	Summary
County of Wake	**7813**	117,734.40	11[redacted]	117,232.00	VOCA 80%	
Wake County Sheriff's Department	092-1-97-003-V-440	122,440.80	121,938.40	121,938.40	7/1/97 - 6/30/98	
Domestic Violence Prevention/Investigati	003	240,175.20	239,170.40	239,170.40		
City of Raleigh	**7797**	26,584.00	26,584.00	26,584.00	VOCA 80%	
Family Violence PreventionCenter, Inc.	092-2-97-003-V-028	0.00	0.00	0.00	7/1/97 - 6/30/98	
D.V./S.A. Victims Outreach	003	26,584.00	26,584.00	26,584.00		
City of Raleigh	**7798**	133,788.00	132,588.00	132,588.00	VOCA 80%	
Raleigh Police Department	092-2-97-003-V-302	0.00	0.00	0.00	7/1/97 - 6/30/98	
Family Violence Intervention Unit	003	133,788.00	132,588.00	132,588.00		
	County Totals:	773,988.74	748,910.40	748,910.40		

Watauga

Town of Boone	**7202**	20,240.00	21,869.60	21,869.60	VOCA 80%	This project will establish an expanded volunteer program to increase the services available to victims of sexual assault and domestic violence in Alleghany, Ashe, Avery, and Watauga counties.
OASIS, Inc.	095-1-97-003-V-023	21,752.00	21,752.00	21,752.00	7/1/97 - 6/30/98	
Expanded Volunteerism Program Coordin	003	41,992.00	43,621.60	43,621.60		
Town of Boone	**7648**	155,588.80	80,000.00	80,000.00	VOCA 80%	This project will provide court advocates for four local shelters and two attorneys at Legal Services to provide comprehensive legal services to DV victims in Ashe, Alleghany, Avery, Mitchell, Watuga, Wilkes and Yancy Counties.
Legal Services of the Blue Ridge, Inc.	095-1-97-003-V-082	0.00	0.00	0.00	7/1/97 - 8/31/98	
Blue Ridge Domestic Violence Project	003	155,588.80	80,000.00	80,000.00		
	County Totals:	197,580.80	123,621.60	123,621.60		

Wayne

County of Wayne	**7799**	65,513.48	37,876.80	42,876.80	VOCA 80%	
The Shelter of Wayne County, Inc.	096-2-97-003-V-003	0.00	0.00	0.00	7/1/97 - 6/30/98	
Outreach	003	65,513.48	37,876.80	42,876.80		
	County Totals:	65,513.48	37,876.80	42,876.80		

Wilkes

County of Wilkes	**6010**	0.00	40,033.60	38,915.96	VOCA 80%	A local child advocacy center that coordinates comprehensive services to child victims of sexual and/or physical abuse.
Child Abuse Prevention Team	097-2-95-003-V-058	40,033.60	40,033.60	0.00	7/1/95 - 6/30/96	
Our House	003	40,033.60	80,067.20	38,915.96		
	County Totals:	40,033.60	80,067.20	38,915.96		

Wilson

County of Wilson	**7800**	34,189.88	34,189.60	34,189.60	VOCA 80%	
Wesley Shelter, Inc.	098-2-97-003-V-001	0.00	0.00	0.00	7/1/97 - 6/30/98	
Children's Services Project	003	34,189.88	34,189.60	34,189.60		
County of Wilson	**7805**	19,680.00	20,480.00	20,480.00	VOCA 80%	
Wilson County Sheriff's Department	098-2-97-003-V-009	0.00	0.00	0.00	7/1/97 - 6/30/98	
Victim Notification System	003	19,680.00	20,480.00	20,480.00		
	County Totals:	53,869.88	54,669.60	54,669.60		

Yancey

County of Yancey	**7801**	74,252.40	66,092.00	66,092.00	VOCA 80%	Second year funding to support the opening of their shelter and staff to provide services to victims of domestic violence.
Family Violence Coalition of Yancey Cou	100-2-97-003-V-026	0.00	0.00	0.00	7/1/97 - 6/30/98	
Family Violence Coalition of Yancey Co.	003	74,252.40	66,092.00	66,092.00		
	County Totals:	74,252.40	66,092.00	66,092.00		

Applicant/Imp. [redacted]/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approve[redacted]	Awarded Y1/Y2	Source/Dates	Summary
	Year 1 Total:	7,743,506.40	6,791,[redacted]20	6,985,169.56		
	Year 2 Total:	3,034,004.26	2,897,194.40	2,855,576.80		
	Report Total:	10,777,510.66	9,688,890.60	9,840,746.36		

CURRENTLY ACTIVE VAWA GRANTS

Applicant/Imp. Agency/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Alamance						
Family Abuse Services of Alamance Cou	**7741**	46,654.00	46,608.00	46,608.00	VAWA 100%	
Family Abuse Services	001-2-97-1VA-W-006	0.00	0.00	0.00	11/1/97 - 10/30/98	
Victims Assistance	1VA	46,654.00	46,608.00	46,608.00		
	County Totals:	46,654.00	46,608.00	46,608.00		
AOC						
Administrative Office of the Courts	**6884**	103,926.75	103,926.75	224,305.50	VAWA 100%	To provide a comprehensive domestic violence training program for prosecutors.+
N. C. Conference of District Attorneys	110-1-96-3VA-W-406	0.00	0.00	0.00	8/1/96 - 10/31/98	
Domestic Violence Prosecution Training	3VA	103,926.75	103,926.75	224,305.50		
Administrative Office of the Courts	**7635**	151,179.00	105,924.75	141,038.25	VAWA 100%	This project will provide a specialized domestic violence court three days a week to handle misdemeanor domestic violence cases, as well as protective hearings. The project requests three positions.
District Attorneys Office	110-1-97-3VA-W-039	142,986.00	0.00	0.00	7/1/97 - 6/30/98	
CJ Intervention Program for Domestic Vi	3VA	294,165.00	105,924.75	141,038.25		
Administrative Office of the Courts	**7463**	269,693.93	114,558.75	114,558.75	VAWA 100%	This project will implement a four-county program aimed at developing a combined response protocol and providing training in domestic violence to all service providers. The project requests eight positions to staff the program.
District Attorney's Office	110-1-97-3VA-W-053	0.00	0.00	0.00	7/1/97 - 6/30/98	
Victims First Program	3VA	269,693.93	114,558.75	114,558.75		
Administrative Office of the Courts	**7481**	96,977.33	120,285.75	120,285.75	VAWA 100%	This project will provide the district attorney's office with a prosecutor for sexual assault and domestic violence cases, a court liaison to assist victims through the court process, and training for law enforcement and court officials. This project requests two positions.
Office of the District Attorney	110-1-97-3VA-W-071	97,291.70	0.00	0.00	7/1/97 - 6/30/98	
ADALA Project	3VA	194,269.03	120,285.75	120,285.75		
	County Totals:	862,054.70	444,696.00	600,188.25		
Beaufort						
Options, Inc.	**7742**	28,263.00	28,263.00	28,263.00	VAWA 100%	
Options, Inc.	007-2-97-1VA-W-003	0.00	0.00	0.00	7/1/97 - 6/30/98	
Court Advocate for Washington & Martin	1VA	28,263.00	28,263.00	28,263.00		
	County Totals:	28,263.00	28,263.00	28,263.00		
Brunswick						
County of Brunswick	**7471**	393,115.69	91,857.75	91,857.75	VAWA 100%	This project will establish a tri-county task force called a family triage unit to handle cases as they enter the criminal justice system to ensure a coordinated response to families effected by domestic violence. This project requests ten positions.
District Attorney's Office	010-1-97-3VA-W-061	372,829.60	0.00	0.00	7/1/97 - 6/30/98	
Family Triage Unit	3VA	765,945.29	91,857.75	91,857.75		
	County Totals:	765,945.29	91,857.75	91,857.75		
Buncombe						
County of Buncombe	**7477**	32,591.25	45,533.25	45,533.25	VAWA 100%	This project requests a full-time investigator to work in the district attorney's office to investigate violence against women and collaborate with other service agencies to better serve victims.
District Attorney's Office	011-1-97-3VA-W-067	31,988.25	0.00	0.00	7/1/97 - 6/30/98	
District Attorney's Investigator	3VA	64,579.50	45,533.25	45,533.25		
	County Totals:	64,579.50	45,533.25	45,533.25		
Burke						
Options, Inc.	**6645**	24,530.00	24,530.00	51,967.00	VAWA 100%	Hire a services coordinator/trainer to develop a domestic violence/sexual assault task force and to design and coordinate necessary trainings.
Options, Inc.	012-1-96-1VA-W-040	25,606.00	0.00	0.00	7/1/96 - 7/31/98	
Violence Against Women Coordinator/Tr	1VA	50,136.00	24,530.00	51,967.00		

Applicant/Imp. A[redacted]/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved [redacted]	Awarded Y1/Y2	Source/Dates	Summary
	County Totals:	50,136.00	24[redacted]	51,967.00		
Caldwell						
County of Caldwell	**6453**	43,020.35	40,264.50	78,645.75	VAWA 100%	Collaborative effort between Caldwell County Sheriff's Dept., social services, hospitals, court personnel, and other service providers to provide domestic violence and sexual assault services.
Caldwell Co. Sheriff's Dept.	014-1-96-2VA-W-001	39,090.35	0.00	0.00	7/1/96 - 6/30/98	
SAFE	2VA	82,110.69	40,264.50	78,645.75		
City of Lenoir	**7725**	33,789.00	33,789.00	94,434.00	VAWA 100%	
Lenoir Police Department	014-1-96-2VA-W-436	63,426.75	63,426.75	0.00	3/1/97 - 8/31/98	
A Community Oriented Response to Dom	2VA	97,215.75	97,215.75	94,434.00		
Shelter Home of Caldwell County, Inc.	**7475**	26,461.20	30,063.00	30,063.00	VAWA 100%	Through the efforts of a domestic violence assistance coordinator, this project will provide a more timely response to victims in need of counseling assistance.
Shelter Home of Caldwell County, Inc.	014-1-97-1VA-W-065	0.00	0.00	0.00	7/1/97 - 6/30/98	
Domestic Violence Assist. Coord.	1VA	26,461.20	30,063.00	30,063.00		
	County Totals:	205,787.64	167,543.25	203,142.75		
Catawba						
Family Guidance Center	**6717**	56,202.00	56,202.00	115,653.00	VAWA 100%	Funding will support staff to provide legal services to victims of domestic violence and also provide DV sensitivity training to service providers.
Family Guidance Center	018-1-96-1VA-W-029	0.00	0.00	0.00	8/1/96 - 7/31/98	
Project Embrace	1VA	56,202.00	56,202.00	115,653.00		
	County Totals:	56,202.00	56,202.00	115,653.00		
CC&PS						
Department of Crime Control and Public	**7825**	148,200.00	148,200.00	148,200.00	VAWA 100%	
GCC	130-1-96-ADM-W-500	0.00	0.00	0.00	8/1/96 - 7/31/98	
Planning & Administration of VAWA '96	ADM	148,200.00	148,200.00	148,200.00		
Department of Crime Control and Public	**7864**	166,600.00	166,600.00	166,600.00	VAWA 100%	1997 VAWA Administrative funds for the Governor's Crime Commission.
GCC	130-1-97-ADM-W-571	0.00	0.00	0.00	7/1/97 - 9/30/99	
'97 VAWA Admin. Funds	ADM	166,600.00	166,600.00	166,600.00		
	County Totals:	314,800.00	314,800.00	314,800.00		
Cherokee						
Task Force on Family Violence, REACH,	**7734**	62,868.00	61,138.00	61,138.00	VAWA 100%	This project will fund staff to allow the Task Force on Family Violence to continue to provide court advocacy, crisis intervention, and other services to victim of domestic violence and sexual assault.
Task Force on Family Violence/REACH, I	020-1-97-1VA-W-061	67,040.00	0.00	0.00	7/1/97 - 6/30/98	
Court Advocacy & Intervention Project	1VA	129,908.00	61,138.00	61,138.00		
	County Totals:	129,908.00	61,138.00	61,138.00		
Chowan						
County of Chowan	**7091**	50,287.50	30,675.00	30,675.00	VAWA 100%	This project will provide law enforcement assistance to victims of domestic violence by improving effectiveness of investigations and response times to each call. The project asks for one deputy sheriff.
Chowan County Sheriff's Department	021-1-97-2VA-W-002	30,336.00	0.00	0.00	7/1/97 - 6/30/98	
Domestic Violence Prevention Program	2VA	80,623.50	30,675.00	30,675.00		
	County Totals:	80,623.50	30,675.00	30,675.00		
Cleveland						
County of Cleveland	**6962**	39,891.75	39,891.75	39,891.75	VAWA 100%	Provides salary for an Asst DA in Cleveland Co to strictly prosecute domestic vijolence cases.
District Attorney's Office 27-B	023-1-96-3VA-W-419	0.00	0.00	0.00	1/1/97 - 12/31/97	
D. A. Multi-Disciplinary Response	3VA	39,891.75	39,891.75	39,891.75		

Applicant/Imp. A[redacted]/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates		Summary
Cleveland Count[redacted]Prevention Cou	**7195**	55,379.00	44[redacted]	44,182.00	VAWA	100%	The purpose of this project is provide [redacted]ol for all criminal justice and hospital personnel[redacted]nate gaps in the system to improve services to victims. Partial funding is requested for a full-time rape/sexual assault coordinator and a full-time victims advocate.
Cleveland County Abuse Prevention Cou	023-1-97-1VA-W-029	55,991.00	[redacted]00	0.00	7/1/97 - 6/30/98		
RASA Victim Advocate/ Human Service	1VA	111,370.00	44,182.00	44,182.00			
Cleveland County Abuse Prevention Cou	**7196**	45,032.00	28,532.00	28,532.00	VAWA	100%	This project will provide domestic violence training for both the legal and law enforcement systems in Cleveland County. A task force coordinator is requested to develop a county domestic violence task force and all training programs.
Cleveland County Abuse Prevention Cou	023-1-97-4VA-W-030	33,250.00	0.00	0.00	7/1/97 - 6/30/98		
Project Coordinator / DV Task Force	4VA	78,282.00	28,532.00	28,532.00			
County of Cleveland	**7746**	45,066.00	45,008.25	45,008.25	VAWA	100%	
District Attorney's Office, 27-B	023-2-97-3VA-W-419	0.00	0.00	0.00	1/1/98 - 12/31/98		
District Attorney's Multi-Disciplinary Resp	3VA	45,066.00	45,008.25	45,008.25			
	County Totals:	274,609.75	157,614.00	157,614.00			

Cumberland

City of Fayetteville	**6710**	102,929.25	87,357.75	87,357.75	VAWA	100%	Hire a Domestic Violence specialist and Asisstant District Attorney to provide services to victims of DV.
Fayetteville Police Department	026-1-96-2VA-W-018	76,983.75	0.00	0.00	11/1/96 - 1/31/98		
Domestic Violence Team Program	2VA	179,913.00	87,357.75	87,357.75			
Rape Crisis Volunteers of Cumberland C	**7655**	17,251.00	17,247.00	17,247.00	VAWA	100%	This project will provide improved services to victims of sexual assault by collaborating with medical and criminal justice professionals to provide training, education and the implementation of the SANE and SART programs This project requests one position.
Rape Crisis Volunteers of Cumberland C	026-1-97-4VA-W-047	0.00	0.00	0.00	7/1/97 - 6/30/98		
Standardizing Sexual Assault Protocol	4VA	17,251.00	17,247.00	17,247.00			
Rape Crisis Volunteers of Cumberland C	**6860**	21,000.00	28,100.00	30,100.00	VAWA	100%	Will hire staff person who will develop interactive training programs for law enforcement, medical, victim service, prosecutorial, and court personnel.
Rape Crisis Volunteers of Cumberland C	026-2-96-1VA-W-054	0.00	0.00	0.00	7/1/96 - 10/31/97		
Professional Education Coordinator Posit	1VA	21,000.00	28,100.00	30,100.00			
City of Fayetteville	**7747**	80,954.65	74,096.25	74,096.25	VAWA	100%	
Fayetteville Police Department	026-2-97-2VA-W-018	0.00	0.00	0.00	11/1/97 - 10/31/98		
Domestic Violence Team Program	2VA	80,954.65	74,096.25	74,096.25			
	County Totals:	299,118.65	206,801.00	208,801.00			

Dare

Outer Banks Hotline, Inc.	**7197**	13,367.00	9,000.00	9,000.00	VAWA	100%	This project will offer parenting education for victims of domestic violence and focus on interrupting the cycles of generational violence. A parent educator is requested. This grant pre-application appears to be the second-year request for this applicant.
Outer Banks Hotline, Inc.	028-2-97-1VA-W-031	0.00	0.00	0.00	7/1/97 - 6/30/98		
Domestic Violence Protocol Project	1VA	13,367.00	9,000.00	9,000.00			
	County Totals:	13,367.00	9,000.00	9,000.00			

Davidson

County of Davidson	**7484**	72,726.00	68,768.00	68,768.00	VAWA	100%	This project will provide two domestic violence and sexual assault victim advocates to contact victims and offer assistance, collaborate with other criminal justice professionals, and establish a multi-disciplinary approach to assist victims through the system.
Family Services of Davidson County	029-1-97-1VA-W-074	62,950.00	0.00	0.00	7/1/97 - 6/30/98		
FSC Domestic and Sex. Viol. Victim Adv	1VA	135,676.00	68,768.00	68,768.00			
	County Totals:	135,676.00	68,768.00	68,768.00			

Davie

County of Davie	**6651**	4,804.50	4,804.50	10,654.50	VAWA	100%	Sheriff's department will provide specialized training to law enforcement, and other direct service providers to victims of domestic violence.
Davie County Sheriff's Department	030-1-96-2VA-W-046	5,779.50	0.00	0.00	7/1/96 - 6/30/98		
Davie County Violence Services Training	2VA	10,584.00	4,804.50	10,654.50			
	County Totals:	10,584.00	4,804.50	10,654.50			

Applicant/Imp. A[redacted]/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Durham						
Orange/Durham Coalition for Battered W	**7899**	63,062.00	63,062.00	63,062.00	VAWA 100%	
Orange/ Durham Coalition for Battered W	032-1-97-1VA-W-400	0.00	0.00	0.00	11/1/97 - 10/31/98	
Outreach Orange	1VA	63,062.00	63,062.00	63,062.00		
	County Totals:	63,062.00	63,062.00	63,062.00		
Edgecombe						
City of Rocky Mount	**7188**	27,023.25	26,895.75	26,895.75	VAWA 100%	This project will prepare law enforcement officers to better respond to and investigate sexual assault crimes by providing sexual assault investigative training and through the development of a department response manual to include legal information and a comprehensive list of services available to victims of sexual assault.
Rocky Mount Police Department	033-1-97-2VA-W-021	0.00	0.00	0.00	7/1/97 - 6/30/98	
Rocky Mount Sexual Assault Training Pr	2VA	27,023.25	26,895.75	26,895.75		
	County Totals:	27,023.25	26,895.75	26,895.75		
Forsyth						
Family Services, Inc.	**7344**	174,121.00	33,429.00	33,429.00	VAWA 100%	This project will improve current services to victims by providing court advocacy, counseling, and specialized emergency room response to sexual assault victims in order to coordinate an integrated community response approach to address family violence. Two positions are requested for this project.
Family Services, Inc.	034-1-97-1VA-W-078	153,682.00	0.00	0.00	7/1/97 - 6/30/98	
Forsyth Co. Integrated Comm. Response	1VA	327,803.00	33,429.00	33,429.00		
	County Totals:	327,803.00	33,429.00	33,429.00		
Franklin						
Safe Space, Inc.	**7193**	259,243.36	99,496.00	99,496.00	VAWA 100%	This request would allow Franklin County to expand their current domestic violence services by starting a shelter to serve Franklin County and the three counties in Judicial District Nine. The applicant asks for seven positions to run the shelter.
Safe Space, Inc.	035-1-97-1VA-W-027	0.00	0.00	0.00	7/1/97 - 6/30/98	
Safe Space, Inc.	1VA	259,243.36	99,496.00	99,496.00		
	County Totals:	259,243.36	99,496.00	99,496.00		
Gaston						
N.C. Coalition Against Sexual Assault	**6406**	74,900.00	74,900.00	225,865.00	VAWA 100%	To establish a state office for the N.C. Coalition Against Sexual Assault to serve as a central contact point for information on sexual violence issues.
North Carolina Coalition Against Sexual A	036-1-96-1VA-W-007	70,225.00	0.00	0.00	8/1/96 - 7/31/98	
NCCASA Project	1VA	145,125.00	74,900.00	225,865.00		
	County Totals:	145,125.00	74,900.00	225,865.00		
Guilford						
City of High Point	**6394**	43,430.00	43,323.00	85,215.00	VAWA 100%	Funds will support hiring a coordinator for the High Point Domestic Violence Task Force to organize meetings and domestic violence training for law enforcement, magistrates, and judges.
Family Service of High Point, Inc.	041-1-96-1VA-W-005	36,925.00	0.00	0.00	7/1/96 - 6/30/98	
High Point Domestic Violence Task Forc	1VA	80,355.00	43,323.00	85,215.00		
Family & Children's Service of Greater Gr	**7187**	38,822.00	38,822.00	38,822.00	VAWA 100%	This project will provide a victim advocate to enable women and their children to remain in a familiar environment thus eliminating the trauma of homelessness. The project will also provide support to victims throughout the judicial process.
Family and Children's Service	041-1-97-1VA-W-020	40,196.00	0.00	0.00	7/1/97 - 6/30/98	
Domestic Violence Service Project	1VA	79,018.00	38,822.00	38,822.00		
Family and Children Services of Greater	**7807**	28,468.00	28,468.00	30,826.00	VAWA 100%	
Family & Children's Service of Greater Gr	041-2-97-1VA-W-034	0.00	0.00	0.00	7/1/97 - 7/31/98	
Community Response to Domestic Viole	1VA	28,468.00	28,468.00	30,826.00		
	County Totals:	187,841.00	110,613.00	154,863.00		

Applicant/Imp. A[redacted]Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y[redacted]	Awarded Y1/Y2	Source/Dates		Summary
Harnett							
S.A.F.E. of Harnett County, Inc.	**7653**	41,865.00	40,740.00	40,740.00	VAWA	100%	This project requests a shelter manager and child care coordinator to provide services and support for women and children victimized by domestic violence.
Sexual Assault Family Emergency of Har	043-1-97-1VA-W-043	0.00	0.00	0.00	7/1/97 - 6/30/98		
S.A.F.E. House Harnett County	1VA	41,865.00	40,740.00	40,740.00			
County of Harnett	**7190**	65,740.95	63,617.25	63,617.25	VAWA	100%	This request will provide an assistant district attorney to specialize in prosecuting domestic violence cases and train patrol officers and deputy sheriffs. Four positions are requested to serve this three county district.
District Attorney's Office	043-1-97-3VA-W-023	0.00	0.00	0.00	7/1/97 - 6/30/98		
D.O.V.E. - Domestic Violence Eradicatio	3VA	65,740.95	63,617.25	63,617.25			
	County Totals:	107,605.95	104,357.25	104,357.25			
Henderson							
Mainstay, Inc.	**6720**	46,079.00	35,527.00	35,527.00	VAWA	100%	Hire a victim advocate and a trainer/coordinator to provide advocacy to victims of domestic violence and to provide training to law enforcement and court officials.
Mainstay, Inc.	045-1-96-1VA-W-032	42,867.00	0.00	0.00	7/1/96 - 6/30/98		
Domestic Violence Victim's Assistance	1VA	88,946.00	35,527.00	35,527.00			
Mainstay, Inc.	**7750**	53,003.00	49,435.00	49,435.00	VAWA	100%	
Mainstay, Inc.	045-2-97-1VA-W-032	0.00	0.00	0.00	7/1/97 - 6/30/98		
Mainstay, Inc.	1VA	53,003.00	49,435.00	49,435.00			
	County Totals:	141,949.00	84,962.00	84,962.00			
Hertford							
Roanoke Chowan SAFE	**7751**	34,766.17	34,961.00	34,961.00	VAWA	100%	
Roanoke - Chowan SAFE	046-2-97-1VA-W-021	0.00	0.00	0.00	7/1/97 - 6/30/98		
R.C. Victim Services to Victims	1VA	34,766.17	34,961.00	34,961.00			
	County Totals:	34,766.17	34,961.00	34,961.00			
Johnston							
County of Johnston	**7192**	108,431.90	78,798.75	78,798.75	VAWA	100%	This request will provide two full-time officers and train them to identify and investigate violence against women. The department will also develop a program to establish protocol for handling domestic violence cases.
Johnston County Sheriff's Department	051-1-97-2VA-W-026	63,450.00	0.00	0.00	7/1/97 - 6/30/98		
"TARGET" No More	2VA	171,881.90	78,798.75	78,798.75			
County of Johnston	**6861**	23,493.00	23,493.00	23,493.00	VAWA	100%	Program will develop a coordinated response among law enforcement, the courts, and emergency medical providers about crisis intervention for victims of sexual assault.
Harbor, Inc.	051-2-96-4VA-W-037	0.00	0.00	0.00	1/1/97 - 6/30/98		
Project Response	4VA	23,493.00	23,493.00	23,493.00			
	County Totals:	195,374.90	102,291.75	102,291.75			
Lee							
County of Lee	**7752**	67,077.00	67,787.00	67,787.00	VAWA	100%	
HAVEN of Lee County, Inc.	053-2-97-1VA-W-012	0.00	0.00	0.00	7/1/97 - 6/30/98		
HAVEN in Lee County, Inc.	1VA	67,077.00	67,787.00	67,787.00			
	County Totals:	67,077.00	67,787.00	67,787.00			
Lenoir							
S.A.F.E. in Lenoir County, Inc.	**7482**	15,739.00	12,708.00	12,708.00	VAWA	100%	This request is for a week-end client manager who will provide services to victims of domestic violence.
S.A.F.E. in Lenoir County	054-1-97-1VA-W-072	0.00	0.00	0.00	7/1/97 - 6/30/98		
Weekend Client Manager	1VA	15,739.00	12,708.00	12,708.00			
City of Kinston	**7261**	166,553.25	116,003.25	116,003.25	VAWA	100%	This project will provide a four member domestic violence intervention team to work with children who may be victims of domestic violence. This project will involve collaboration with the local school system and the Boys and Girls Club of Kinston.
Kinston Police Department	054-1-97-2VA-W-034	101,532.03	0.00	0.00	7/1/97 - 6/30/98		
Domestic Violence Intervention Team	2VA	268,085.28	116,003.25	116,003.25			

Applicant/Imp. /Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
	County Totals:	283,824.28	12	128,711.25		
McDowell						
Family Services of McDowell County	**6784**	13,243.00	13,243.00	13,243.00	VAWA 100%	Funding will support the development of four domestic violence/sexual assault training sessions for law enforcement and court officials in McDowell county.
Family Services of McDowell County	059-1-96-4VA-W-051	0.00	0.00	0.00	7/1/96 - 9/30/97	
DV / SA Comprehensive Training Project	4VA	13,243.00	13,243.00	13,243.00		
	County Totals:	13,243.00	13,243.00	13,243.00		
Mecklenburg						
Legal Services of Southern Piedmont, Inc	**6642**	22,177.00	22,177.00	22,177.00	VAWA 100%	To provide legal services to victims of domestic violence in Mecklenburg county.
Legal Services of Southern Piedmont, Inc	060-1-96-1VA-W-037	0.00	0.00	0.00	7/1/96 - 11/30/97	
Mecklenburg County Domestic Violence	1VA	22,177.00	22,177.00	22,177.00		
County of Mecklenburg	**7141**	110,991.00	108,770.25	108,770.25	VAWA 100%	This project requests four deputies to serve on a specialized domestic violence unit responsible for serving all victims of domestic violence by focusing on detection,service, training,education, treatment and counseling. This project will also serve the jail population involved in domestic violence cases in Mecklenburg County.
Mecklenburg County Sheriff's Departmen	060-1-97-2VA-W-008	100,284.00	0.00	0.00	7/1/97 - 6/30/98	
Domestic Violence - A three Tiered Appr	2VA	211,275.00	108,770.25	108,770.25		
Legal Services of Southern Piedmont, Inc	**7753**	24,391.00	24,391.00	24,391.00	VAWA 100%	
Legal Services of Southern Piedmont	060-2-97-1VA-W-037	0.00	0.00	0.00	9/1/97 - 8/31/98	
Mecklenburg Co. Domestic Violence Clini	1VA	24,391.00	24,391.00	24,391.00		
	County Totals:	257,843.00	155,338.25	155,338.25		
Mitchell						
Mayland Community College	**6786**	54,010.50	54,010.50	95,485.50	VAWA 100%	Collaborative effort of victim service agencies, local law enforcement, Mayland College and the courts in Mitchell, Avery, and Yancey counties to develop minimum training requirement standards.
Mayland Community College	061-1-96-2VA-W-052	0.00	0.00	0.00	7/1/96 - 10/31/98	
Project Safeplace	2VA	54,010.50	54,010.50	95,485.50		
	County Totals:	54,010.50	54,010.50	95,485.50		
Montgomery						
Crisis Council, Inc.	**7194**	40,043.19	39,833.00	39,833.00	VAWA 100%	This request will provide a victims advocate responsible for improving the quality of services to women victimized by domestic violence. The victims advocate will also work closely with the judicial system to develop a more effective court structure to respond to domestic violence cases.
Crisis Council, Inc.	062-1-97-1VA-W-028	39,202.72	0.00	0.00	7/1/97 - 6/30/98	
Crisis Council, Inc.	1VA	79,245.91	39,833.00	39,833.00		
	County Totals:	79,245.91	39,833.00	39,833.00		
New Hanover						
County of New Hanover	**6961**	134,833.50	134,833.50	265,595.25	VAWA 100%	The primary purpose of theis project is to establish a domestic violence unit in the District Attorney's Office, in which staff will work with local victim service agencies.
Office of the District Attorney	065-1-96-3VA-W-418	0.00	0.00	0.00	1/1/97 - 12/31/98	
D. A. Domestic Violence Unit	3VA	134,833.50	134,833.50	265,595.25		
Legal Services of the Lower Cape Fear, I	**7607**	41,625.00	41,673.00	41,673.00	VAWA 100%	This project requests a domestic violence civil attorney to provide community education, representation of domestic violence victims and training for criminal justice professionals. This project will serve seven counties.
Legal Services of the Lower Cape Fear, I	065-1-97-1VA-W-019	44,145.00	0.00	0.00	7/1/97 - 6/30/98	
Domestic Violence Civil Project	1VA	85,770.00	41,673.00	41,673.00		
	County Totals:	220,603.50	176,506.50	307,268.25		
Onslow						
Onslow Women's Center, Inc.	**7755**	33,805.55	33,806.00	33,806.00	VAWA 100%	
Onslow Women's Center, Inc.	067-2-97-1VA-W-011	0.00	0.00	0.00	7/1/97 - 6/30/98	
Victim's Advocacy Program	1VA	33,805.55	33,806.00	33,806.00		

Applicant/Imp. [redacted]/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved [redacted]	Awarded Y1/Y2	Source/Dates	Summary
	County Totals:	33,805.55	3[redacted]	33,806.00		
Orange						
County of Orange	**6718**	32,332.50	25,689.00	61,334.25	VAWA 100%	To create a Domestic Violence unit within the Sheriff's Dept. to provide DV training to law enforcement officers and to provide improved services to victims of DV.
Orange County Sheriff's Department	068-1-96-2VA-W-030	0.00	0.00	0.00	12/1/96 - 9/30/98	
Domestic Violence Unit	2VA	32,332.50	25,689.00	61,334.25		
	County Totals:	32,332.50	25,689.00	61,334.25		
Pender						
County of Pender	**6346**	43,918.00	18,164.00	18,164.00	VAWA 100%	To provide specialized domestic violence services to Hispanic victims in Pender and surrounding counties.
Safe Haven of Pender, Inc.	071-2-96-1VA-W-002	0.00	0.00	0.00	7/1/96 - 12/31/97	
Domestic Violence / Sexual Assault	1VA	43,918.00	18,164.00	18,164.00		
County of Pender	**7757**	37,323.00	14,693.00	14,693.00	VAWA 100%	
Safe Haven of Pender, Inc.	071-2-97-1VA-W-002	0.00	0.00	0.00	7/1/97 - 6/30/98	
Domestic Violence / Sexual Assault	1VA	37,323.00	14,693.00	14,693.00		
	County Totals:	81,241.00	32,857.00	32,857.00		
Person						
Safe Haven of Person County, Inc.	**6712**	29,591.00	29,592.00	29,592.00	VAWA 100%	Collaborative effort between Safe Haven of Person, law enforcement, the courts to provide court advocacy services to victims of domestic violence.
Safe Haven of Person County, Inc.	073-1-96-1VA-W-020	29,200.00	0.00	0.00	7/1/96 - 11/30/97	
Safe Haven Court Advocacy Program	1VA	58,791.00	29,592.00	29,592.00		
County of Person	**7758**	40,550.00	39,950.00	39,950.00	VAWA 100%	
Safe Haven of Person County, Inc.	073-2-97-1VA-W-020	0.00	0.00	0.00	7/1/97 - 6/30/98	
Safe Haven Court Advocate Program	1VA	40,550.00	39,950.00	39,950.00		
	County Totals:	99,341.00	69,542.00	69,542.00		
Pitt						
County of Pitt	**6956**	172,260.00	172,260.00	401,977.50	VAWA 100%	The primary purpose of this project is to provide assistance to victims of domestic violence and especially female domestic violence victims. Through improving response time, these victims of domestic violence will immediately recieve assistance from the beginning of the case to the end. The Pitt County Sheriff's Office domestic violence prevention unit will have total involvement with every case within the sheriff's jurisdiction. The DV prevention unit will consist of one sergeant and three deputies. There will be at least one officer working at all times (24 hour coverage).
Pitt County Sheriff's Department	074-1-96-2VA-W-416	0.00	0.00	0.00	1/1/97 - 12/31/98	
Domestic Violence Prevention Unit	2VA	172,260.00	172,260.00	401,977.50		
REAL Crisis Intervention, Inc.	**7178**	33,386.00	33,786.00	33,786.00	VAWA 100%	This project will provide a bilingual advocate to serve hispanic victims of domestic violence. This project will also provide direct services to the hearing impaired and provide community resource kits to victims.
REAL Crisis Intervention, Inc.	074-1-97-1VA-W-011	33,524.00	0.00	0.00	7/1/97 - 6/30/98	
El Faro	1VA	66,910.00	33,786.00	33,786.00		
City of Greenville	**7262**	95,746.70	93,496.50	93,496.50	VAWA 100%	This project will provide three police officers responsible for operating the family services unit in the police department. These officers will investigate and follow up on crimes against women including rape, domestic violence, and stalking.
Greenville Police Department	074-1-97-2VA-W-035	81,592.34	0.00	0.00	7/1/97 - 6/30/98	
Violence Against Women	2VA	177,339.04	93,496.50	93,496.50		
Town of Grifton	**7480**	45,984.14	26,634.00	26,634.00	VAWA 100%	This project requests a domestic violence prevention unit to investigate domestic violence calls. The project requests one position.
Grifton Police Department	074-1-97-2VA-W-070	0.00	0.00	0.00	7/1/97 - 6/30/98	
Domestic Violence Investigator	2VA	45,984.14	26,634.00	26,634.00		

Applicant/Imp. [redacted]v/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved [redacted]/Y2	Awarded Y1/Y2	Source/Dates		Summary
Pitt Co. Family V[redacted] Program, Inc.	**7258**	40,197.00	40[redacted]	40,197.00	VAWA	100%	This project requests a full-time coord[redacted] develop a coordinated system to respond to dom[redacted]olence in Pitt County. The coordinator will facilitate the county's domestic violence network meetings, conduct a county-wide needs assessment of available resources, and assist with the development of an interagency protocol for responding to domestic violence cases.
Pitt Co. Family Violence Program, Inc.	074-1-97-4VA-W-024	32,626.00	[redacted]00	0.00	7/1/97 - 6/30/98		
Zero Tolerance	4VA	72,823.00	40,197.00	40,197.00			
County of Pitt	**6863**	27,375.00	27,375.00	27,375.00	VAWA	100%	This project provides specialized sexual assault investigation and prosecution through a multi-disciplinary team approach.
The District Attorney's Office	074-2-96-3VA-W-043	0.00	0.00	0.00	8/1/96 - 4/30/98		
Violence Against Women	3VA	27,375.00	27,375.00	27,375.00			
	County Totals:	562,691.18	393,748.50	623,466.00			

Richmond

Womenfolk Unlimited	**7900**	55,534.00	55,534.00	55,534.00	VAWA	100%	
Womenfolk Unlimited	077-1-97-1VA-W-401	0.00	0.00	0.00	11/1/97 - 10/31/98		
After School Safety & Sessions Program	1VA	55,534.00	55,534.00	55,534.00			
City of Hamlet	**7632**	16,907.25	14,925.00	14,925.00	VAWA	100%	This project will intensively train all Hamlet Police Officers in current methods of investigation and evidence processing to allow for more effective recognition, investigation, and prosecution of domestic violence cases.
Hamlet PD	077-1-97-2VA-W-038	0.00	0.00	0.00	7/1/97 - 6/30/98		
Abuse=Arrest	2VA	16,907.25	14,925.00	14,925.00			
	County Totals:	72,441.25	70,459.00	70,459.00			

Rockingham

County of Rockingham	**6864**	69,780.00	69,780.00	69,780.00	VAWA	100%	This grant enables D.A.'s office to provide training for law enforcement, emergency medical staff, judicial officials, and prosecutors to better investigate acts of DV, assist victims, and prosecute cases.
Rockingham District Attorney's Office	079-2-96-3VA-W-039	0.00	0.00	0.00	8/1/96 - 1/31/98		
TEAM - Training, Educating, Advising, &	3VA	69,780.00	69,780.00	69,780.00			
	County Totals:	69,780.00	69,780.00	69,780.00			

Rutherford

Town of Spindale	**7707**	19,696.50	26,598.00	26,598.00	VAWA	100%	This project will provide trained DART advocates to accompany officers to domestic violence calls to more effectively serve victims.
Spindale Police Department	081-1-97-2VA-W-052	20,599.50	0.00	0.00	7/1/97 - 6/30/98		
Project DART	2VA	40,296.00	26,598.00	26,598.00			
Family Resources of Rutherford Co., Inc.	**6867**	28,861.00	28,861.00	28,861.00	VAWA	100%	This project will improve services, develop policy and protocol within the judicial and LE components in a collaborative response to DV.
Family Resources -- PATH Shelter	081-2-96-4VA-W-038	0.00	0.00	0.00	8/1/96 - 12/31/97		
Project DART: Domestic Advocacy Resp	4VA	28,861.00	28,861.00	28,861.00			
	County Totals:	69,157.00	55,459.00	55,459.00			

Sampson

U Care, Inc.	**7760**	86,439.00	81,539.00	81,539.00	VAWA	100%	
U Care, Inc.	082-2-97-1VA-W-028	0.00	0.00	0.00	7/1/97 - 6/30/98		
U Care, Inc.	1VA	86,439.00	81,539.00	81,539.00			
	County Totals:	86,439.00	81,539.00	81,539.00			

Swain

Swain County	**7738**	30,053.00	30,053.00	30,053.00	VAWA	100%	This proposal will provide a collaborative approach to domestic violence and sexual assault education and training for law enforcement and court personnel. This proposal will provide funds to Swain/Qualla SAFE, Inc., to support the hiring of a Community Educator/Trainer who will also provide basic DV education to the general public. This agency is the DV/SA program for the Eastern Band of Cherokee Indians.
Swain/Qualla SAFE, Inc.	087-1-97-4VA-W-082	32,053.00	0.00	0.00	7/1/97 - 6/30/98		
Community Education/Training	4VA	62,106.00	30,053.00	30,053.00			

Applicant/Imp. [redacted]/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved [redacted]	Awarded Y1/Y2	Source/Dates	Summary
	County Totals:	62,106.00	3[redacted]	30,053.00		

Wake

City of Raleigh	**6708**	336,733.50	69,588.75	197,946.00	VAWA 100%	Collaborative effort of Raleigh P.D. and the Wake County Courts to establish a family violence intervention program.
Raleigh Police Department	092-1-96-3VA-W-316	0.00	0.00	0.00	7/1/96 - 12/31/98	
Family Violence Intervention Program	3VA	336,733.50	69,588.75	197,946.00		
N.C. Coalition Against Sexual Assault	**7661**	139,605.00	139,605.00	139,605.00	VAWA 100%	This project will train emergency room nurses and other medical professionals in treating rape victims with sensitivity and in improving evidence collection techniques. The project will coordinate these efforts with the fifty-seven rape crisis centers statewide to develop local sexual assault response teams (SARTs) and support teams to work with specially trained sexual assault forensic examiners (SAFE's). This project requests two positions.
NC Coalition Against Sexual Assault	092-1-97-4VA-W-046	139,605.00	0.00	0.00	7/1/97 - 6/30/98	
SAFE/SART Project	4VA	279,210.00	139,605.00	139,605.00		
	County Totals:	615,943.50	209,193.75	337,551.00		

Wilson

Wesley Shelter, Inc.	**6953**	104,527.00	104,527.00	211,742.00	VAWA 100%	The DVIP Team will provide a unified approach to services for domestic violence victims and prevention strategies for the community.
Wesley Shelter, Inc.	098-1-96-2VA-W-415	0.00	0.00	0.00	1/1/97 - 12/31/98	
Domestic Violence Intervention Project T	2VA	104,527.00	104,527.00	211,742.00		
	County Totals:	104,527.00	104,527.00	211,742.00		

Year 1 Total:	5,526,497.34	4,242,457.50	5,460,100.75
Year 2 Total:	2,167,257.48	63,426.75	0.00
Report Total:	7,693,754.82	4,305,884.25	5,460,100.75

VICTIM WITNESS ASSISTANT PROGRAM REPORT

To

JUSTICE AND PUBLIC SAFETY APPROPRIATIONS SUBCOMMITTEE

December 18, 1997

ATT. 6
12-18-97

Victim Impact Statements Distributed/Received -- 1996

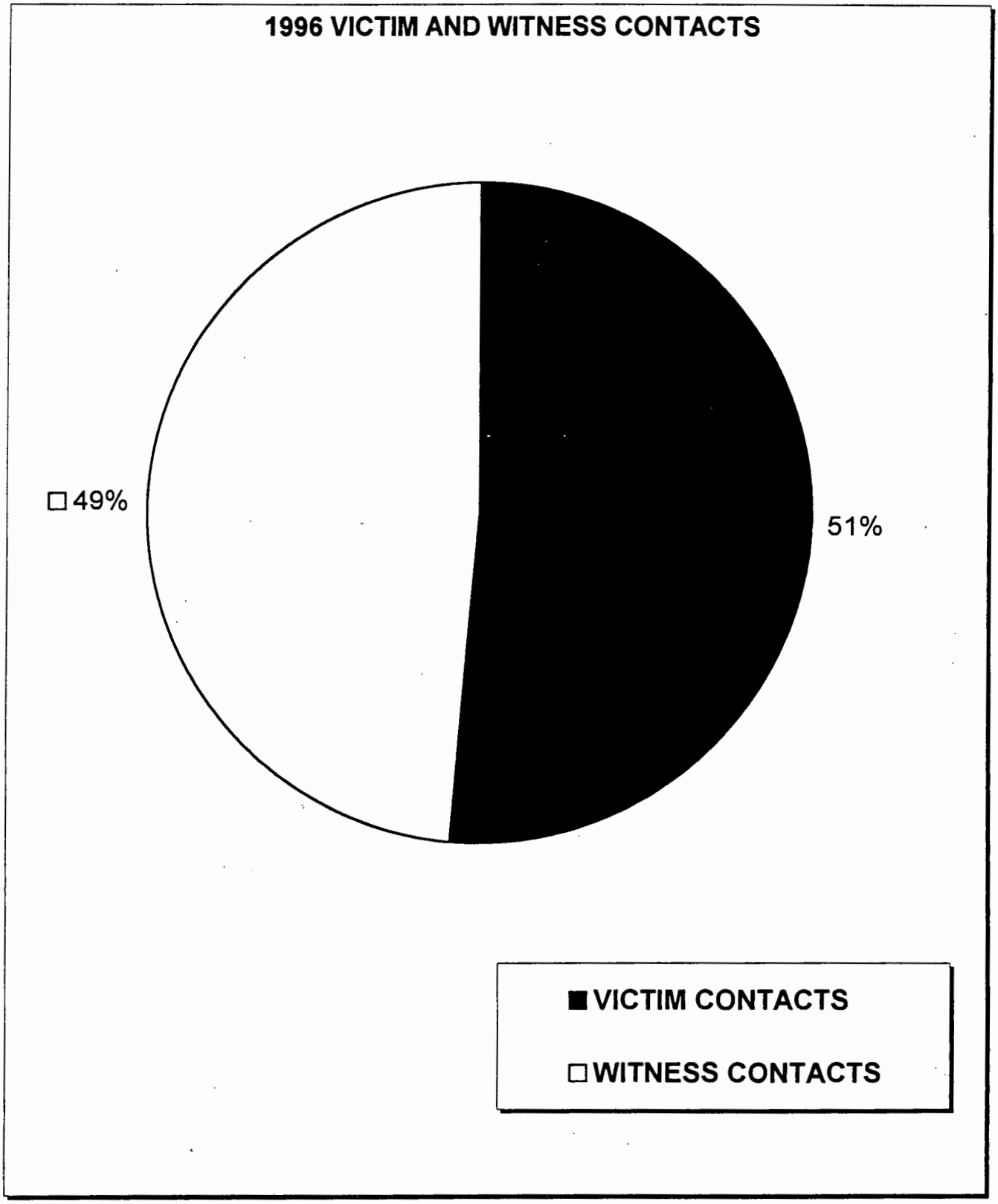
DISTRICT	JAN.		FEB.		MAR.		APR.		MAY		JUNE	
	D	R	D	R	D	R	D	R	D	R	D	R
1	254	91	229	98	209	81	161	94	159	93	238	188
2	60	31	50	40	60	55	40	50	50	25	55	18
3A	177	27	123	34	118	31	85	22	104	11	98	18
3B	50	10	38	9	52	11	56	15	67	12	96	31
4	87	34	56	42	105	36	64	40	81	46	91	77
5	78	34	49	25	63	34	44	19	81	47	75	36
6A	34	16	13	7	13	10	23	13	18	10	35	12
6B	49	22	37	15	23	20	18	11	26	16	15	10
7	86	43	47	27	353	123	225	59	233	127	103	24
8	52	30	64	9	50	39	28	20	17	8	86	11
9	149	119	139	82	119	78	126	69	114	61	122	78
9A	14	8	4	3	15	9	15	2	3	0	27	6
10	330	15	345	10	345	20	398	7	331	8	337	10
11	54	12	26	13	41	14	41	12	46	15	42	18
12	403	360	503	430	522	396	346	305	787	596	531	403
13	20	12	30	18	25	18	27	12	79	37	76	41
14	4	2	2	1	8	1	4	2	2	2	10	2
15A	91	79	96	58	106	64	109	77	97	62	124	93
15B	190	0	183	110	94	50	101	71	96	64	112	90
16A	46	22	31	18	25	17	14	21	32	6	28	16
16B	0	13	151	36	70	25	180	48	73	68	34	12
17A	22	15	15	10	45	24	33	18	49	20	11	10
17B	26	7	58	37	26	12	35	17	31	20	42	29
18	372	132	285	98	331	411	352	160	421	166	346	134
19A	13	8	20	9	23	8	10	6	12	9	19	2
19B	11	14	38	24	14	12	1	2	27	10	10	4
19C	33	25	19	13	35	23	33	27	23	17	17	15
20	82	44	70	36	104	52	86	35	86	41	58	32
21	142	39	144	32	187	1	163	74	131	79	62	36
22	32	13	71	37	97	48	73	48	74	37	57	15
23	53	14	57	17	20	34	36	16	14	11	29	12
24	2	0	0	0	4	0	16	5	10	3	6	4
25	54	21	46	19	128	103	29	13	60	47	66	39
26	236	101	175	52	194	100	131	79	159	97	146	81
27A	53	36	169	108	226	139	74	64	283	179	218	99
27B	21	9	126	28	92	25	42	34	58	9	126	26
28	73	153	57	107	62	2	224	166	199	145	68	0
29	128	55	120	59	126	70	93	14	137	73	79	32
30	53	43	86	51	38	16	54	37	41	25	30	25
TOTAL	3,634	1,709	3,772	1,822	4,168	2,212	3,590	1,784	4,311	2,302	3,725	1,789

D = Distributed R = Received

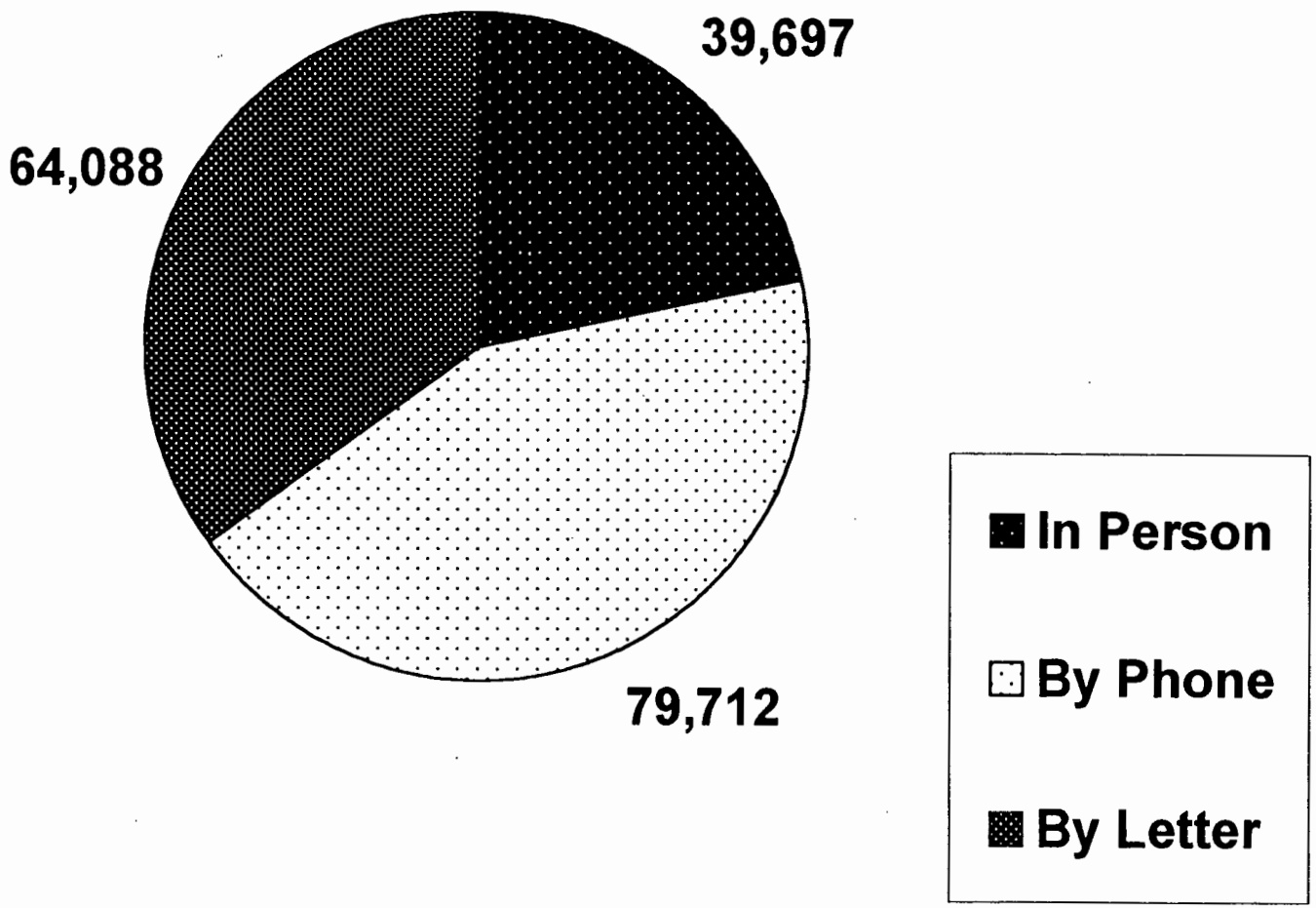
Victim Impact Statements Distributed and Received -- 1996

DISTRICT	JULY		AUG.		SEPT.		OCT.		NOV.		DEC.	
	D	R	D	R	D	R	D	R	D	R	D	R
1	251	95	126	89	126	83	63	60	74	68	50	43
2	75	55	81	54	55	35	105	55	85	55	31	25
3A	76	26	135	41	124	32	90	19	82	17	80	26
3B	36	15	62	12	43	10	41	11	40	10	67	14
4	83	64	134	51	127	46	63	21	73	21	100	14
5	77	38	82	43	69	39	91	39	57	25	54	30
6A	18	10	15	8	19	8	7	12	6	4	20	10
6B	31	17	41	25	47	22	30	19	22	15	35	25
7	105	68	352	99	87	63	22	39	47	39	73	38
8	45	20	47	31	59	23	113	36	105	42	63	46
9	130	89	142	96	97	68	109	61	112	76	98	101
9A	24	12	55	0	36	7	25	7	27	7	38	7
10	340	10	375	5	332	85	372	0	410	13	391	15
11	39	11	39	15	40	24	35	17	39	21	37	21
12	463	350	618	302	414	301	410	333	559	445	615	428
13	86	23	61	34	90	60	86	62	127	72	62	62
14	4	1	4	1	3	2	9	4	15	3	7	1
15A	136	82	159	111	188	135	156	117	145	108	0	0
15B	86	62	195	161	190	113	196	127	87	75	51	36
16A	37	12	58	12	49	14	32	11	45	19	39	15
16B	38	11	47	47	54	19	183	41	99	44	103	33
17A	40	19	56	26	15	34	39	24	32	21	39	39
17B	40	21	27	13	30	17	19	11	26	17	28	13
18	430	204	335	138	275	102	355	190	399	210	248	193
19A	31	13	16	13	16	4	26	7	32	9	24	10
19B	102	33	12	18	16	9	3	9	15	0	15	8
19C	89	49	34	85	60	15	36	24	18	15	26	23
20	59	37	82	37	183	32	137	78	84	48	149	35
21	152	41	123	48	173	79	352	65	226	65	79	12
22	34	21	84	15	50	33	60	34	56	44	46	14
23	54	14	40	10	29	16	30	9	32	8	13	12
24	2	1	13	7	15	10	18	12	19	19	28	24
25	101	61	52	36	132	59	48	38	50	44	27	6
26	161	89	159	91	149	78	248	112	292	108	244	90
27A	230	136	162	99	142	100	369	195	149	118	203	138
27B	76	25	111	20	86	43	43	17	50	7	83	10
28	41	0	182	113	89	4	113	6	92	2	62	108
29	121	47	125	65	89	34	124	68	118	53	124	58
30	85	42	168	32	63	26	57	39	48	36	128	83
TOTAL	4,028	1,924	4,509	2,103	3,861	1,884	4,315	2,029	3,994	2,003	3,580	1,866

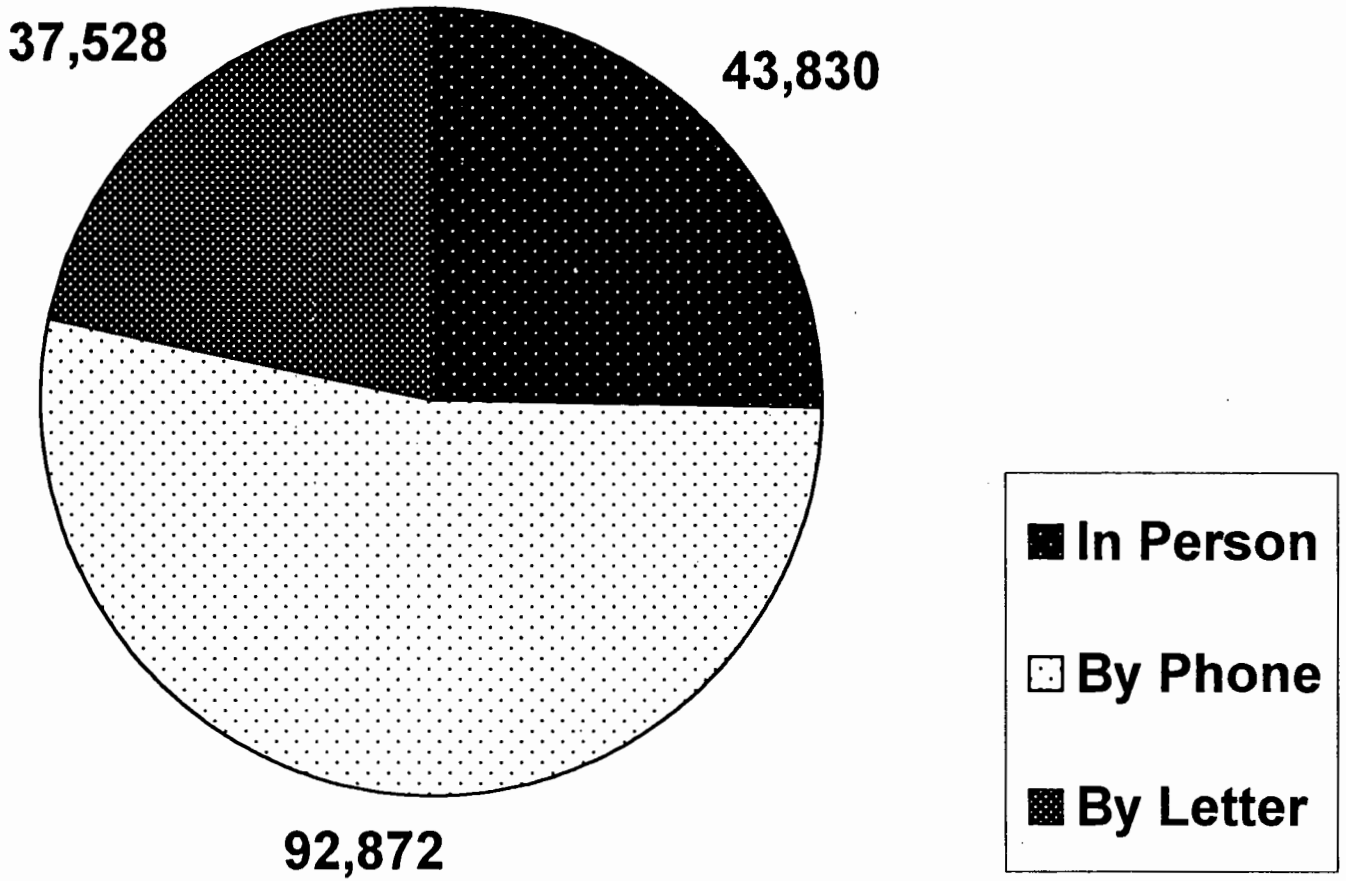
D = Distributed R = Received


1996 VICTIM AND WITNESS CONTACTS
49%
51%
VICTIM CONTACTS
WITNESS CONTACTS

1996 CONTACT WITH VICTIMS



1996 CONTACT WITH WITNESSES



DISTRICT ATTORNEY OFFICES
VICTIM-WITNESS/LEGAL ASSISTANT POSITIONS FOR FY 1997-98

DIST. #	LEGAL ASST.	VIC/WIT ASST.	TOTAL 11/30/97	NEW POS EFF 12/01/97	GRAND TOTAL
1	4.00	2.00	6.00	2.00	8.00
2	3.00	2.00	5.00		5.00
3A	4.00	2.00	6.00	1.00	7.00
3B	3.00	2.00	5.00	2.00	7.00
4	6.75	2.00	8.75	1.00	9.75
5	6.00	2.00	8.00	2.00	10.00
6A	2.00	1.00	3.00		3.00
6B	2.00	1.00	3.00		3.00
7	6.00	2.00	8.00	3.00	11.00
8	5.00	2.00	7.00	1.00	8.00
9	5.00	2.00	7.00	1.00	8.00
9A	1.00	1.00	2.00	1.00	3.00
10	9.00	3.00	12.00	6.00	18.00
11	4.50	2.00	6.50	3.00	9.50
12	7.00	3.00	10.00	2.00	12.00
13	4.00	2.00	6.00	1.00	7.00
14	5.00	2.00	7.00	1.00	8.00
15A	3.00	2.00	5.00		5.00
15B	3.00	1.00	4.00		4.00
16A	2.75	1.00	3.75		3.75
16B	4.00	2.00	6.00	1.00	7.00
17A	3.00	1.00	4.00		4.00
17B	3.00	1.00	4.00		4.00
18	9.00	3.00	12.00	6.00	18.00
19A	2.00	1.00	3.00	1.00	4.00
19B	4.00	1.00	5.00	3.00	8.00
19C	2.00	1.00	3.00	1.00	4.00
20	5.00	2.00	7.00	3.00	10.00
21	6.00	3.00	9.00	2.00	11.00
22	6.00	2.00	8.00	3.00	11.00
23	2.00	2.00	4.00		4.00
24	3.00	2.00	5.00		5.00
25	5.00	2.00	7.00	3.00	10.00
26	13.00	3.00	16.00	6.00	22.00
27A	4.00	2.00	6.00	2.00	8.00
27B	3.00	2.00	5.00		5.00
28	4.00	3.00	7.00		7.00
29	4.00	3.00	7.00	1.00	8.00
30	4.00	2.00	6.00		6.00
S-Total	**175.00**	**75.00**	**247.00**	**59.00**	**306.00**
Allocated to District Attorney's Conference			**1.00**	**1.00**	
Total	**172.00**	**75.00**	**247.00**	**60.00**	**307.00**

Salaries	**$7,657,194**
Social Security	**585,775**
Retirement	**829,274**
Health Insurance	**532,952**
TOTAL SALARIES & BENEFITS	**$9,605,190**

ASSESS EXISTING VICTIM NEEDS AND SERVICES IN YOUR DISTRICT

- Determine the major types of victimization;
- Inventory service needs of victims and witnesses;
- Identify existing victim assistance and community services available to develop a list of referrals. Network with representatives of these agencies and organizations – exchange business cards, brochures, etc.;
- Use cooperative agreements, making sure that everyone understands his/her roles and responsibilities;
- Identify gaps in the area of victim services;
- Select those needed services that are appropriate for the prosecutor's office to meet and provide; and
- Identify victim population your office will serve.

SELECT YOUR PROGRAM STAFF

1. **Victim Services Program Director**
   - Supervises victim services staff;
   - Must have good organizational skills; and
   - Works closely with administrative assistant and elected district attorney to develop program policies and procedures.

2. **Victim/Witness Assistant to work directly with victims, trial assistant to prosecutor:**
   - Must like to work with people & must be a good public relations representative for your office;
   - Coordinates victims and witnesses for court appearances;
   - Transports victims and witnesses to court, when necessary;
   - Provides minimal crisis intervention services;
   - Answers questions for victims during trials;
   - Serves as a liaison between victims and witnesses and the prosecutor; and
   - Protects victims and witnesses from the media.

3. **Victim/Witness Assistant to send all written correspondence (notification, impact statements, etc.)**
   - Must be well organized;
   - Must like to sit at a computer and type all day;
   - Locates missing victims and witnesses; and
   - Tracks all victim and witness contacts.

4. **Volunteers & Interns**

   You must invest time to develop an adequate training, supervision and recognition system before volunteers and interns can work in your office. A Conference staff member is able to assist in the development of such a program.

DEVELOP A PROGRAM MISSION STATEMENT

- Must be prosecution-based program, meaning that prosecutors and victim service providers attempt to increase a victim's participation in and satisfaction with the criminal justice system;
- Develop some short and long term goals for the program; and
- Assess the effectiveness of the program every six months.

DEVELOP AN ORGANIZATIONAL STRUCTURE

- Keep the program focused on victim assistance;
- Emphasize specialization of services;
- Emphasize the prosecutorial responsibilities of the program;
- Ensure that others in the office recognize the importance of the program; and

- **Fully integrate the program into the office.**
- **Let the Victim Services Director do his or her job.**

DEVELOP PROGRAM BROCHURES, BOOKLETS

- Victim Services Brochure – with picture of elected district attorney on the front;
- Court Procedure, with tips and information;
- Crime specific brochures;
- Information about community resources and how to access them; and
- Any other.

SELECT A NAME FOR YOUR PROGRAM

Suggestions include:

- Crime Victim Unit;
- Crime Victim/Witness Services;
- Victim/Witness Assistance Program; or
- Victim Assistance Unit.

12-18-97
ATT. 7

HB 665 Crime Victims Rights Act – Summary of Legislative History

House Judiciary

- Developed substantive portion of HB 665, setting out required services by state and local agencies and related legal and procedural changes
- Also established Crime Victims Rights Fund and $30 "Assessment" to pay for services
- Authorized Crime Control and Public Safety to allocate monies from Fund to agencies providing services to victims; funds were to be supplemental to funds otherwise available and CCPS was to develop procedures for allocating funds as grants.
- Required provision of specified rights to victims of A-E felons and other selected felonies. Amended current Fair Treatment Act to direct district attorneys, to extent possible, to provide services to serious misdemeanor victims of domestic violence and directed Conference of DA's to study domestic violence issue and make recommendations to 1998 General Assembly.

House Finance (7/10/97 Committee Substitute)

- Eliminated $30 assessment as unconstitutional and established $5 court fee to fund Crime Victims Rights Fund
- Required coverage of domestic violence victims effective July 1, 1999
- Defined victims of domestic violence based primarily on civil statute, but required Governor's Crime Commission to study domestic violence issue and develop a criminal definition of domestic violence.

General Government (PCS 1443)

Minor change from Finance version – required Crime Control to distribute monies as grants from Crime Victims Fund based on recommendations of Crime Commission Victims Committee.

Justice and Public Safety (PCS 7371)

Only changes from PCS 1443 were

- Makes bill effective July 1, 1998 rather than January 1, 1998

- Eliminated $5 Court Fee and Crime Victims Fund (assumed direct appropriations would be made to state agencies in 1998 short session)

- Required Joint Correction/Crime Control Oversight to study alternative methods for funding needs of local law enforcement

- Required study of domestic violence to be conducted by District Attorneys Conference in conjunction with Crime Commission

Bill was passed by JPS Subcommittee at end of session, but not taken up on House floor

1997 General Assembly Studies Bill (SB 32)

- State LRC may study HB 665 (assigned to House JPS)

- Governor's Crime Commission to Study Domestic Violence Crime Categories

1997 General Assembly Funding for Direct Victims Services

- Funding of approximately $2.6 million dollars in FY 1997-98 for 105 Assistants for Administrative and Victim and Witness Services in the Judicial Department; funding for 45 positions was placed in a reserve ($1.15 million in 97-98) and could only be expended if HB 665 or SB 763 were enacted in the 1997 Regular Session.

(2) ~~Ten~~ Eleven members appointed by the President Pro Tempore of the Senate, as follows:

a. Four shall be members of the Senate at the time of their appointment,
b. One shall be the director of a mental health area authority,
c. One shall be a representative of the Association of County Commissioners,
d. One shall be a representative of the general public who has knowledge of issues relating to children and youth,
e. One shall be a licensed attorney whose practice includes the representation of parents accused of criminal or civil abuse or neglect, and
f. One shall be a chief district court judge recommended by the Council of Chief District Judges.
g. One shall be a representative from the North Carolina Child Advocacy Institute.
h. One shall be a representative from the North Carolina Child Fatality Task Force.

(3) The following shall serve ex officio as nonvoting members of the Commission:

a. The Secretary of Human Resources, or the Secretary's designee,
b. The State Superintendent of Public Instruction, or the Superintendent's designee, ~~and~~
c. The Secretary of Administration, or the Secretary's ~~designee.~~ designee, and
d. The Director of the Administrative Office of the Courts, or the Director's designee."

PART IV.-----JOINT LEGISLATIVE CORRECTIONS OVERSIGHT COMMITTEE TO STUDY CORRECTION ENTERPRISES SIGN SHOP (S.B. 860 - Lee)

Section 4.1. The Joint Legislative Corrections Oversight Committee shall study the operation of Correction Enterprises industries, including the sign shop and furniture and upholstery plants, with a review of, among other issues, the (i) pricing structure in relation to private companies and (ii) job placement opportunities for prison apprentices upon release.

Section 4.2. The Committee may file an interim report with the 1997 General Assembly, 1998 Regular Session, and shall file a final report with the 1999 General Assembly upon its convening. The reports shall be filed no later than the dates on which those sessions respectively convene.

PART V.-----GOVERNOR'S CRIME COMMISSION TO STUDY DOMESTIC VIOLENCE CRIME CATEGORIES (Rand; Bowie; Morris)

Section 5.1. The Governor's Crime Commission of the Department of Crime Control and Public Safety shall coordinate a study of the incidence of domestic violence and identify the felonies and misdemeanors that may be categorized as domestic violence. The study shall include participation by the North Carolina Conference of District Attorneys and the seven prosecutorial districts that are currently receiving funds from the Violence Against Women Act, administered through the Governor's Crime Commission. The study shall also include participation of other prosecutorial districts which volunteer their participation in providing necessary information. The Commission shall recommend a statutory definition of domestic violence crimes that will be sufficiently clear so that it can be

used by law enforcement officers and prosecutors to determine eligibility of victims of these crimes for victims' assistance services. The Commission shall also recommend whether any crimes that are currently misdemeanors should be reclassified as felonies when committed as crimes of domestic violence. The Commission shall forward its recommendations to the North Carolina Sentencing and Policy Advisory Commission. The Sentencing and Policy Advisory Commission shall analyze the recommendations for impact on the length of time for which persons are incarcerated and the number of persons incarcerated. The Commission shall report the findings of its study and its recommendations, including the analyses from the Sentencing and Policy Advisory Commission, to the 1997 General Assembly, 1998 Regular Session, on or before its convening date.

Section 5.2. The Governor's Crime Commission shall conduct this study within available funds.

PART VI.-----EDUCATION OVERSIGHT STUDIES

Section 6.1. The Joint Legislative Education Oversight Committee may study the following matters:

(1) The issue of the gap in student academic achievement between racial and socioeconomic groups (S.B. 640 - Rucho). To assist the Education Oversight Committee in this study, the Committee's cochairs may appoint an advisory subcommittee on this matter. The subcommittee shall consist of equal numbers of members appointed by the Senate cochair and the House cochair. Either cochair may appoint to the subcommittee members, including public members who are not also members of the Committee. Members of the subcommittee who are not members of the Committee may participate fully in all subcommittee business, including all deliberations and votes; however, these members are not members of the Committee for any other purpose. The subcommittee members shall receive no salary for serving. All subcommittee members shall receive necessary subsistence and travel expenses in accordance with the provisions of G.S. 120-3.1, 138-5, and 138-6 as applicable. In particular, the Committee may examine:

a. Whether student assignment plans increase, decrease, or have no effect on the academic achievement gap.
b. The effect of increased parental and community involvement on the academic achievement gap.
c. The relationship, if any, between the distribution of resources and student achievement.
d. Mechanisms to distribute personnel and financial resources to provide a quality educational opportunity for all students.
e. The relationship, if any, between student achievement and factors such as teacher turnover, teacher attendance, and teacher assignment outside the teacher's area of certification.
f. The extent to which preservice and continued professional development for educational personnel should be modified in order to address the needs of students who are not making adequate academic progress.
g. The extent to which curriculum content and delivery should be modified in order to address the needs of students who are not making adequate academic progress.

5

"§ 164-36. Powers and duties.

Sentences established for violations of the State's criminal laws should be based on the established purposes of our criminal justice and corrections systems. The Commission shall evaluate sentencing laws and policies in relationship to both the stated purposes of the criminal justice and corrections systems and the availability of sentencing options. The Commission shall make recommendations to the General Assembly for the modification of sentencing laws and policies, and for the addition, deletion, or expansion of sentencing options as necessary to achieve policy goals. The Commission shall make a report of its recommendations, including any recommended legislation, to the General Assembly annually."

Requested by: Representatives Justus, Kiser, Thompson, Hill, Senators Gulley, Ballance, Rand

VICTIMS' RIGHTS AMENDMENT/ASSISTANTS FOR ADMINISTRATIVE AND VICTIM AND WITNESS SERVICES

Section 18.7. (a) The assistants for administrative and victim and witness services funded in this act are intended to support the implementation of the Victims' Rights Amendment to the North Carolina Constitution and to address the current workload. These positions shall be allocated on the basis of workload and population. The Judicial Department shall report to the Joint Legislative Commission on Governmental Operations on the allocation of these positions by March 1, 1998.

(b) Of the funds appropriated to the Judicial Department for the 1997-99 biennium for assistants for administrative and victim and witness services, the sum of one million one hundred fifty-three thousand one hundred twenty dollars ($1,153,120) for the 1997-98 fiscal year and the sum of one million four hundred sixty-three thousand five hundred thirty-five dollars ($1,463,535) for the 1998-99 fiscal year shall be placed in a reserve. Funds in this reserve shall be expended to provide 45 assistants for administrative and victim and witness services only if the Crime Victims' Rights Act, House Bill 665 or Senate Bill 763, is enacted during the 1997 Regular Session. The Office of State Budget and Management may adjust these amounts appropriately if changes in the effective date of the Crime Victims' Rights Act increase or decrease the cost of the 45 assistants for administrative and victim and witness services.

(c) G.S. 7A-347 reads as rewritten:

"**§ 7A-347. ~~Victim and witness assistants.~~ Assistants for administrative and victim and witness services.**

~~Victim and witness assistant~~ Assistant for administrative and victim and witness services positions are established under the ~~District Attorneys Offices.~~ district attorneys' offices. Each prosecutorial district is allocated at least one ~~victim and witness~~ assistant for administrative and victim and witness services to be employed by the district attorney. The Administrative Office of the Courts shall allocate additional ~~victim and witness~~ assistants to prosecutorial districts on the basis of need and within available appropriations. Each district attorney may also use any volunteer or other personnel to assist the ~~victim and witness~~ assistant. The ~~victim and witness~~ assistant is responsible for coordinating efforts of the law-enforcement and judicial systems to assure that each victim and witness is provided fair treatment under Article 45 of Chapter 15A, Fair Treatment for Victims and Witnesses and shall ~~be used for no other purpose, except as may be approved pursuant to G.S. 7A-348.~~ also provide administrative and legal support to the district attorney's office."

(d) G.S. 7A-348 reads as rewritten:

"**§ 7A-348. Training and supervision of ~~victim and witness assistants.~~ assistants for administrative and victim and witness services.**

Pursuant to the provisions of G.S. 7A-413, the Conference of District Attorneys shall:

(1) Assist in establishing uniform statewide training for ~~the victim and witness assistants;~~ assistants for administrative and victim and witness services;

(2) Assist in the implementation and supervision of this program; and

(3) With the Director of the Administrative Office of the Courts, report annually to the Joint Legislative Commission on Governmental Operations on the implementation and effectiveness of this act, beginning on or before February 1, 1987."

(e) G.S. 15A-826 reads as rewritten:

"**§ 15A-826. ~~Victim and witness assistants.~~ Assistants for administrative and victim and witness services.**

~~Victim and witness assistants~~ In addition to providing administrative and legal support to the district attorney's office, assistants for administrative and victim and witness services are responsible for coordinating efforts within the law-enforcement and judicial systems to assure that each victim and witness is treated in accordance with this Article."

(f) The Administrative Office of the Courts and the Conference of District Attorneys shall provide for persons serving as victim and witness assistants on June 30, 1997, to be trained as assistants for administrative and victim and witness services by July 1, 1998. The Administrative Office of the Courts and the Conference of District Attorneys shall provide for persons serving as legal assistants on June 30, 1997, to be trained as assistants for administrative and victim and witness services by July 1, 1998. Prior to that time, when necessary to better manage workloads, the district attorney may temporarily assign a victim and witness assistant to perform duties normally performed by a legal assistant and may temporarily assign a legal assistant to perform duties normally performed by a victim and witness assistant.

Requested by: Senators Gulley, Ballance, Rand, Representatives Justus, Kiser, Thompson, Hill

COMPUTER TRAINING

Section 18.8. Prior to the allocation of laptop computers for superior court and district court judges, each judge requesting a laptop computer shall complete a training course provided by the Administrative Office of the Courts in the use of a laptop computer and the appropriate software.

Requested by: Senator Gulley, Representatives Justus, Kiser, Thompson

CRIMINAL CASE MANAGEMENT FUNDS

Section 18.9. (a) The criminal case docket management programs funded in this act shall be distributed in a manner that ensures representation in all areas of the State.

(b) The Administrative Office of the Courts shall report by April 1, 1998, to the Chairs of the Senate and House Appropriations Committees and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on the criminal case management programs established in 10 judicial districts. The report shall assess the success of these 10 programs in reducing the backlog of court cases and resolving new court cases more quickly and shall include recommendations for the location of additional criminal case management programs in the 1998-99 fiscal year.

Requested by: Senators Gulley, Ballance, Rand, Representatives Justus, Kiser, Thompson, Hill

ATT. 8
12-18-97

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE BILL 665
Committee Substitute Favorable 6/25/97
Committee Substitute #2 Favorable 7/10/97
Proposed Committee Substitute H665-PCS7371

Short Title: Crime Victims' Rights Act. (Public)

Sponsors:

Referred to:

March 27, 1997

A BILL TO BE ENTITLED

AN ACT TO CREATE THE CRIME VICTIMS' RIGHTS ACT, TO ASSIST VICTIMS OF DOMESTIC VIOLENCE, TO ALLOW THE ENFORCEMENT OF ORDERS FOR RESTITUTION IN CRIMINAL CASES IN THE SAME MANNER AS CIVIL JUDGMENTS, TO CREATE AN EXCEPTION TO THE STATUTORY EXEMPTIONS FOR EXECUTION OF RESTITUTION JUDGMENTS, AND TO CHANGE THE ORDER OF PRIORITY FOR DISBURSEMENT OF FUNDS IN CRIMINAL CASES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 15A of the General Statutes is amended by adding a new Subchapter to read:

"SUBCHAPTER XVI. CRIME VICTIMS' RIGHTS.

"ARTICLE 101.

"Crime Victims' Rights Act.

"**§ 15A-2010. Definitions.**

(a) The following definitions apply in this Article:

(1) Accused. -- A person who has been arrested and charged with committing a crime covered by this Article.

(2) Law enforcement agency. -- Law enforcement agency includes the following:

a. Arresting law enforcement agency. -- The law enforcement agency that makes the arrest of an accused.
b. Custodial agency. -- The agency that has legal custody of an accused or defendant arising from a charge or conviction of a crime covered by this Article including, but not limited to, local jails or detention facilities, regional jails or detention facilities, or the Department of Correction.
c. Investigating law enforcement agency. -- The law enforcement agency with primary responsibility for investigating the crime committed against the victim.

(3) Next of kin. -- The victim's spouse, children, parents, siblings, or grandparents. The term does not include the accused unless the charges are dismissed or the person is found not guilty.

(4) Victim. -- A person against whom there is probable cause to believe one of the following crimes was committed:
a. A Class A, B1, B2, C, D, or E felony.
b. A Class F felony if it is a violation of one of the following: G.S. 14-16.6(b); 14-16.6(c); 14-18; 14-32.1(e); 14-32.2(b)(3); 14-32.3(a); 14-32.4; 14-34.2; 14-34.6(c); 14-41; 14-43.2; 14-43.3; 14-190.17; 14-190.19; 14-202.1; or 14-288.9.
c. A Class G felony if it is a violation of one of the following: G.S. 14-32.3(b); 14-51; 14-58; 14-87.1; 20-138.5; or 20-141.4.
d. A Class H felony if it is a violation of one of the following: G.S. 14-32.3(a); 14-32.3(c); or 14-33.2.
e. A Class I felony if it is a violation of one of the following: G.S. 14-277.3; 14-32.3(b); 14-34.6(b); or 14-190.17A.
f. An attempt of any of the felonies listed in this subdivision if the attempted felony is punishable as a felony.

(b) If the victim is deceased, then the next of kin, in the order set forth in the definition contained in this section, is entitled to the victim's rights under this Article, except for the rights contained in G.S. 15A-2014. An individual entitled to exercise the victim's rights as a member of the class of next of kin may designate anyone in the class to act on behalf of the class.

"**§ 15A-2010.1. Assistance to victims of domestic violence.**

Effective July 1, 1999, victims of domestic violence shall be entitled to all of the rights of victims under this Article. For purposes of this Article, a victim of domestic violence is any person against whom there is probable cause to believe that a felony or misdemeanor which fits the definition of domestic violence contained in G.S. 50B-1 has been committed, including G.S. 14-33, 14-134.3, 14-277.1, and 14-318.2, as well as the attempt of any such felony or misdemeanor. These crimes are in addition to the felonies set forth in G.S. 15A-2010(a)(4).

"**§ 15A-2011. Responsibilities of law enforcement agency.**

(a) Within 24 hours after identifying a victim covered by this Article, the investigating law enforcement agency shall provide the victim with the following information:

(1) The availability of medical services, if needed.

(2) The availability of crime victims' compensation funds under Chapter 15B of the General Statutes and the address and telephone number of the agency responsible for dispensing the funds.

(3) The address and telephone number of the district attorney's office that will be responsible for prosecuting the victim's case.

(4) The name and telephone number of an investigating law enforcement agency employee whom the victim may contact if the victim has not been notified of an arrest in the victim's case within six months after the crime was reported to the law enforcement agency.

(5) Information about an accused's opportunity for pretrial release.

(6) The name and telephone number of an investigating law enforcement agency employee whom the victim may contact to find out whether the accused has been released from custody.

(b) Within 24 hours after receiving notification from the arresting law enforcement agency that the accused has been arrested, the investigating law enforcement agency shall forward to the district attorney's office that will be responsible for prosecuting the case the victim's name, address, date of birth, social security number, race, sex, and telephone number, unless the victim refuses to disclose any or all of the information, in which case, the investigating law enforcement agency shall so inform the district attorney's office.

(c) Upon receiving the information in subsection (a) of this section, the victim shall, on a form provided by the investigating law enforcement agency, indicate whether the victim wishes to receive any further notices from the investigating law enforcement agency. If the victim elects to receive further notices, the victim shall be responsible for notifying the investigating law enforcement agency of any changes in the victim's name, address, and telephone number.

(d) Within 24 hours after the arrest of a person believed to have committed a crime covered by this Article, the arresting law enforcement agency shall inform the investigating law enforcement agency of the arrest. Within 24 hours of being notified of the arrest, the investigating law enforcement agency shall notify the victim of the arrest.

"§ 15A-2012. Responsibilities of the district attorney's office.

(a) Within 21 days after the arrest of the accused, but not less than 24 hours before the accused's first scheduled probable cause hearing, the district attorney's office shall provide to the victim a pamphlet or other written material that explains in a clear and concise manner the following:

(1) The victim's rights under this Article, including the right to confer with the attorney prosecuting the case about the disposition of the case and the right to provide a victim impact statement.

(2) The responsibilities of the district attorney's office under this Article.

(3) The victim's eligibility for compensation under the Crime Victims' Compensation Act and the deadlines by which the victim must file a claim for compensation.

(4) The steps generally taken by the district attorney's office when prosecuting a felony case.

(5) Suggestions on what the victim should do if threatened or intimidated by the accused or someone acting on the accused's behalf.

(6) The name and telephone number of a victim and witness assistant in the district attorney's office whom the victim may contact for further information.

(b) Upon receiving the information in subsection (a) of this section, the victim shall, on a form provided by the district attorney's office, indicate whether the victim wishes to receive notices of some, all, or none of the trial and posttrial proceedings involving the accused. If the victim elects to receive notices, the victim shall be responsible for notifying the district attorney's office or any other department or agency that has a responsibility under this Article of any changes in the victim's address and telephone number. The victim may alter the request for notification at any time by notifying the district attorney's office and completing the form provided by the district attorney's office.

(c) The district attorney's office shall notify a victim of the date, time, and place of all trial court proceedings of the type which the victim has elected to receive notice. All notices required to be given by the district attorney's office shall be given in a manner that is reasonably calculated to be received by the victim prior to the date of the court proceeding.

(d) Whenever practical, the district attorney's office shall provide a secure waiting area during court proceedings that does not place the victim in close proximity to the defendant or the defendant's family.

(e) When the victim is to be called as a witness in a court proceeding, the court shall make every effort to permit the fullest attendance possible by the victim in the proceedings.

(f) Prior to the disposition of the case, the district attorney's office shall offer the victim the opportunity to consult with the prosecuting attorney to obtain the views of the victim about the disposition of the case, including the victim's views about dismissal, plea or negotiations, sentencing, and any pretrial diversion programs.

(g) At the sentencing hearing, the prosecuting attorney shall submit to the court a copy of a form containing the identifying information set forth in G.S. 15A-2011(b) about any victim electing to receive further notices under this Article. The form shall be included with the final judgment and commitment transmitted to the Department

of Correction or other agency receiving custody of the defendant and shall be maintained by the custodial agency as a confidential file.

"**§ 15A-2013. Evidence of victim impact.**

(a) A victim has the right to offer evidence of the impact of the crime, which shall be considered by the court or jury, as the case may be, in sentencing the defendant. The evidence may include the following:

(1) A description of the nature and extent of any physical, psychological, or emotional injury suffered by the victim as a result of the offense committed by the defendant.

(2) An explanation of any economic or property loss suffered by the victim as a result of the offense committed by the defendant.

(3) A request for restitution and an indication of whether the victim has applied for or received compensation under the Crime Victims' Compensation Act.

(b) No victim shall be required to offer evidence of the impact of the crime. No inference or conclusion shall be drawn from a victim's decision not to offer evidence of the impact of the crime.

"**§ 15A-2014. Restitution.**

(a) Upon conviction of the defendant or upon a plea of guilty, the court shall, in addition to any penalty authorized by law, require that the defendant make restitution to a victim or the victim's estate for any injuries or damages arising out of the offense committed by the defendant. In determining the amount of restitution, the court shall consider the following:

(1) The cost of any medical or other professional services and devices or equipment required by the victim.

(2) The cost of physical therapy, occupational therapy, and rehabilitation required by the victim.

(3) Any income loss, after taxes, suffered by the victim.

(4) The cost of any psychological or medical treatment for the victim's next of kin.

(5) The cost of the victim's funeral and any related services.

(6) Any other injuries or damages arising out of the offense committed by the defendant.

(b) The court may require that the victim or the victim's estate provide evidence that documents the costs claimed by the victim or the victim's estate under this section. Any such documentation shall be shared with the defendant before the sentencing hearing.

(c) In determining the amount of restitution to be made, the court shall take into consideration the resources of the defendant including all real and personal property owned by the defendant and the income derived from the property, the defendant's ability to earn, the defendant's obligation to support dependents, and any other matters that pertain to the defendant's ability to make restitution, but the court is not required to make findings of fact or conclusions of law on these matters. The amount of restitution must be limited to that supported by the record, and the court may

order partial restitution when it appears that the damage or loss caused by the offense is greater than that which the defendant is able to pay.

(d) An order providing for restitution does not abridge the right of a victim or the victim's estate to bring a civil action against the defendant for damages arising out of the offense committed by the defendant.

(e) The court may order the defendant to make restitution to a person other than the victim, or to any organization, corporation, or association, including the Crime Victims' Compensation Fund that provided assistance to the victim following the commission of the offense by the defendant. Restitution shall be made to the victim or the victim's estate before it is made to any other person, organization, corporation, or association.

(f) The court may require the defendant to make full restitution no later than a certain date or, if the circumstances warrant, may allow the defendant to make restitution in installments over a specified time period.

(g) If the defendant is placed on probation or post-release supervision, any restitution ordered under this Article shall be a condition of probation or post-release supervision.

(h) If the court orders partial restitution, the court shall state on the record the reasons for such an order.

"**§ 15A-2015. Enforcement of order for restitution.**

(a) An order for restitution under this Article may be enforced in the same manner as a civil judgment, subject to the provisions of this section.

(b) The order for restitution under this Article shall be docketed and indexed in the county of the original conviction in the same manner as a civil judgment. The order for restitution may be collected in the same manner as a civil judgment unless the order to pay restitution is a condition of probation. If the order to pay restitution is a condition of probation, the judgment may only be collected in accordance with subsection (c) of this section.

(c) If the defendant is ordered to pay restitution as a condition of probation, the docketed judgment may not be collected until the date of notification to the clerk of superior court in the county of the original conviction that the judge presiding at the probation termination or revocation hearing has made a finding that restitution in a sum certain remains due and payable, that the defendant's probation has been terminated or revoked, and that the remaining balance of restitution owing may be collected by execution on the judgment. The clerk shall then enter upon the judgment docket the amount that remains due and payable on the judgment, together with amounts equal to the standard fees for docketing, copying, certifying, and mailing, as appropriate, and shall notify the victim by first-class mail at the victim's last known address that the judgment may be executed upon, together with the amount of the judgment. Until the clerk receives notification of termination or revocation of probation and the amount that remains due and payable on the order of restitution, the clerk shall not be required to update the judgment docket to reflect partial payments on the order of restitution as a condition of probation.

(d) An appeal of the conviction upon which the order of restitution is based shall stay execution on the judgment until the appeal is completed. If the conviction is overturned, the judgment shall be removed from the judgment docket.

"§ 15A-2016. Posttrial responsibilities.

(a) Within 30 days after the final proceeding of the trial phase of the case, the district attorney's office shall notify the victim, in writing, of:

(1) The final disposition of the case.

(2) The crimes of which the defendant was convicted.

(3) The defendant's right to appeal, if any.

(b) Upon a defendant's giving notice of appeal to the Court of Appeals or the Supreme Court, the district attorney's office shall forward to the Attorney General's Office the victim's name, address, and telephone number. Upon receipt of this information, and thereafter as the circumstances require, the Attorney General's Office shall provide the victim with the following:

(1) A clear and concise explanation of how the appellate process works, including information about possible actions that may be taken by the appellate court.

(2) Notice of the date, time, and place of any appellate proceedings involving the defendant. Notice shall be given in a manner that is reasonably calculated to be received by the victim prior to the date of the proceedings.

(3) The final disposition of an appeal.

(c) If the defendant has been released on bail pending the outcome of the appeal, the agency that has custody of the defendant shall notify the investigating law enforcement agency, and the investigating law enforcement agency shall notify the victim that the defendant has been released.

(d) If the defendant's conviction is overturned, and the district attorney's office decides to retry the case or the case is remanded to superior court for a new trial, the victim shall be entitled to the same rights under this Article as if the first trial did not take place.

(e) The Conference of District Attorneys shall maintain a repository relating to victims' identities, addresses, and other appropriate information for use by agencies charged with responsibilities under this Article.

"§ 15A-2017. Responsibilities of agency with custody of defendant.

The Department of Correction shall notify the victim of:

(1) The projected date by which the defendant can be released from custody. The calculation of the release date shall be as exact as possible, including earned time and disciplinary credits if the sentence of imprisonment exceeds 90 days.

(2) An inmate's assignment to a minimum custody unit and the address of the unit. This notification shall include notice that the inmate's minimum custody status may lead to the inmate's participation in one or more community-based programs such as work release or supervised leaves in the community.

(3) The victim's right to submit any concerns to the agency with custody and the procedure for submitting such concerns.
(4) The defendant's escape from custody.
(5) The defendant's capture.
(6) The date the defendant is scheduled to be released from the facility. Whenever practical, notice shall be given 60 days before release.
(7) The defendant's death.

"§ 15A-2018. Responsibilities of Division of Adult Probation and Parole.

The Division of Adult Probation and Parole shall notify the victim of:

(1) The defendant's regular conditions of probation or post-release supervision, special or added conditions, supervision requirements, and any subsequent changes.
(2) The date of a hearing to determine whether the defendant's supervision should be revoked, continued with or without modifications, or terminated.
(3) The final disposition of any hearing referred to in subdivision (2) of this section.
(4) Any restitution modification.
(5) The defendant's movement into or out of any intermediate sanction as defined in G.S. 15A-1340.11(6).
(6) The defendant absconding supervision.
(7) The capture of a defendant described in subdivision (6) of this section.
(8) The date when the defendant is terminated or discharged.
(9) The defendant's death.

"§ 15A-2019. Notice of commuted sentence or pardon.

The Governor's Clemency Office shall notify a victim when it is considering commuting the defendant's sentence or pardoning the defendant. The Governor's Clemency Office shall also give notice that the victim has the right to present a written statement to be considered by the Office before the defendant's sentence is commuted or the defendant is pardoned. The Governor's Clemency Office shall notify the victim of its decision. Notice shall be given in a manner that is reasonably calculated to allow for a timely response to the commutation or pardon decision.

"§ 15A-2020. No money damages.

This Article does not create a claim for damages against the State, a county, or a municipality, or any of its agencies, instrumentalities, officers, or employees.

"§ 15A-2021. No ground for relief.

The failure or inability of any person to provide a right or service under this Article may not be used by a defendant in a criminal case, by an inmate, or by any other accused as a ground for relief in any criminal or civil proceeding.

"§ 15A-2022. Incompetent victim's rights exercised.

When a victim is rendered mentally or physically incompetent or when the victim is a minor, the victim's rights under this Article, other than the rights provided by G.S. 15A-2014 and G.S. 15A-2015, may be exercised by the victim's next of kin."

Section 1.1. The Joint Legislative Corrections Oversight Committee shall study alternative methods for providing grants to local law enforcement agencies to provide services specified in the Crime Victims' Rights Act to designated victims of crime. The Committee shall report the findings of its study and its recommendations to the 1998 Regular Session of the 1997 General Assembly.

Section 2. The provisions of Article 45 of Subchapter VIII of Chapter 15A of the General Statutes are supplemental to the provisions of Article 101 of Subchapter XVI of Chapter 15A of the General Statutes as enacted in Section 1 of this act. If there is any conflict between the provisions of Article 45 and Article 101, the provisions of Article 101 shall control.

Section 2.1. G.S. 1C-1601(e) reads as rewritten:

"(e) Exceptions. -- The exemptions provided in this Article are inapplicable to claims

(1) Of the United States or its agencies as provided by federal law;
(2) Of the State or its subdivisions for taxes, appearance bonds or fiduciary bonds;
(3) Of lien by a laborer for work done and performed for the person claiming the exemption, but only as to the specific property affected;
(4) Of lien by a mechanic for work done on the premises, but only as to the specific property affected;
(5) For payment of obligations contracted for the purchase of the specific real property affected;
(6) Repealed by Session Laws 1981 (Regular Session, 1982), c. 1224, s. 6;
(7) For contractual security interests in the specific property affected; provided, that the exemptions shall apply to the debtor's household goods notwithstanding any contract for a nonpossessory, nonpurchase money security interest in any such goods;
(8) For statutory liens, on the specific property affected, other than judicial liens;
(9) For child support, alimony or distributive award order pursuant to Chapter 50 of the General ~~Statutes.~~ Statutes;
(10) For criminal restitution orders docketed as civil judgments pursuant to G.S. 15A-2015."

Section 2.2. G.S. 7A-304(d) reads as rewritten:

"(d) In any criminal case in which the liability for costs, fines, restitution, or any other lawful charge has been finally determined, the clerk of superior court shall, unless otherwise ordered by the presiding judge, disburse such funds when paid in accordance with the following priorities:

(1) Sums in restitution prorated among the persons entitled thereto;

~~(1)~~(2) Costs due the county;
~~(2)~~(3) Costs due the city;
~~(3)~~(4) Fines to the county school fund;
~~(4) Sums in restitution prorated among the persons entitled thereto;~~
(5) Costs due the State;
(6) Attorney's fees.

Sums in restitution received by the clerk of superior court shall be disbursed when:

(1) Complete restitution has been received; or
(2) When, in the opinion of the clerk, additional payments in restitution will not be collected; or
(3) Upon the request of the person or persons entitled thereto; and
(4) In any event, at least once each calendar year."

Section 2.3. Article 45 of Subchapter VIII of Chapter 15A of the General Statutes is amended by adding a new section to read:

"**§ 15A-828. Assistance to victims of domestic violence.**

In the allocation of resources to persons the district attorney determines are victims of serious misdemeanors, the district attorney shall, to the extent possible, provide the services listed in G.S. 15A-825 to victims of domestic violence misdemeanors that could involve the infliction of serious bodily injury."

Section 2.4. The North Carolina Conference of District Attorneys, in conjunction with the Governor's Crime Commission of the Department of Crime Control and Public Safety, shall study the incidence of domestic violence and identify the felonies and misdemeanors that may be categorized as domestic violence. The study shall include participation by the seven prosecutorial districts that are currently receiving funds from the Violence Against Women Act, administered through the Governor's Crime Commission. The study shall also include participation of other prosecutorial districts which volunteer their participation in providing necessary information. The Conference shall recommend a statutory definition of domestic violence crimes that will be sufficiently clear so that it can be used by law enforcement officers and prosecutors to determine eligibility of victims of these crimes for victims' assistance services. The Conference shall also recommend whether any crimes that are currently misdemeanors should be reclassified as felonies when committed as crimes of domestic violence. The Conference shall report the findings of its study and its recommendations to the 1998 Session of the 1997 General Assembly on or before its convening date.

Section 2.5. The Post-Release Supervision and Parole Commission shall compile a report of the notification services it has provided under G.S. 15A-825(11), and pursuant to a letter from Governor Hunt to the Chair of the North Carolina Parole Commission dated October 13, 1993. The report shall include information on notification services provided through December 31, 1997. The report shall be delivered to the 1998 Session of the 1997 General Assembly on or before its convening date.

Section 2.6. The provisions of this act are severable. If any provision of this act is held invalid by a court of competent jurisdiction, the invalidity does not

affect other provisions of the act that can be given effect without the invalid provision.

Section 3. G.S. 15A-2010.1, as enacted by Section 1 of this act, becomes effective July 1, 1999. Section 2.3 of this act becomes effective when it becomes law and expires on July 1, 1999. Sections 1.1, 2.4, 2.5, and this section of this act are effective when they become law. The remainder of this act becomes effective July 1, 1998.

ATT. 9
12-18-97

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December 18, 1997

MEMORANDUM

TO: Justice and Public Safety Appropriations Subcommittee

FROM: Karen Cochrane Brown, Staff Attorney KCB

RE: **House Bill 665 - Crime Victims' Rights Act. (PCS7371)**

The proposed committee substitute for House Bill 665 creates Article 101 of Chapter 15A, the Crime Victims' Rights Act, to implement the provisions of Section 37 of Article I of the North Carolina Constitution, which provides for basic rights for victims of crime. The constitutional amendment was passed by the 1995 General Assembly and approved by the voters in 1996.

Section 1 of the bill establishes the new Article 101 which sets forth the substantive rights to which crime victims will be entitled. The new Article contains the following sections:

G.S. 15A-2010. Definitions. This section defines pertinent terms including the term "victim". This definition provides that the Act is applicable to any person against whom there is probable cause to believe one of certain enumerated crimes was committed. The crimes include all Class A, B1, B2, C, D, and E felonies, and certain Class F, G, H, and I felonies most of which involve acts where physical harm to a victim is involved. No misdemeanors are included.

G.S. 15A-2010.1. Assistance to victims of domestic violence. This provision makes the act applicable to victims of domestic violence, effective July 1, 1999. It also contains a definition of victims of domestic violence which includes certain misdemeanors in addition to the felonies contained in the definition of "victim".

G.S. 15A-2011. Responsibilities of law enforcement agency. Within 24 hours of identifying a victim covered by the Act the investigating law enforcement agency must provide certain information to the victim, including the availability of medical services, the availability of compensation funds, the address and phone number of the district attorney's office, the name and phone number of a contact person in the agency, information about the accused's opportunity for

pretrial release, and the name and phone number of a contact person to find out if the accused has been released.

Within 24 hours of receiving notification of an arrest in the case, the investigating law enforcement agency must forward information about the victim to the district attorney's office, unless the victim refuses to disclose the information.

Within 24 hours after an arrest is made, the arresting law enforcement agency must notify the investigating law enforcement agency which must then notify the victim within 24 hours.

G.S. 2012. Responsibilities of the district attorney's office. Within 21 days of the arrest, but not less than 24 hours before the first scheduled probable cause hearing, the district attorney's office must provide the victim with a pamphlet which explains the victims rights during this phase of the case. These rights include the right to confer with the prosecuting attorney and the right to provide a victim impact statement, as well as information about eligibility for compensation, information about the steps in prosecuting a felony and the name and phone number of a victim and witness assistant who can be contacted for further information.

The district attorney's office must provide a form on which the victim can indicate whether he or she wishes further notice of some or all of the trial proceedings. The victim must be notified of the date, time, and location of these proceedings and where practical, secure waiting areas must be provided for the victim during court proceedings. When a victim is to be called as a witness in a court proceeding, the court is required to make every effort to permit the fullest attendance possible by the victim in the proceeding. Prior to disposition of the case, the district attorney must offer to consult with the victim to obtain the victim's views about dismissal, plea or negotiations, sentencing, and any pretrial diversion programs.

Finally, at the sentencing hearing, the prosecutor must submit to the court a form containing identifying information about the victim to be included with the final judgment and commitment transmitted to the Department of Corrections or other custodial agency and must be maintained as a confidential file.

G.S. 15A-2013. Evidence of victim impact. The victim has the right to make a victim impact statement, which must be considered by the court or jury, as applicable, when sentencing the defendant. The statement may include a description of the harm and losses suffered by the victim, a request for restitution, and whether compensation has been applied for or received under the Crime Victims' Compensation Act. The victim impact statement is not required and no inference may be drawn from a victim's decision not to make one.

G.S. 15A-2014. Restitution. Upon conviction of the defendant or upon a guilty plea, the court shall require the defendant to make restitution to the victim or the victim's estate for injury or damages to the victim. The court shall consider the cost of medical or other professional services, the cost of therapy or rehabilitation, any income loss, the cost of treatment for the victim's next of kin, the cost of funeral and related services, and any other injuries or damages

arising out of the offense. The court shall also take into consideration the resources and earning capacity, as well as other obligations of the defendant.

The existence of the order for restitution does not affect the right of the victim or the victim's estate to bring a civil action against the defendant for damages.

The court may direct the defendant to make restitution to a person or entity other than the victim; but the victim or the victim's estate is entitled to receive restitution before any other person or entity.

The court may direct that restitution be made by a certain date or may allow it to be made in installments over a period of time.

If the defendant is placed on probation or post-release supervision, restitution shall be a condition of probation or post-release supervision.

G.S. 15A-2015. Enforcement of order for restitution. An order of restitution under this Article may be enforced in the same manner as a civil judgment. It may be docketed and indexed in the county of the original conviction and may be collected like a civil judgment unless it is a condition of probation. If the order is a condition of probation, it can only be executed upon when the court terminates or revokes probation and notifies the clerk of Superior Court. Until the clerk receives this notification, the clerk is not required to note partial payments of the order of restitution as a condition of probation on the judgment docket.

This section also provides that if a conviction is appealed, execution on the judgment based upon the order of restitution is stayed until the appeal is completed. If the conviction is overturned, the judgment is removed from the judgment docket.

G.S. 15A-2016. Posttrial responsibilities. Within 30 days of the completion of the trial phase of the case, the district attorney's office must notify the victim, in writing, of the final disposition of the case, the crimes of which the defendant was convicted, and the defendant's right to appeal, if any. If the defendant appeals, the district attorney's office must forward victim information to the Attorney General's office which must provide the victim with an explanation of the appellate process, the date, time and place of any appellate proceedings, and the final disposition of an appeal. If the defendant is released on bail during the appeal, the victim must be notified, and if the conviction is overturned, and the prosecutor decides to retry the case or it is remanded for a new trial, the victim is entitled to the same rights as if the first trial had not occurred.

The Conference of District Attorneys is directed to maintain a repository of victims' names and addresses and other appropriate information for use by agencies charged with responsibilities under the Article.

G.S. 15A-2017. Responsibilities of agency with custody of defendant. After conviction, the Department of Correction must notify the victim of the defendant's projected release date, the inmate's assignment to a minimum custody unit and the possibility of the inmate's participation in a community-based program, the victim's right to submit concerns to the agency, the defendant's

escape from custody, the defendant's capture, the defendant's scheduled release date, (with 60 days prior notice, when practical), and the defendant's death.

G.S. 15A-2018. Responsibilities of Division of Adult Probation and Parole. The Division of Adult Probation and Parole is directed to notify the victim of the defendant's regular and special conditions of probation and post-release supervision, the date of any hearings to revoke, modify, or terminate supervision, the final disposition of any such hearing, any restitution modification, the defendant's movement into or out of any intermediate sanction, the defendant's absconding supervision, the defendant's capture, the date the defendant is terminated or discharged, and the defendant's death.

G.S. 15A-2019. Notice of commuted sentence or pardon. The Governor's Clemency Office must notify the victim when it is considering commuting the defendant's sentence or pardoning the defendant, and give the victim an opportunity to make a written statement. It must also give notice of the final decision in a manner calculated to allow for a timely response to the decision.

G.S. 15A-2020. No money damages. This Article does not create a claim for damages against the State, a county, or a municipality or any of its agencies, instrumentalities, officers or employees.

G.S. 15A-2021. No ground for relief. An accused person, or defendant, or inmate may not use the failure of any person to provide a right or service under this Article as a ground for relief in a criminal or civil proceeding.

G.S. 15A-2022. Incompetent victim's rights exercised. An incompetent or minor victim's rights under this Article may be exercised by the victim's next of kin, except for the rights of restitution and the enforcement of restitution.

Section 2 of House Bill 665 provides that the provisions of Article 45 of Chapter 15A (the Fair Treatment of Victims and Witnesses Act) are supplemental to the provisions of Article 101 created by section 1 of this bill, and in the event of any conflict, the provisions of Article 101 govern.

Section 2.1 amends G.S. 1C-1601(e) which deals with the items that are not exempt from judgment execution. The amendment adds orders for restitution docketed as civil judgments under Article 101.

Section 2.2 amends G.S. 7A-304(d) by changing the order in which funds received in criminal cases are disbursed. Currently, sums received in restitution are fourth in line. This amendment moves them to first in line.

Section 2.3 amends the Fair Treatment to Victims and Witnesses Act to add a new provision directing the district attorney to provide the services listed in G.S. 15A-825 to victims of domestic violence misdemeanors that could involve the infliction of serious bodily injury, to the extent possible.

Section 2.4 directs the Conference of District Attorneys and the Governor's Crime Commission to study the incidence of domestic violence and to identify the felonies and misdemeanors that may be categorized as domestic violence. The Conference must report its findings to the 1998 Session of the 1997 General Assembly.

Section 2.5 directs the Post-Release Supervision and Parole Commission to compile a report of the notification services it has provided under G.S. 15A-825(11), and report to the 1998 Session of the 1997 General Assembly.

Section 2.6 makes the provisions of the Act severable, so that if any part of the Act is held invalid by the court, it would not affect the validity of the remaining provisions.

Finally, Section 3 provides that G.S. 15A-2010.1 in section 1 of the act, which makes the act applicable to victims of domestic violence, becomes effective July 1, 1999. Section 2.3 which also relates to assistance to victims of domestic violence, becomes effective when the act becomes law and expires on July 1, 1999. Sections 1.1, 2.4, 2.5 and this section are effective when they become law. The remainder of the act becomes effective July 1, 1998.

ATT-1D

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION
RATIFIED BILL

CHAPTER 438
SENATE BILL 6

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME.

The General Assembly of North Carolina enacts:

Section 1. Article I of the Constitution of North Carolina is amended by adding a new section to read:

"**Sec. 37. Rights of victims of crime.**

(1) **Basic rights.** Victims of crime, as prescribed by law, shall be entitled to the following basic rights:

(a) The right as prescribed by law to be informed of and to be present at court proceedings of the accused.

(b) The right to be heard at sentencing of the accused in a manner prescribed by law, and at other times as prescribed by law or deemed appropriate by the court.

(c) The right as prescribed by law to receive restitution.

(d) The right as prescribed by law to be given information about the crime, how the criminal justice system works, the rights of victims, and the availability of services for victims.

(e) The right as prescribed by law to receive information about the conviction or final disposition and sentence of the accused.

(f) The right as prescribed by law to receive notification of escape, release, proposed parole or pardon of the accused, or notice of a reprieve or commutation of the accused's sentence.

(g) The right as prescribed by law to present their views and concerns to the Governor or agency considering any action that could result in the release of the accused, prior to such action becoming effective.

(h) The right as prescribed by law to confer with the prosecution.

(2) **No money damages; other enforcement.** Nothing in this section shall be construed as creating a claim for money damages against the State, a county, a municipality, or any of the agencies, instrumentalities, or employees thereof. The General Assembly may provide for other remedies to ensure adequate enforcement of this section.

(3) **No ground for relief in criminal case.** The failure or inability of any person to provide a right or service provided under this section may not be used by a defendant in a criminal case, an inmate, or any other accused as a ground for relief in any trial, appeal, postconviction litigation, habeas corpus, civil action, or any similar criminal or civil proceeding."

Sec. 2. The amendment set out in Section 1 of this act shall be submitted to the qualified voters of the State at the general election to be held in November

1996, which election shall be conducted under the laws then governing elections in the State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The question to be used in the voting systems and ballots shall be:

"[ ] FOR [ ] AGAINST

Constitutional amendment adding Victims' Rights Amendment, giving crime victims basic rights to participate in the justice system".

Sec. 3. If a majority of the votes cast on the question are in favor of the amendment set out in Section 1 of this act, the State Board of Elections shall certify the amendment to the Secretary of State. The amendment becomes effective upon this certification. The Secretary of State shall enroll the amendment so certified among the permanent records of that office.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 17th day of July, 1995.

DENNIS A. WICKER

Dennis A. Wicker
President of the Senate

HAROLD J. BRUBAKER

Harold J. Brubaker
Speaker of the House of Representatives

ATT-11
12/18/97

GOVERNOR'S CRIME COMMISSION

STATUS REPORT ON THE DOMESTIC VIOLENCE STUDY COMMITTEE

PRESENTED TO THE JUSTICE AND PUBLIC SAFETY SUBCOMMITTEE OF THE APPROPRIATIONS COMMITTEE

DECEMBER 18, 1997

PART V. GOVERNOR'S CRIME COMMISSION TO STUDY DOMESTIC VIOLENCE CRIME CATEGORIES

Section 5.1 The Governor's Crime Commission of the Department of Crime Control and Public Safety shall coordinate a study of the incidence of domestic violence and identify the felonies and misdemeanors that may be categorized as domestic violence. The study shall include participation by the North Carolina Conference of District Attorneys and the seven prosecutorial districts that are currently receiving funds from the Violence Against Women Act, administered through the Governor's Crime Commission. The study shall also include participation of other prosecutorial districts which volunteer their participation in providing necessary information. The Commission shall recommend a statutory definition of domestic violence crimes that will be sufficiently clear so that it can be used by law enforcement officers and prosecutors to determine eligibility of victims of these crimes for victims' assistance services. The Commission shall also recommend whether any crimes that are currently misdemeanors should be reclassified as felonies when committed as crimes of domestic violence. The Commission shall forward its recommendations to the North Carolina Sentencing and Policy Advisory Commission. The Sentencing and Policy Advisory Commission shall analyze the recommendations for impact on the length of time for which persons are incarcerated and the number of persons incarcerated. The Commission shall report the findings of its study and its recommendations, including the analyses from the Sentencing and Policy Advisory Commission, to the 1997 General Assembly, 1998 Regular Session, on or before its convening date.

Section 5.2 The Governor's Crime Commission shall conduct this study within available funds.

GOVERNOR'S CRIME COMMISSION

DOMESTIC VIOLENCE STUDY COMMITTEE

MEMBERSHIP

SENATOR ALLEN WELLONS - CHAIR
Johnston County

REPRESENTATIVE JOSEPH KISER
Lincoln County

JUDGE RONALD SPIVEY
District Court Judge, Winston-Salem

CHIEF HARRY DOLAN
Chief of Police - Lumberton

CATHERINE SMITH
Director, North Carolina Victim Assistance Network

KAREN LUCIANO
Director, North Carolina Coalition Against Domestic Violence

THOMAS HAIGWOOD
District Attorney, Prosecutorial District 3A

STEPHANIE JENKINS
Assistant District Attorney, Prosecutorial District 10

LILLIAN SALCINES
Assistant District Attorney, Prosecutorial District 13

DOMESTIC VIOLENCE STUDY COMMITTEE UPDATE

1) The Committee met on October 17, 1997 and December 4, 1997. At these meetings the Committee reviewed the legislative mandate, reviewed current laws and definitions regarding domestic violence, reviewed laws and definitions used in other states, reviewed model laws and definitions developed by various national organizations, and reviewed preliminary data regarding the incidence of domestic violence in North Carolina.

2) On December 4, the Committee tentatively adopted the following definition of Domestic Violence for purposes of determining eligibility for victim assistance services:

> *For the purposes of determining eligibility for crime victims' assistance, misdemeanor offenses included are any violation of NCGS 14-33(c)(1), 14-33(c)(2), 14-33(c)(3), 14-33(a), 14-34, 14-134.3 14-277.3, or 14-318.2. that is committed between persons who are current or former spouses, who live together or who have lived together in an intimate relationship, or who have or are expecting a child in common.*

The crimes listed above cover the misdemeanor offenses of assault inflicting serious injury, assault with a deadly weapon, assault on a female, assault on a child under 12, assault by pointing a gun, simple assault, domestic criminal trespass, stalking, and child abuse. These crimes would be in addition to felony offenses covered by proposed legislation.

3) As required by statute, the staff will work with the Sentencing and Policy Advisory Commission to determine the potential number of individuals that could be affected by this language.

4) The next meeting of the Domestic Violence Study Committee is scheduled for January 22, 1998 to begin discussing whether certain misdemeanor offenses should be elevated to felonies if they involve domestic violence.

VISITOR REGISTRATION SHEET

APP./SUB JUSTICE & PUBLIC SAFETY — **DEC. 18, 1997**

Name of Committee — Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
AM	
Eddie Caldwell	NC Sheriffs Assn / NC Law Enf Off Assn
David Fevrell	Hofel, McNamara, Caldwell et al
Roz Sawyer	NC Coalition Against Domestic Violence
Patty Curran	NC Conference of District Attorneys
Leigh House	Conf of DA's
Pat Dorer	Conference of DAs
Tom Kent	Conf of DA / DA 24
Rex Gore	Conf. of DAs - (DA - District 13)
Barbara Shaw	N.C. Attorney General's Office
Jane B. Gray	DOJ
Stacy Herring	Parole Commission
Barry Bryant	Governor's Crime Commission
Rob Lubitz	Governors Crime Commission
GARY PICKELSIMER	VICTIM/JUSTICE SERVICES CCBPS
PB Powell	AOC
JOE STEWART	CRIME CONTROL
Amy Jo Bacon	Smith Anderson
Buddy Humphrey	OSBM
Phil Lehman	NC AGO
Alan Hirsch	NC AGO
BILL SCOGGIN	NC BAR ASSOC.
Chuck Cram	OSPL
PM	
BOB BRINSON	CORRECTION
[illegible]	NCIC
[illegible]	[illegible]

HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Tuesday January 20, 1998 10:00 a.m.
Room 612, Legislative Office Building

I. CALL TO ORDER

Chairmen: Senator Wib Gulley

Representative Gregg Thompson, Presiding
Representative Larry Justus
Representative Joe Kiser

II. PRESENTATIONS

Morning

- Status Report on the Bad Check Pilot Programs

  Pete Powell, Deputy Director, AOC
  ~~Rex Gore, District Attorney~~, District #13
  Samantha Plemmons

- Follow-up on AOC Reserve for Technology Funds

  John Taylor, Deputy Director, AOC

- Report on the AOC Equipment and Supplies Reserve

  Chris Marks, Deputy Director, AOC

Afternoon

- Report on Criminal Records Checks

  Ron Hawley, Assistant Director, SBI

III. OTHER BUSINESS

IV. ADJOURNMENT

SENATE AND HOUSE JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
January 20, 1998

The Senate and House Joint Appropriations Subcommittee on Justice and Public Safety met at 10:00 am on Tuesday, January 20, 1998 in Room 612 of the Legislative Office Building. Representatives Justus, Thompson, Kiser, Smith, McCrary, Hardy, Kinney, Redwine, Sexton, Crawford, Easterling and five Senators were present. Representative Thompson, Co-Chairman, presided.

Representative Thompson called on Mr. Pete Powell, Deputy Director of the Administrative Office of the Courts (AOC) to give the Committee a report on the progress of the Bad Check Pilot Programs. Mr. Powell stated that there were three pilot programs in Columbus, Durham and Rockingham counties. The purpose of the Bad Check Program is to collect worthless checks in a more timely manner, to alleviate the need to prosecute each worthless check case, and to provide an opportunity for the bad check passer to avoid criminal prosecution. Mr. Powell reminded the Committee that AOC is responsible for reporting on the pilot programs to the Committee later this Spring.

Next, Ms. Samatha Plemmons, Bad Check Coordinator of Columbus County, spoke briefly about the program in Columbus County. She stated that the pilot program has only been operating for one month, but there were 600 participants in the Columbus County program and 400 bad checks were currently in the system. She has been aggressively working to let the community merchants know about the program, and she is working with the Magistrate so no bad check will be prosecuted until it has gone through the program. Senator Gulley asked what the reporting period was. Mr. Powell stated it was one month, but it varies from District Attorney to District Attorney. **Mr. Powell told the Committee that he would report back to the Committee about the different reporting periods.**

Representative Kiser asked if any money had been generated from the fees and Ms. Plemmons responded that $2,000 had been generated. Representative Kiser asked if she thought the program would pay for itself and she said she thought it would.

Representative Redwine asked what the disposition of most cases were if they were prosecuted. Mr. Powell stated that if the bad check writers could be found, then they were tried and would have to pay the additional court fees, which were more than the fees in the pilot program. Representative Redwine asked if the merchant that notifies the person of the bad check included all the options for resolving the situation, or did they use the courts as a collection tool. Mr. Powell responded that using the courts as a collection tool was not new. The merchants may attempt to get the money through mediation, but they did prefer to use the courts. Ms. Plemmons further stated that a standardized letter was sent by certified mail, but the options for resolving the situation were not stated in the letter.

Representative Sexton reported to the Committee that the Rockingham Pilot Program was also just getting under way, but the response from the bad check writers in the first batch of letters had been good. Also, 700 merchants had been sent packets about the program initially, and now the others were being notified.

Representative Thompson asked staff if the funding ran out at the end of the fiscal year in June, and Charles Perusse, Fiscal Analyst, stated that that was correct. The $150,000 appropriated was non-recurring funds and more money would have to be appropriated in the short session. A report is due in May on the pilot programs. Representative Redwine asked if the report would include the statistics of the three different options; the merchants collecting the money, the pilot program collecting the money, and the courts collecting the money. Mr. Powell said they would not be able to give the number collected by the merchants. Representative Justus said he hoped that the report would show a drop in the number of court cases for bad checks. Representative Sexton added that he hoped it would show that the program was paying for itself and there was an impact on the court system.

Next, Representative Thompson asked Mr. John Taylor, Deputy Director of the Administrative Office of the Courts to report on the AOC Reserve for Technology Funds (see Handout #3). Mr. Taylor told the Committee that on page five of the handout there was a chart showing the criminal court case process and that the magistrate system was the important link. The "Courtflow" system allows the magistrate to record the disposition of cases immediately. Some counties were now taking weeks before the disposition of cases were recorded. Page seven of the handout is a map of the state showing the counties that had the case management system (CMS) and the counties that did not have this system.

Mr. Taylor then told the Committee that the orange highlighted areas of page six was the Criminal Justice Information Network (CJIN) equipment that will be purchased with money from the Reserve Technology Fund. Representative Kiser asked if once the magistrates system was fully implemented would the people charged with an offense be entered into the system before they are convicted. Mr. Taylor responded yes.

Representative Redwine asked Mr. Taylor about the Information Resources Management Commission's (IRMC) recommendations regarding this magistrates system and if AOC would be following those recommendations. **Senator Gulley then requested that AOC report to the Committee in April showing the implementation of the five steps that the IRMC recommended the AOC follow with regard to the Magistrate System. Mr. Taylor stated that the AOC would do that.**

Senator Gulley then asked Mr. Taylor if the "Courtflow" software was a package that they purchased. Mr. Taylor said that it was developed in house. Senator Gulley asked Mr. Taylor if the magistrate system would be able to interface with OPUS? Mr. Taylor stated that it would.

Mr. Taylor told the Committee that the AOC would probably have to come back to the Committee to ask for $2 million more for the Magistrate System, but that, if possible, this one-time money may come from the federal government. The recurring costs that the General Assembly will have to appropriate will be $2.25 million. The Magistrate System will be implemented in April of this year.

Representative Kiser asked if the local law enforcement agencies would have to come up to certain standards in order to be able to tie into the state system. Mr. Taylor said yes they would and that more than fifty counties can currently interface with the system. There would probably be some cost to the counties to be able to interface with the system. Representative Justus asked how many counties would not be able to participate and Mr. Taylor guessed that 25-30 counties. He hoped, however, that grant money from the Crime Commission could be used to allow these counties to be able to tie into the system.

Representative Redwine stated that the special provision that was passed by the General Assembly required the IRMC to review and comment biannually to the Governmental Operations Committee on new technology. He asked if that ended on November 1, 1997. Charles Perusse responded that it was not statutorily required for them to continue. Representative Redwine then suggested that another special provision to have the IRMC continue to review and comment biannually be crafted. Representative Thompson suggested that this could be done during the short session. Representative Redwine stated that he was not happy with the mid-August reporting by AOC because the Legislature will probably be gone by then. Mr. Taylor responded that the IRMC set the mid-August date.

Representative Kiser asked if the $2 million in recurring costs included upgrading of the system. Mr. Taylor said it did not, just operating costs. Then Representative Kiser asked how long the current computer capacity would last and Mr. Taylor said he thought it would be about two years before it would need to be upgraded. Representative Justus asked if the current computers would be able to be used for a long time. Mr. Taylor thought it would be three to four years before the PCs would have to be replaced. Representative Thompson asked where the obsolete computers went and Mr. Taylor

stated they went to state surplus with the exception of those that were upgraded and put into schools. Representative Sexton asked if a lease versus buy option was looked at. Mr. Taylor said it was and the lease option right now did not look as good as the buy option.

Senator Gulley moved to let the AOC move forward with the initial purchases that have been budgeted and that they report in April on the implementation of the recommendations from the IRMC and then the IRMC continue to report quarterly on the progress of this new equipment. Motion carried Senator Rand stated that he felt that all across state government there was a need to report on the implementation of new technology, not just from AOC.

Next, Representative Thompson asked Mr. Chris Marks, Deputy Director of AOC, to report on the Equipment and Supplies Reserve budget (Handout #4). After he highlighted several items of the handout, **Representative Thompson asked him for a breakdown of the $22,000 spent on the Supreme Court library furniture**. He also asked Mr. Marks if the AOC went through Prison Enterprises to obtain this furniture. Mr. Marks said they did, when it was possible.

After a lunch break, Representative Thompson asked Mr. Ron Hawley, Assistant Director of the SBI, to report on the Criminal Record Checks program (Handout #5). He stated that there were a total of 261,138 fingerprint and name checks submitted during 1997, which was up from 107,000. Representative Thompson asked which figure included the concealed handgun checks and Mr. Hawley said they were in the 79,565 fingerprint checks. Mr. Hawley stated that there were currently ten personnel vacancies in the program. The SBI was also reevaluating the formula of 10,000 checks = 1 fingerprint technician and .5 processing assistant, as well as the fees being charged for the record checks to see if they are adequate. Senator Gulley asked when the report of the study would be completed and Mr. Hawley responded April 15, 1998.

Mr. Hawley further stated that automation efforts should drive the cost down for the record checks. Representative Kiser asked what the costs included. Mr. Hawley said they included infrastructure, equipment, personnel and administrative cost. Mr. Hawley pointed out on page nine of the handout that the fees collected for 1995/96 were $390,160, in 1996/97 they were $889,966 and the projected for 1997/98 are $1.1 million.

Mr. Hawley told the Committee that a list of agencies that have asked for criminal background checks was available upon request, as well as a list of agencies with Division of Criminal Information terminal access.

Senator Ballance asked what a person's criminal history included. Mr. Hawley said that fingerprints were just a subset of all the criminal history that exists in the state. Senator Ballance further asked if a person was found innocent, would the charge against that person be in their criminal history, even though the person had not been convicted of a

crime. Mr. Hawley said that by law, the charge would remain on the person's criminal history, but there was a procedure to get it taken off.

Senator East asked how long it took to get a criminal record checked. Mr. Hawley responded that it was usually 60 to 70 days, but could take as long as 90 days. **Senator Gulley asked Mr. Hawley to establish a time line for the goal of trying to get the time down from the 60-70 days. Mr. Hawley said he would do that.**

There being no further business, the meeting was adjourned at 2:45 p.m.

Representative Gregg Thompson, Co-Chair

Carol Resar, Committee Clerk

Handout # 2

PRELIMINARY REPORT ON THE PILOT PROGRAM FOR WORTHLESS CHECK CASES

(N.C.G.S. § 14-107.2)

Burley B. Mitchell, Jr.
Chief Justice
Supreme Court of North Carolina

Dallas A. Cameron, Jr.
Director
Administrative Office of the Courts

November 1997

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PRELIMINARY REPORT ON THE PILOT PROGRAM FOR WORTHLESS CHECK CASES (N.C.G.S. § 14-107.2)

PART I: INTRODUCTION

During its most recent session, the General Assembly enacted N.C.G.S. § 14-107.2, which established a pilot program for worthless check cases in Columbus, Durham and Rockingham Counties. This program is intended "to collect worthless checks in a more timely manner, to alleviate the need to prosecute each worthless check case, and to provide an opportunity for the check passer to avoid criminal prosecution." N.C.G.S. § 14-107.2 (1997).

As a general matter, the statute provides that a worthless check writer may avoid prosecution by paying (1) a $50.00 fee to the State and (2) restitution to the merchant or person that accepted the check (the "check taker"). The district attorney in each pilot county, however, must establish the specific criteria for the operation of the program in his or her county. Additionally, the Administrative Office of the Courts (AOC) must establish procedures for collecting the $50.00 fee and for providing restitution to the check taker. The AOC also must report to the legislature on the implementation and effectiveness of the program by 1 May 1998.

In the interim, the Joint Appropriations Subcommittee on Justice and Public Safety has asked the AOC to report on the steps the AOC and the pilot counties have taken to implement this new program. Accordingly, this report provides information on the following:

- the current status of the pilot program in each of the three counties;
- the steps taken by the AOC and the pilot counties to implement this program; and
- the general manner in which the program operates or will operate in each of the three pilot counties.

PART II: PROGRAM IMPLEMENTATION STATUS

Current Status of the Pilot Program in Each of the Three Counties

While currently only the Columbus County program is operational, each of the three pilot programs should be providing services by 1 December 1997. The program coordinators in the three pilot counties are engaging in extensive efforts to publicize their programs, utilizing both media outlets and direct contact approaches. The program coordinators also have been working diligently with local merchants, AOC staff persons, magistrates, staff persons in the clerks' offices and other court officials to develop the specific criteria for operating the program. Attached to this report is an exhibit for each of the three pilot counties specifying the program coordinator, the anticipated start date, the efforts made to publicize the program, how the program will operate in practice and other information. Readers with a specific interest in a particular pilot county should refer to the appropriate exhibit.

Steps Taken by the AOC and the Pilot Counties to Implement the Program

Work began on the pilot program shortly after the General Assembly adjourned in September. On 15 September 1997, an AOC working group met to discuss the measures that would be necessary to implement this program. Representatives attended from several AOC divisions, including Administrative Services (formerly Fiscal Services), Court Management and Information Services, and Legal Services. On 23 September 1997, these AOC staff persons met at length with representatives from the clerks' offices and district attorneys' offices in the three pilot counties to discuss the specifics of implementing the program.

Based on the conclusions reached at the September 23 planning meeting, the various AOC divisions began a brief, but intensive, period of preparation for implementing the program. The work performed by the various AOC divisions consisted of the following:

1. **Court Management and Information Services Division**: Five full-time programmers and one part-time programmer worked intensively for six weeks to develop a computer system that would automate this pilot program. Constructed to meet the exact specifications requested by the district attorneys, this sophisticated system will allow the program coordinators to generate the letters and forms necessary to operate the pilot program. It also provides the program coordinators with an automated means for tracking (1) the check takers and check writers participating in the program and (2) the dispositions of particular cases. The program coordinators may view this information on line or via printed reports. The program coordinators recently attend training sessions on the use of this new system.

   Other members of the Court Management and Information Services Division, specifically the Systems Accounting Section, implemented the necessary changes to the Financial Management System and the Mainframe Financial Cash Receipting System used by the clerks' offices. These changes included (1) altering the financial reports used by the AOC Controller's Office and (2) developing accounting codes for the $50.00 program fee and the restitution amounts paid by the bad check writers. Instituting these code changes required (1) consultations with the Department of the State Treasurer and (2) the preparation of manuals and training courses for the three clerks' offices.

2. **Administrative Services Division**: Staff members in the Office of the AOC Controller worked to clarify the position and equipment costs associated with this pilot program. Additionally, staff members in the Field Accounting and Support Section assisted with training the clerks' offices on the changes to the Financial Management System and the Mainframe Financial Cash Receipting System.

General Manner in which the Program Operates or Will Operate in Each of the Three Pilot Counties

As explained above, the district attorney in each pilot county must establish the specific criteria for the operation of the program in his or her county. After consulting with the program coordinators in the pilot counties, however, it appears that each of the counties will operate the program in a similar fashion.

Generally, the program will operate as follows:

1. The check taker first attempts to collect on its own.
2. If unsuccessful, the check taker brings the matter to the district attorney (DA).
3. The DA sends a letter to the bad check writer explaining the program and how to participate.
4. If the check writer chooses to participate, he or she must bring or mail the $50.00 program fee and the necessary restitution amount to the Office of the Clerk of Superior Court within a specified number of days.
5. The check writer also must provide the clerk's office with a copy of the letter sent by the DA. The clerk validates the letter as paid and forwards it to the DA.
6. The clerk's office pays the restitution amount to the check taker and places the $50.00 fee in the Collection of Worthless Checks Fund.
7. If the bad check writer chooses not to participate, the DA informs the check taker and recommends that the check taker swear out a warrant against the check writer.

Again, this is a general operating procedure. There may be minor variations among the three counties. Readers with an interest in these variations should refer to the exhibits attached to this report.

PART III: CONCLUSION

The district attorneys, clerks' offices and other court officials in Columbus, Durham and Rockingham counties have worked intensively in a short period of time to prepare for the operation of the worthless check collection pilot program. They have received assistance from various divisions of the AOC and from their local merchants. All of the involved parties are hopeful that, when fully operational, this pilot program will allow for the timely and efficient collection of worthless checks as envisioned by the legislature.

As noted above, the AOC will report on the effectiveness of the program next spring. Among the matters included in the report will be the following:

- the number of merchants and individual check takers that participated in the program;
- the number of bad check writers who participated in the program;
- the total amount of fees collected;
- the total amount of restitution collected;
- the number and percentage of participating bad check takers that received restitution through the program; and
- the amount of time, in the opinion of the district attorneys' offices, saved by resolving worthless check cases via the pilot program rather than via criminal prosecution.

Readers desiring information on the program in the meantime may contact the AOC or any of the local program coordinators.

Exhibit 1: Columbus County

COLUMBUS COUNTY	
District Attorney	Rex Gore
Program Coordinator	Samantha Plemmons (full-time)
Telephone Number	(910) 641-3067
Other Staff Persons Assigned to the Program	none
Start Date	15 November 1997
Efforts to Promote the Program	• sent informational letter to each county merchant • received extensive front-page coverage in local newspaper • appeared on local radio talk show • sent informational packets to local magistrates • contacted city and town Chambers of Commerce • contacted local police chiefs and county sheriff
How the Program Operates	The check taker (merchant or individual) first attempts to collect on its own via certified mail. If unsuccessful, the check taker brings the matter to the DA. The DA sends a letter to the bad check writer explaining the program and how to participate. If the check writer chooses to participate, he or she must bring or mail the $50.00 program fee and the necessary restitution amount to the Office of the Clerk of Superior Court within thirty days. The check writer also must provide the clerk's office with a copy of the letter sent by the DA. The clerk validates the back of the letter and forwards it to the DA. The clerk's office pays the restitution amount to the check taker and places the fee in the Collection of Worthless Checks Fund. If the bad check writer chooses not to participate, the DA informs the check taker and recommends that the check taker swear out a warrant against the check writer.
Other Information	Larger merchants (for example, grocery stores) must submit their worthless check cases once every two weeks. Habitual bad check writers will receive one DA letter per merchant per reporting period.

Exhibit 2: Durham County

DURHAM COUNTY	
District Attorney	James E. Hardin, Jr.
Program Co-Coordinators	Pansie McCracken (full-time) Iris Wilfong-Rogers (full-time)
Telephone Number	(919) 560-6044
Other Staff Persons Assigned to the Program	none
Anticipated Start Date	1 December 1997
Efforts to Promote the Program	• distributed informational pamphlets to area merchants • plan to attend an upcoming merchants association meeting and provide a presentation on the program
How the Program Will Operate	The merchant first attempts to collect on its own by twice presenting the check to the bank or depository. If unsuccessful, the merchant completes an informational form and forwards it to the DA along with copies of the bad checks. (Note: Non-merchant individuals who receive bad checks will not participate in the pilot program. They will instead participate in an established program at the Dispute Settlement Center of Durham.) The DA sends a letter and remittance form to the bad check writer explaining the program and how to participate. If the check writer chooses to participate, he or she must bring or mail the $50.00 program fee and the required restitution amount to the Office of the Clerk of Superior Court within thirty days. The check writer also must provide the clerk's office with a copy of the letter sent by the DA. The clerk's office validates the remittance form and forwards it to the DA. The clerk's office pays the restitution amount to the merchant and places the fee in the Collection of Worthless Checks Fund. If the bad check writer chooses not to participate, the DA informs the check taker and recommends that the check taker swear out a warrant against the check writer.
Other Information	Habitual bad check writers may participate in the program a maximum of three times during a two-year period.

Exhibit 3: Rockingham County

ROCKINGHAM COUNTY	
District Attorney	Belinda J. Foster
Program Coordinator	Melissa Hamilton (full-time)
Telephone Number	(910) 342-8760
Other Staff Persons Assigned to the Program	part-time investigator (not yet hired)
Anticipated Start Date	1 December 1997
Efforts to Promote the Program	• sent informational packet to each county merchant • working on press release for local media outlets
How the Program Will Operate	The check taker (merchant or individual) first attempts to collect on its own via certified mail. If unsuccessful, the check taker brings the matter to the DA. The DA sends a letter to the bad check writer explaining the program and how to participate. If the check writer chooses to participate, he or she must bring or mail the $50.00 program fee and the necessary restitution amount to the Office of the Clerk of Superior Court within thirty days. The check writer also must provide the clerk's office with a copy of the letter sent by the DA. The letter contains a remittance form that the clerk validates and forwards to the DA. The clerk's office pays the restitution amount to the check taker and places the fee in the Collection of Worthless Checks Fund. If the bad check writer chooses not to participate, the DA informs the check taker and recommends that the check taker swear out a warrant against the check writer.
Other Information	Larger merchants (for example, grocery stores) must submit their worthless check cases once every two weeks. Habitual bad check writers will receive one DA letter per merchant per reporting period.

DRAFT

State of North Carolina
General Court of Justice
Seventeen-A Prosecutorial District
Post Office Box 35
Wentworth, North Carolina 27375-0035

23 September 1997

Mr. Jack Burden
5 Cherry Street
Wentworth, NC 27375

Re: File No. 97 BC 000102
File No. 97 BC 000103

Dear Mr. Burden:

Our office has received a complaint alleging that you wrote one or more worthless checks to Food Lion, Inc., in Rockingham County. **If prosecuted and convicted, you would be guilty of a Class 2 misdemeanor.** Depending on the number of prior convictions, a Class 2 misdemeanor is punishable by up to sixty days' confinement and a fine of up to $1,000.00.

You may avoid arrest, prosecution and punishment by participating in a worthless check collection program recently established in Rockingham County. A fact sheet describing this program is enclosed with this letter. Please read it carefully.

In order to participate in the program, you must bring or mail the following to the Office of the Clerk of Superior Court in Wentworth **within thirty days of the date of this letter**:

1. the payment form enclosed with this letter AND
2. a certified check or money order for the Total Amount Due specified at the top of the payment form (if you bring the payment to the clerk's office in person, you may pay in cash).

Please note the following:

1. If you choose to pay by certified check, make the check payable to "Clerk of Superior Court." Please mail the check or money order to: Clerk of Superior Court, Post Office Box 127, Wentworth, North Carolina, 27375-0127.
2. **Do not mail cash.** You may pay in cash only if you bring the payment to the clerk's office. The clerk's office is located in the Rockingham County Court Courthouse on Highway 65 in Wentworth.
3. The clerk's office will **not** accept partial payments.
4. The clerk's office will **not** accept personal checks.

If you fail to bring or mail the payment form and the Total Amount Due to the Clerk of Superior Court in Wentworth within thirty days of the date of this letter, a warrant will be issued for your arrest and you may be prosecuted for a Class 2 misdemeanor.

If you have any questions, please telephone me at (910) 342-8760. Do not call the Clerk of Superior Court's Office.

Sincerely,

DRAFT

Sadie Burke
Worthless Check Program Coordinator

enclosure

DRAFT

WORTHLESS CHECK COLLECTION PROGRAM PAYMENT FORM

NAME AND ADDRESS: Mr. Jack Burden
5 Cherry Street
Wentworth, NC 27375

TOTAL AMOUNT DUE: $203.33

DUE BY: 102397

AMOUNT OF BAD CHECK(S):		$113.33
MERCHANT SERVICE CHARGE(S):	+	$40.00
WORTHLESS CHECK COLLECTION PROGRAM FEE:	+	$50.00
TOTAL AMOUNT DUE:	=	$203.33

FILE NO.	97 BC 000102	CHECK AMOUNT:	$52.25
MERCHANT:	Food Lion, Inc.	SERVICE CHARGE:	$20.00
	56-1234567	SUBTOTAL:	$72.25
	Post Office Box 66		
	Wentworth, NC 27375-0066		

FILE NO.	97 BC 000103	CHECK AMOUNT:	$61.08
MERCHANT:	Food Lion, Inc.	SERVICE CHARGE:	$20.00
	56-1234567	SUBTOTAL:	$81.08
	Post Office Box 66		
	Wentworth, NC 27375-0066		

FILE NO.
MERCHANT:
CHECK AMOUNT:
SERVICE CHARGE:
SUBTOTAL:

FILE NO.
MERCHANT:
CHECK AMOUNT:
SERVICE CHARGE:
SUBTOTAL:

FILE NO.
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SUBTOTAL:

FILE NO.
MERCHANT:
CHECK AMOUNT:
SERVICE CHARGE:
SUBTOTAL:

*** SUBMIT THIS FORM TO CLERK OF SUPERIOR COURT ALONG WITH TOTAL AMOUNT DUE**

Handout #3

The Administrative Office of the Courts
Reserve for Technology and AOC's Information Technology Strategy

We assembled our 1997-1999 biennium information technology request based on user input from a series of planning sessions held during late summer 1996 and a survey of all court officials regarding major issues identified during the planning sessions. We also considered these other important studies and reports: Criminal Justice Information Network Study, 1995; Commission for the Future of Justice and the Courts in North Carolina, 1996; and Trends and Objectives for the Future of the North Carolina Judicial Branch of Government, 1996.

User feedback sent an overwhelming message that the court information system must address these priorities.

- share data with law enforcement
- link courtrooms to local jails and the Department of Correction
- automate courtroom proceedings
- allow public access
- interface existing and future AOC information systems
- improve AOC's service to its customers, such as help desk support, field support staff for personal computer related problems, etc.

In providing newer technology, we are leveraging our investment in existing mainframe or "legacy systems" which contain extensive and irreplaceable business rules and logic that are valuable and have proven to be very beneficial to our users. For example, our criminal system contains over 2,000 edits that check data as it is being entered to insure that criminal case information is as correct and accurate as possible as it is entered into the criminal system. Many other rules and procedures about how court cases are handled in North Carolina are embedded in our "legacy systems" which are used extensively by judicial staff across the state. Like the private sector, we're assessing our older information systems to determine the best business case for replacing or redesigning our existing information systems, given our user needs, and how newer technology can interface or share data with older legacy systems which are not ready yet for obsolescence.

District Attorney and Public Defender Case Management System: District Attorneys and Public Defenders needed help in managing their caseloads. Both district attorneys and public defenders were using countless staff hours to track cases manually using index cards, ledgers, etc., and in some larger counties, staff were reentering case information into a separate office system to track cases. The solution was to build a client server based case management system (i.e., runs on personal computers versus the mainframe) that provided the automated support they needed. This newer "client server" technology shares data directly with our older mainframe, criminal system. As a postscript, this newer technology allowed us to modify the system in less than six weeks to accommodate recent legislative changes regarding worthless check cases during the 1997 long session.

Reserve for Technology: $760,000 (NR)	$112,860 (R)
The Case Management System in currently installed in 23 districts. These funds will be used to purchase software, personal computers, printers, file servers, network interface cards, CD-ROM's, tape back-ups, cabling plants, etc. for the remaining 16 districts in the state.	

Courtroom Automation (CJIN Milestone): Judges, district attorneys, clerks, sheriffs, and correction personnel wanted us to automate courtroom proceedings. Court personnel wanted us to automate courtroom proceedings to expedite the handling of cases before the courts so that more criminal cases could be disposed within a day. Correction personnel wanted us to automate courtroom proceedings to eliminate redundant data entry of sentencing information and to expedite the intake of prisoners into the state's correctional system. Sheriffs wanted us to automate courtroom proceedings to reduce the time lag between a sentence being imposed in court and the time that it takes before the defendant could be released either from the local jail or transferred to a state correction facility. Courtroom automation will allow the SBI to receive a final case disposition information in a more timely manner, which will allow the SBI to update the state's criminal history file a more expeditious manner. The Criminal Justice Information Network Study identified courtroom automation as one of seven major application development projects needed to develop a statewide criminal justice information network and one of four major milestones in the development of a statewide criminal justice information network. Development of CourtFlow software is complete and this personal computer based system is being tested in three pilot sites with much success.

Reserve for Technology: $531,340 (NR)	$78,905 (R)
Funding ($373,648) will be used to purchase 108 pentium personal computers to replace the 486 class machines that are now in the courtrooms. The remaining funds ($158,692) will be used to purchase personal computers and duplex printers to equip approximately 30 more superior courtrooms across the state (urban counties have multiple courtrooms)	

Criminal Tracking System (or Magistrate System) (CJIN Milestone): As with courtroom automation, the Criminal Justice Information Network Study recommended the development of a statewide magistrate system as one of the four major milestones towards developing a statewide criminal justice information network. Our users, including judges, district attorneys, clerks, and magistrates advocated a magistrate system since magistrates are the "front door" to the court system for a large number of criminal cases. The benefits from this major new application are numerous and will enhance the handling of defendants throughout the state and local criminal justice system. Major benefits include a statewide warrant repository with warrant and other criminal processes captured at the local level and at the statewide level. Another major benefit will be real time sharing of warrant information with court's criminal system, local criminal justice

information systems, and state criminal justice information systems. The criminal tracking system will be available seven days a week, 24 hours per day and will also provide access to a defendant's criminal history via links to the AOC, SBI's Division of Criminal Information, Department of Correction, Division of Motor Vehicles, and Department of Human Resources. This system will also capture additional demographic and other identifying information regarding a defendant, including bond information and bond history. Lastly, this system will enhance the collection of a dependable criminal case history for a defendant, especially repeat offenders.

Estimated one-time costs for a statewide criminal tracking system (magistrate component)	$8,750,000 (NR)
Less: Funds received to date	
Reserve for Technology: $2,000,000 (NR)	
Expected Federal Funding: $4,400,000 (NR)	6,400,000 (NR)
Estimated one-time costs needed in the future	$2,350,000 (NR)

Estimated annual reoccurring costs for this system: $2,000,000 to $2,250,000

Funding will be used to purchased software and equipment to deploy the criminal tracking system across the state.

End User Technology (CJIN Application): At present, many of the professional workers (assistant district attorneys, assistant public defenders, assistant and deputy clerks, etc.) within the court system lack desktop computers for handling their daily work. The lack of computers on their desktops limits their access to AOC's existing automation information systems, whether mainframe or personal computer based, and limits their access to standard desktop automation tools such as word processing software, electronic mail, etc. Without personal computers, these professional staff are having to resort to manually handling their work, which significantly decreases their overall work performance.

Reserve for Technology: $577,500 (NR)	$85,760 (R)

These funds will be used to purchase personal computers for the clerks of superior court, district attorney, and public defenders. We had originally sought funding to provide a personal computer to each assistant district attorney and assistant public defender, and two personal computers for each clerk of the superior court office. We will pro rate the distribution of these funds per our original request to purchase personal computers for these three components of the court system.

AOC Data Center Upgrade: We were able to make the transition from older from newer mainframe technology, with a significant increase in capacity at a much lower cost, because the legislature provided funding for a three year period which allowed us to negotiate a strategic, multi-year agreement. This allowed us to significantly increase our mainframe capacity at an overall reduced cost. This reserve also provides funding to increase our disk storage space and upgrade operating software which is needed to provide twenty four by seven update capability for our information systems.

Reserve for Technology: $296,720 (NR) $44,167 (R)
These funds will be used to purchase software needed to provide 24 by 7 update capability to the AOC Court Information System (CIS)(needed for new Criminal Tracking System (Magistrate System)) to increase the capacity of the automated tape library and DASD.

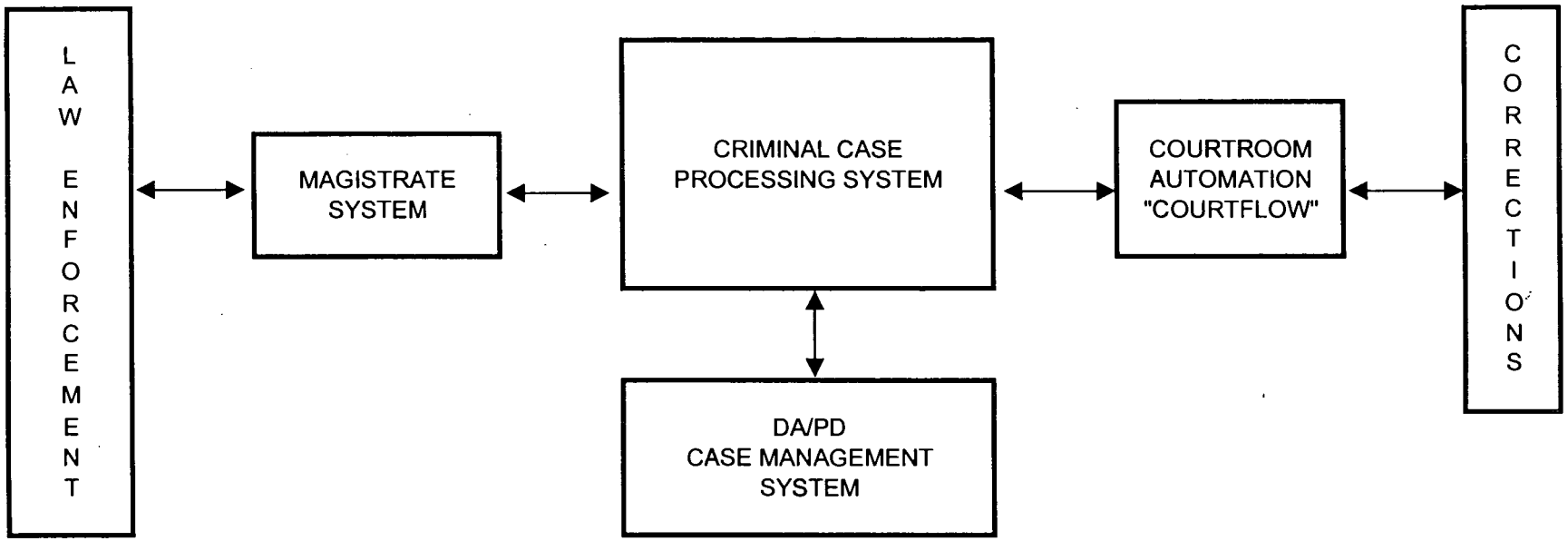
Technology Personnel: Court officials are concerned that AOC technology staffing is not sufficient to support the existing systems and equipment of the AOC. Moreover, court officials are concerned that AOC technology staffing will not be sufficient to support new initiatives using newer technology in the future. The AOC also has a critical need to provide staff support to the court offices across the state to support the local area networks installed across the state, computer equipment, telephone systems and telecommunications equipment, etc. Increased personnel staffing will help the AOC better serve the public by improving the processing of cases through the court system.

Reserve for Technology: $661,460 (NR) $140,910 (R)	
Funding is included for the following fifteen new positions with an effective start date of December 1, 1997:	
- 5 analyst programmers	- 5 LAN support specialist
- 1 telecommunications specialist	- 1 systems accountant
- 1 help desk support specialist	- 2 personal computer support specialists

Finally, our technology strategy addresses our users highest priorities for technology initiatives in high payoff areas. Future high payoff areas according to our users include paperless traffic court, video conferencing, interactive voice response including credit card acceptance by telephone, streamlined processing of small claims cases, automated presentation of evidence in the courtroom, and increased sharing of data among existing AOC information systems and other state information systems. As the state continues to build a criminal justice information network, state and local criminal justice agencies -- including the courts -- will realize benefits from sharing and collection of information. In summary, the AOC's information technology strategy will improve the court's ability to perform its constitutional role, thus providing better service to the citizens of North Carolina.

CRIMINAL COURT CASE PROCESS

ARREST PROCESSING | CHARGES | PRETRIAL EVENTS | TRIAL & DISPOSITION | COMMUNITY CORRECTIONS



CJIN Strategy

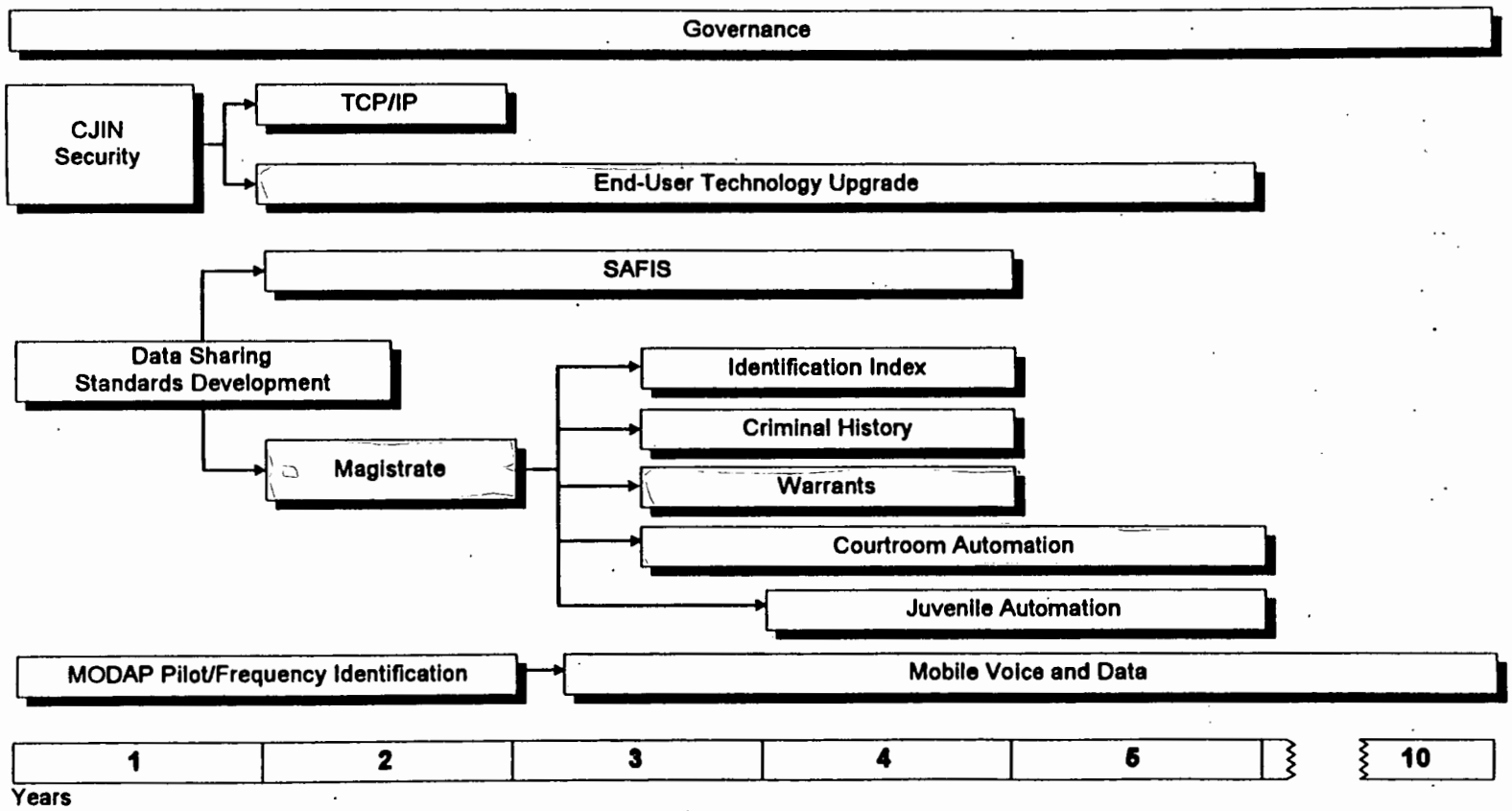
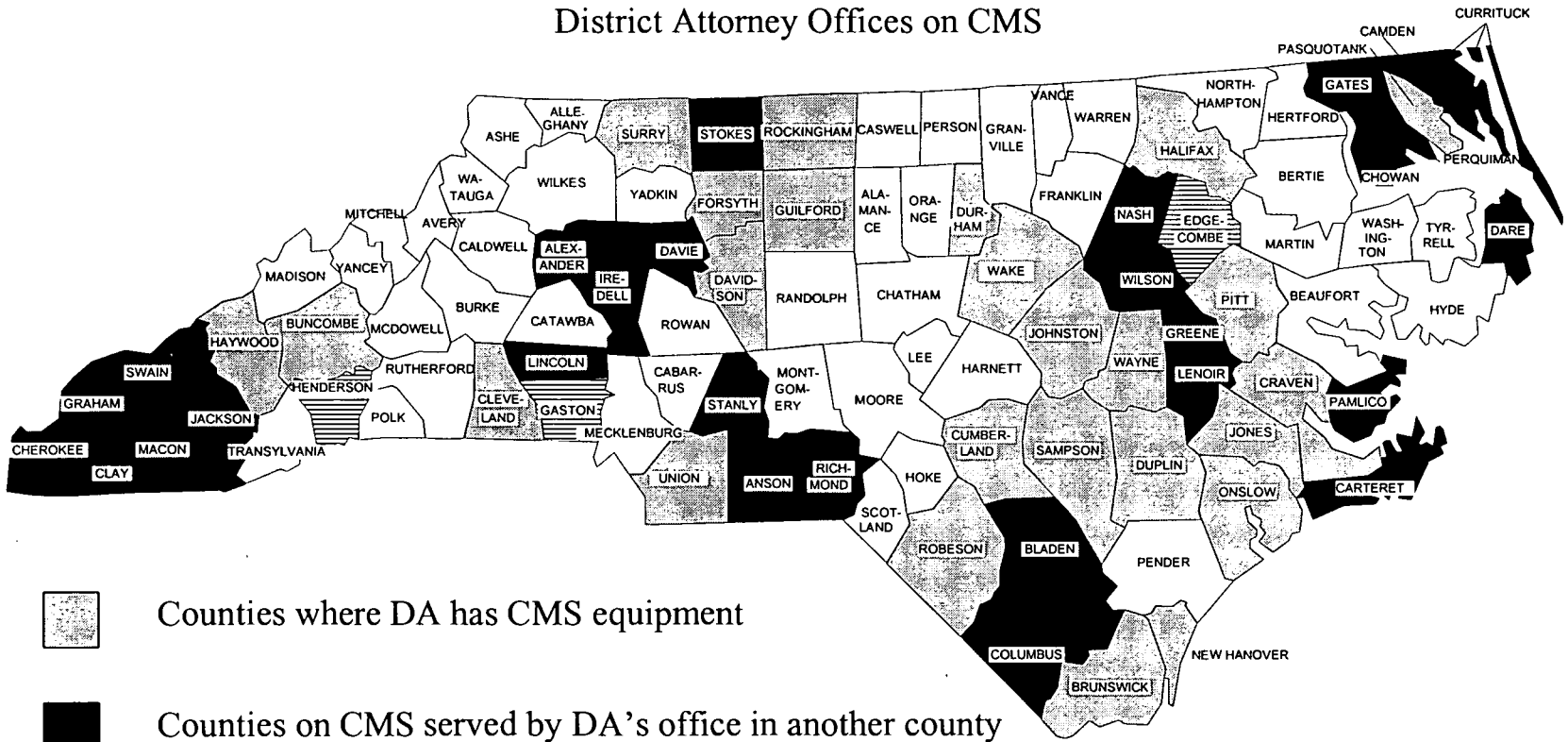


Figure ES-1

The Administrative Office of the Courts

District Attorney/Public Defender Case Management System (CMS): District Attorney Offices on CMS



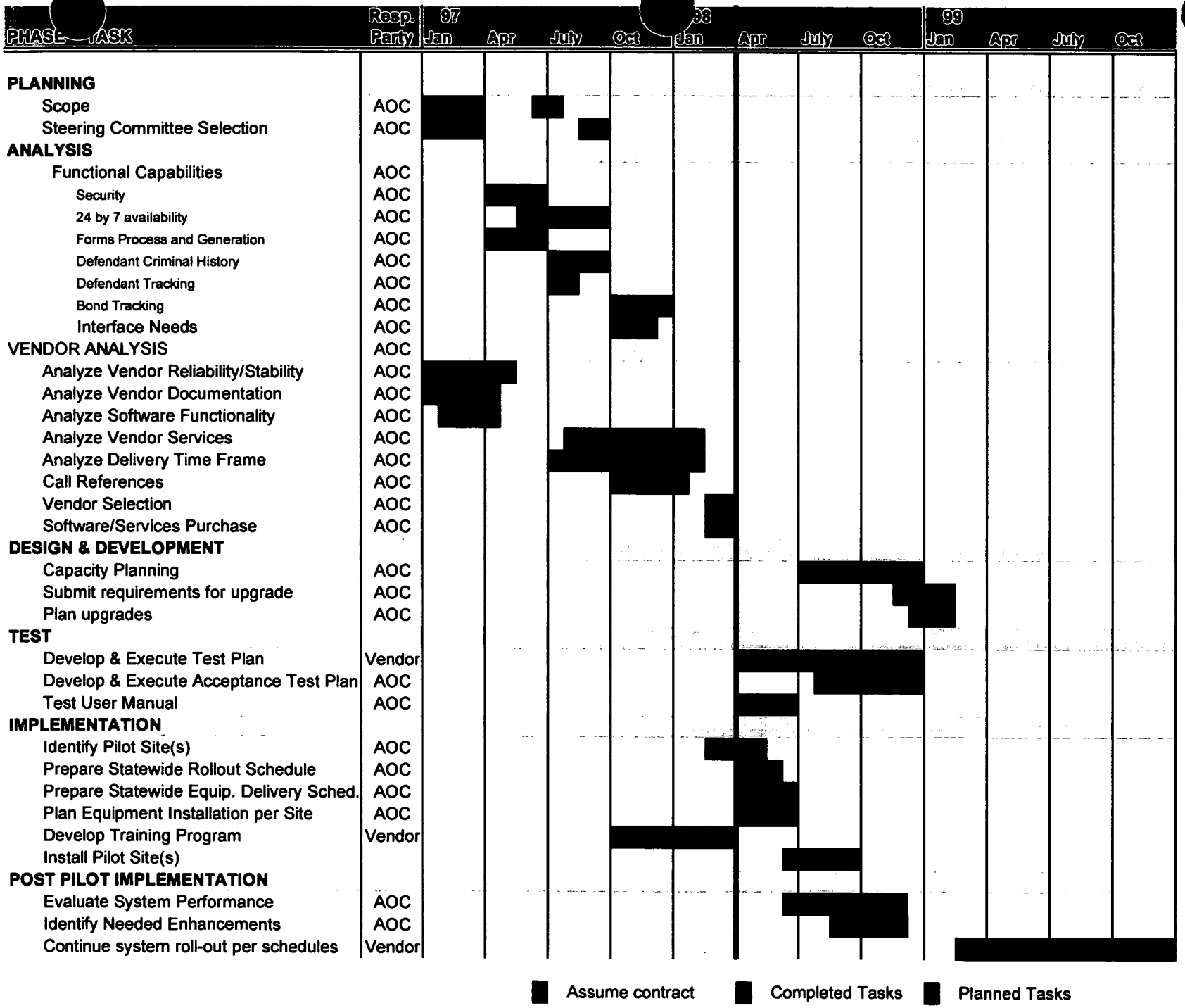
Counties where DA has CMS equipment

Counties on CMS served by DA's office in another county (No CMS equipment located in these counties).

Future CMS Sites in DA Offices

As of 12/16/97

Criminal Information Tracking System



Revised: 1/20/989:08 AM/glh

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ADMINISTRATIVE OFFICE OF THE COURTS
STATEWIDE MAGISTRATE SYSTEM
COST PROJECTIONS

ONE-TIME COSTS:

SOFTWARE DEVELOPMENT/PURCHASE	$3,500,000
HARDWARE EXPENSES AND INSTALLATION	4,000,000
TRAINING AND EQUIPMENT INSTALLATION	1,000,000
TOTAL ONE-TIME COSTS	$8,500,000

ANNUAL COSTS:

SOFTWARE MAINTENANCE	$550,000
HARDWARE MAINTENANCE	450,000
TRAINING AND SUPPORT	1,250,000
TOTAL ANNUAL COSTS	$2,250,000

Handout # 4

ADMINISTRATIVE OFFICE OF THE COURTS
1997-98 BUDGET
EQUIPMENT REPLACEMENT

CONFERENCE REPORT ON THE CONTINUATION, CAPITAL AND EXPANSION BUDGET :

JUDICIAL - ITEM 54 - EQUIPMENT REPLACEMENT

STATEWIDE FUNDING TO REPLACE WORN AND OUTDATED OFFICE EQUIPMENT, COMPUTER EQUIPMENT AND OTHER RELATED AREAS.

NON-RECURRING	$	3,600,000
RECURRING	$	319,236
TOTAL	$	3,919,236

AOC EQUIPMENT SUMMARY

OFFICE EQUIPMENT & RELATED AREAS	$	1,123,529
DATA PROCESSING & COMPUTER REQUIREMENT	$	2,795,707
	$	3,919,236

OFFICE EQUIPMENT & RELATED AREAS:

COPIERS & SORTERS	$	593,927
COPY CONTROL DEVICES	$	52,725
COURTROOM RECORDING EQUIPMENT	$	65,594
COURT FILING & MICROFILM EQUIPMENT	$	139,876
MAILING MACHINES	$	29,140
SUPREME COURT LIBRARY FURNITURE	$	22,759
VARIOUS STOCK EQUIPMENT	$	193,233
MAINTENANCE AGREEMENTS	$	26,275
TOTAL	$	1,123,529

DATA PROCESSING & COMPUTER REQUIREMENT:

TELECOMMUNICATIONS SYSTEMS	$	372,000
TERMINALS	$	315,000
PERSONAL COMPUTERS & FILE SERVERS	$	1,235,707
CONTROL UNITS	$	350,000
SYSTEM PRINTERS	$	100,000
SCREEN PRINTERS	$	20,000
CASH RECEIPTING EQUIPMENT	$	228,000
DATA CENTER UPGRADE	$	175,000
TOTAL	$	2,795,707

Criminal History Checks

Report to the Senate and House Appropriations Subcommittee on Justice and Public Safety

Assistant Director Ronald P. Hawley

Handout #5

Presentation Outline

- *Current Workload*
- *Historical Review*
- *Personnel*
- *Identification Response to Workload*
- *Fees and Associated Receipts*
- *Follow-Up - November 19, 1997 Inquiry*

1997 Submissions to Identification

- Criminal Fingerprint Cards
  - 141,941
- "Fee for Service" Fingerprint Cards and Name Checks
  - 119,197
    - 79,565 Fingerprint Checks
    - 39,632 Name Checks
- TOTAL SUBMISSIONS = 261,138

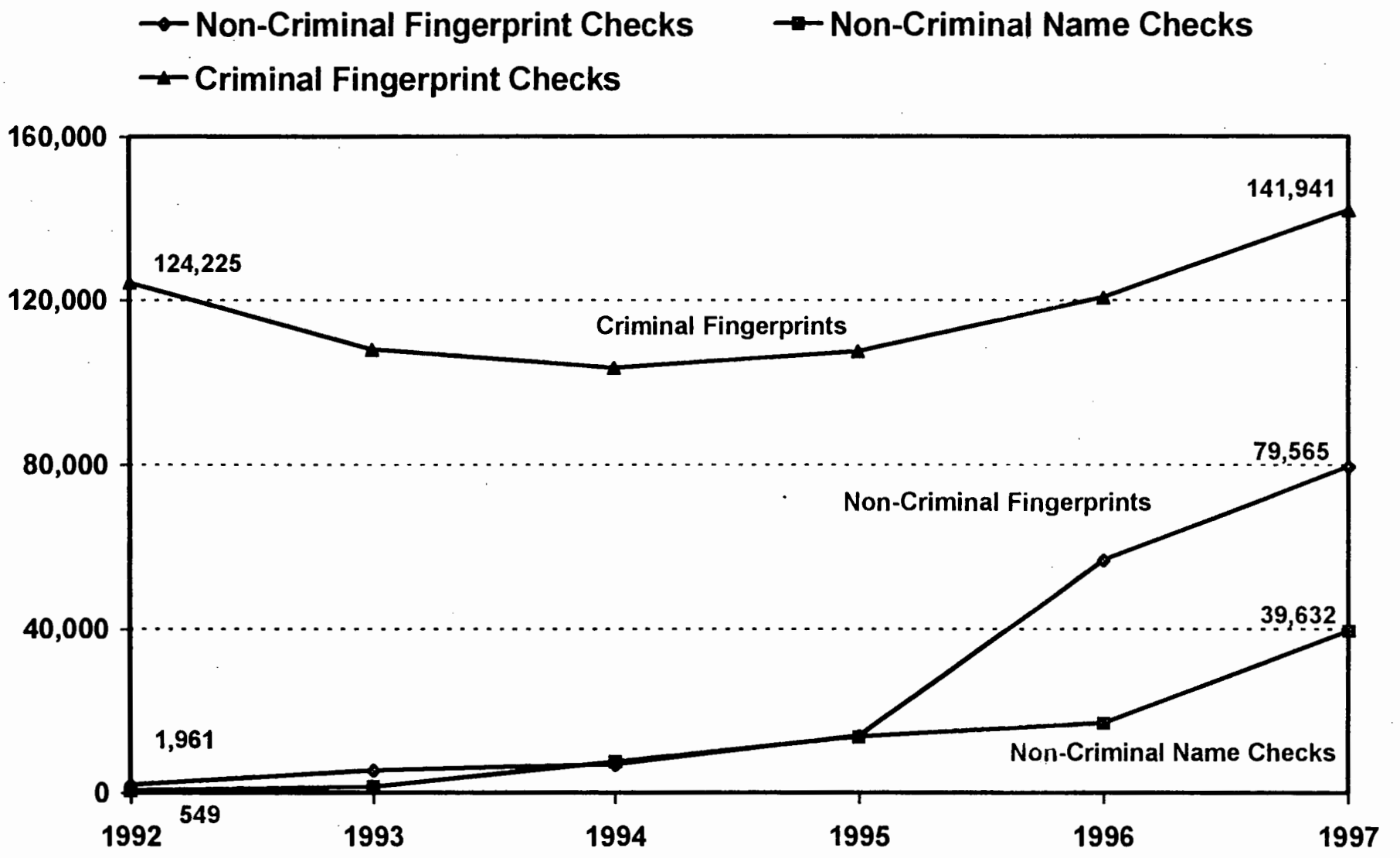
Non-Criminal Justice Growth

- *1993*
  - *7,428*
- *1994*
  - *14,663*
- *1995*
  - *27,534*
- *1996*
  - *73,894*
- *1997*
  - *119,197*

Criminal Justice Growth

- *1993*
  - *107,968*
- *1994*
  - *103,510*
- *1995*
  - *107,528*
- *1996*
  - *120,619*
- *1997*
  - *141,941*

Name and Fingerprint Checks
1992 - 1997



Personnel Assigned to Identification

- *65 Total Employees*
  - *28 Fingerprint Technicians*
  - *29 Processing Assistants*
- *Vacancies*
  - *10 (4 - Fingerprint Technicians)*
- *Resource Measure*
  - *10,000 Cards = 1 FTE - Fingerprint Technician and .5 FTE Processing Assistant*
  - *This measure is being reevaluated*

Actions Addressing Workload

- *Overtime*
  - *2,134 hours worked in 1997*
    - *$21,996*
- *Automation*
  - *Criminal Justice Information Network(CJIN)*
    - *Livescan fingerprinting in the counties*
  - *Bar Coding Project*
    - *Eliminate or reduce redundant data entry*

Fees Charged For Checks

- *Fingerprint Checks - State Only*
  - *$14.00 [$13.73]**
- *Fingerprint Checks - State & National*
  - *$14.00 [$13.73]**
  - *$24.00 (If card is sent to the FBI)*
- *Name Checks Only*
  - *$10.00 [$9.82]**

** 1997 Actual costs based on expenditures for 1996-97 FY*

Non-Criminal Justice Receipts

- *FY 1997/98*
  - *($200,000) - Legislative Adjustment*
  - *Projected at approximately $1,100,000*
- *FY 1996/97*
  - *$889,966*
- *FY 1995/96*
  - *$390,160*

Agencies Serviced by DCI

- Criminal Background Check Agencies
  - Listing Available
- Agencies with DCI Terminal Access
  - Listing Available
  - Systems Accessed
    - National Criminal Information Center (NCIC)
    - National Law Enforcement Telecommunications System (NLETS)
    - DMV, Wildlife, Sex Offender Registry, Domestic Violence, Concealed Handguns & AOC

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 1/20/98

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
S Plemmons	OA - Columbus Cty
Bryce Morrison	IBM - Ral., NC
John Madler	Sentencing Commission
Buddy Humphrey	OSBM
Robert Turner	AOC
Chris Mark	AOC
Curt Williams	Gov's Office
Becki Hunt	PPAB
Peg Dorer	NCCDA
Jane P. Gray	DOT

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 1/20/98

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS

HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Wednesday January 21, 1998 9:00 a.m.
Room 612, Legislative Office Building

I. CALL TO ORDER

Chairmen: Senator Wib Gulley, Presiding

Representative Gregg Thompson
Representative Larry Justus
Representative Joe Kiser

II. PRESENTATIONS

Morning

- Report on Sentencing Commission's Prison Population Projections

  Susan Katzenelson, Executive Director, Sentencing Commission
  Department of Correction Staff

- Prison Population Projection Versus Estimated DOC Bed Capacity

  Jim Mills, Fiscal Research Division
  Dan Steineke, Director, Division of Prisons

- Report on Accreditation of DOC Prisons

  Joe Hamilton, Deputy Secretary, DOC
  Lynn Phillips, Assistant Secretary, DOC

- Report on Jail Backlog

  Gregg Stahl, Assistant Secretary, DOC

Afternoon

- Follow-up on Modular Units

  Jim Mills, Fiscal Research Division
  Department of Correction and Office of State Construction Staff

- Federal Audit Report on Central Prison Health Care Services

  Dan Steineke, Director, Division of Prisons

III. OTHER BUSINESS

IV. ADJOURNMENT

SENATE AND HOUSE JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
January 21, 1998

The Senate and House Joint Appropriations Subcommittee on Justice and Public Safety met at 9:00 am on Wednesday, January 21, 1998 in Room 612 of the Legislative Office Building. Representatives Justus, Thompson, Kiser, Smith, McCrary, Hardy, Kinney, Redwine, Sexton, Crawford, Easterling and five Senators were present. Senator Gulley, Co-Chairman, presided.

First, Senator Gulley asked Ms. Susan Katzenelson, Executive Director of the Sentencing Commission, to review for the Committee the Sentencing Commission's Prison Population Projects (see Handout #1). Ms. Katzenelson first gave an explanation regarding the nature and the complexity of trying to predict the future prison population growth. She also gave some examples of events that could change the projections. The projections after the year 2000 are based on the present behavior of the courts. Ms. Katzenelson recognized the Forecasting Advisory Group for all the help it gives with the projections. Ms. Katzenelson also made reference to the chart on the last page of the handout which shows graphically the prison population and the prison capacity.

Representative Kiser asked how many people were leaving the Department of Corrections. Mr. Ken Parker with the Department of Corrections (DOC) said that in early 1996 the figure was 1,900-2,000 per month and in recent months the figure has been 2,200 per month. Representative Kiser then asked if more people were leaving now than in 1996. Mr. Parker stated that that was true, but the population was increasing more in 1996 than now. Mr. Stahl with DOC added that probation revocations were up more than 2% over the historical trend.

Representative Justus asked Ms. Katzenelson if the increased population in North Carolina and the changes in the law were considered in the population projections. She responded that the Forecasting Group did consider these factors, but some aspects of Structured Sentencing are new and other factors in the future, such as the Governor's Juvenile Crime Commission, could affect the figures. Mr. Stahl added that the cost of an offender in the Department of Youth Services (DYS) is $131 per day (in DOC, the cost is

$60 per day).. The higher cost is due to the treatment and educational programs that DYS are required to have by law.

Senator Gulley asked Ms. Katzenelson about the increase in the probation revocation rate. Ms. Katzenelson said that this might be due to 1) a different type of offender going on probation; 2) closer post-release supervision; and 3) juvenile issues such as if a juvenile is kept in juvenile facilities until 21 years old. If so, they would not be counted in the adult prison population. The population projections used a 33% revocation rate. Representative Kiser asked about the number of people on probation or parole. Mr. Stahl replied that there were about 110,000. Representative Kiser asked if there were more people back in prison on parole revocation because the beds were available and would the revocation rate decrease when these beds were needed for other inmates. Mr. Stahl responded that the probation officers were working the cases more now in an effort to keep them from going back to prison.

Representative Redwine stated that the New Hanover County Commissioners thought that Structured Sentencing was a failure because of the handling of drug offenders. He asked Ms. Katzenelson if the Sentencing Commission had received other criticism about drug offenders and did the Commission expect any changes to make the traffickers classified as more severe cases. She responded that she was not aware of other criticism. Also, the federal government tries the most severe North Carolina cases.

Mr. Parker added that the largest class of offender was the Class H felon. Also, as of June 1997, 68% of the prison population was serving their sentence under the Fair Sentencing Act.

Next, Mr. Jim Mills, Fiscal Analyst, reviewed for the Committee the Prison Population Projections versus the Estimated Department of Corrections Bed Capacity (Handout #3). As of January 15, 1998, there were 31, 616 inmates. Representative Thompson asked what was the total number of beds the state could use in the county jails. Mr. Stahl answered that there were 540 beds at $40 per day. In addition, DOC could backlog more.

On page 2 of Handout #3, Mr. Mills highlighted the difference of the Standard Operating Capacity (SOC), which is 100% capacity at 50 sq. ft./inmate in a single cell, and the Expanded Operating Capacity (EOC), which is 130% capacity at 35 sq. ft./inmate. The third page of the Handout outlines what is included in the prison bed capacity figures.

Representative Thompson asked Mr. Steineke, Director of Prisons, what was done with a prisoner's regular bed when he was placed in segregation. Mr. Steineke said that the bed should be left open, but they usually used it for other inmates. This meant that the segregation bed was being used for EOC.

Representative Redwine asked if the private prison bed contracts did not allow for them to operate at EOC. Mr. Phillips, Assistant Secretary of DOC, responded that the initial

contracts did not go beyond capacity and there had not been funding to operate the private prisons at EOC.

Mr. Mills continued with his overview by stated that page four of Handout #3 showed that in 1997-98 the capacity would be 31,762 beds and this figure increased to 34, 972 by 1999-2000. Mr. Mills further stated that page 8 showed the inmate population projections, the expanded capacity and the number of beds DOC would be short or have as extra. Representative Thompson stated that it was his understanding that a new prison seldom went on line on the expected date and he asked if the Sentencing Commission took that into account when it did its projections. Mr. Mills replied that the capacity figures came from DOC and the Sentencing Commission used the DOC figures to make its projections. Therefore, both of them were using "point in time" figures.

Mr. Mills then highlighted five issues on page 9 of Handout #3 that would change the long term population projections.

Next, Representative Justus asked Mr. Steineke to give the Committee his report regarding the strategies that DOC was using to remedy the bed deficits that currently existed. Mr. Steineke told the Committee that by June 30, 1998 the DOC would be 1,259 beds short. He said that 900 temporary beds would be placed in the day rooms at six facilities and they could use one half of the segregation beds to operate at EOC which would add 680 beds. He felt that they could handle the bed shortage, but there were factors, such as the youth and women populations that could change the situation. Mr. Steineke added that under Structured Sentencing there were more infractions by inmates than there was under Fair Sentencing resulting in the need for more segregation beds.

Senator Ballance asked if there was money in the discretionary fund if more county jail beds were needed to be contracted. Mr. Mills said that the Executive Budget Act allows for available funds to be used for out of state beds and county jail beds. Representative Kiser stated that it was dangerous to keep operating at the EOC figures. Senator Ballance responded that since North Carolina had shown a willingness and ability to adjust to the needs that it would be difficult now to win a lawsuit against the DOC.

Next, Mr. Joe Hamilton, Deputy Secretary of DOC, reported on the Accreditation of DOC prisons. He gave the history of this process to the Committee. In 1987 the prison system was being sued because of over crowding. The DOC began to develop a set of standards for the field units, but the General Assembly did not fund accreditation of the prisons because it was afraid it would expose DOC's inadequacies which could lead to other lawsuits. Also, the General Assembly was concerned about the upfront cost of bringing the facilities into compliance.

Representative Justus asked Mr. Hamilton how many states had accredited prisons. Mr. Hamilton stated that he did not know, but he would find out. Also within states, some facilities were accredited and some were not. Representative Thompson asked why the state was not pursuing the accreditation of the new prisons. Mr. Hamilton responded

that the state had let the idea lapse during the past ten years. **Representative Thompson asked staff to look into accrediting the prisons and the cost to do so.** Representative Redwine asked what was the advantage of being accredited. Mr. Hamilton stated that it made the DOC establish and comply with standards and it gave the system credibility. If there was a lawsuit against North Carolina, ACA accreditation held weight with the courts. He further said that it was a public policy issue. Once a prison is accredited then any new standards would have to be met to retain the accreditation.

Next, Representative Justus asked Mr. Gregg Stahl to report on the current county jail backlog. Mr. Stahl told the Committee that there were no out of state inmates and as of January 21, 1998 512 inmates were in county jails. On the sixth day of being in jail, the state begins to pay the county $40 per day. The average time a prisoner stayed in the backlog was 30-90 days. Senator Ballance stated that the DOC was doing a very good job with a very tough, complex issue and the General Assembly needed to let the people that were paid a lot of money do their job.

Next, Jim Mills gave a modular prison unit update (Handout #4). He first gave background information on the purchase of the modular units, including the recommendation by the Justice and Public Safety Appropriation Subcommittee at its December, 1997 meeting to buy 20 large units for $900,000. He then gave the current status, which was that the Governmental Operations Subcommittee authorized the purchase of 16 large units, which would give 16 more beds than 20 small units would give the system.

Representative Redwine asked Mr. Mills about the discrepancy between the December, 1997 handout and today's handout. Mr. Mills responded that in December the available funds was overestimated because a portion of the money needed to be spent for development and 2-3% was set aside for a contingency fund. Therefore, $4.5 million was available, but the cost of 20 large units was $5.4 million, which was the $893,000 difference on today's handout. Representative Thompson further explained that in December it was thought that $400,000 additional was needed to buy 20 large units, but $400,000 was needed also for planning and design, so actually $800,000 was needed and the Office of Budget and Management could not find that much money.

Mr. Mills then reported that the two contracts were awarded on January 14, 1998 to a vendor in the western part of the state who would supply pre-manufactured units, and to a vendor in the eastern part of the state who would bring the materials to the site and build the units on site. It would take 210 days to finish the units for the east and 300 days to finish for the west. Mr. Kenny Hunt with the State Construction Office stated that the difference was due to the pre-manufactured units taking longer to build than the on-site constructed units. **Representative Justus asked if the ones in the east were easier to move than those in the west. Mr. Fleggas will find out.** .Senator Ballance asked which units were being delayed. Mr. Mills said Davidson, Orange, Cabarrus and Rowan.

Representative Justus asked Mr. Fleggas with the State Construction office to find out why the modular units were handled differently than the Justice Academy. Also, the cost of the western units was $100/square foot and cost for the eastern units was $89/square foot. Representative Thompson stated that on a 3,000 square foot unit, that was a $300,000 difference. **He asked Mr. Fleggas to supply the Committee with a list of the vendors and their bids, and Representative Kiser asked for a list of the bidders.** Mr. Fleggas stated that both contractors were in-state contractors, but they could get the bids from any manufacturers.

Representative Thompson then asked about the Martin County facilities. Mr. Steineke answered that there were 36 inmates and 26 employees and the facility was operating at EOC. Representative Thompson asked if any other facility had that ratio. Mr. Steineke said no, and the Martin facility was on the GPAC list with a recommendation to be closed. Mr. Phillips told the Committee that Senator Gulley and Senator Bob Martin were apprised of the Martin County facility situation. Senator Martin was concerned about the value of the inmates who do community service. Mr. Phillips stated he had told Senator Martin that the inmates from Green and Tyrrell county could provide the community service in Martin county and other things could be done to save the jobs.

The Committee adjourned for lunch at 12:10 p.m.

After lunch, Senator Ballance, acting Chair, asked Mr. Steineke, Director of the Division of Prisons, to give his report on the Federal Audit Report on Central Prison Health Care Services, (Handout #5). He highlighted the following with regard to the findings on page four of the handout: A new medical director had been hired at Women's Prison. Mr. Steineke also stated that the staff turnover was due to the physical working environment and the heavy workload because of insufficient professional positions. At Central Prison, the Director of Nursing in Mental Health had been replaced and the Health Care Administrator in Mental Health had been removed. Senator Wellons asked if there was a working relationship between the teaching hospitals in the state and the prisons. Mr. Steineke stated that the prisons frequently interacted with UNC Hospital and used teaching fellows from Duke. **Senator Wellons asked that Mr. Steineke provide the number of students that were being used.**

Mr. Steineke further told the Committee that two new physicians had been hired and negotiations were underway for a new Medical Director. Senator Ballance stated that the state would like to see the basic medical standards and procedures followed without giving Duke Medical Center treatment. Representative Hardy stated that he shared those same concerns and then asked Mr. Steineke if insurance paid for any of the inmates. Mr. Steineke replied that inmates with insurance was almost non-existent. Representative Hardy then asked if the AIDS patients received $20,000 per year care in prison. Mr. Steineke replied that the prisons are not erroring on the side of giving too much care and they were giving medication to inmates who are HIV positive in an effort to prevent full blown AIDS. Senator Ballance said he was a proponent of allowing death bed inmates to go home to die.

Representative Kiser then asked Mr. Steineke about the private health care being provided at two facilities. Mr. Steineke said that the Hyde facilities had not had private care long enough to determine if it was cheaper and the Pasquotank facility's private care may be a little higher than the state provided care. Representative Thompson asked if the inmates over 65 years old were covered by Medicare. Mr. Mills replied that a prisoner could not receive benefits while in prison. With regard to Social Security benefits, Mr. Mills stated that they were usually not paid to prisoners, but spouses and dependents could receive benefits if they qualified. **Representative Thompson asked if Mr. Mills could check on the differences, if any, with regard to felonies and misdemeanors.**

Representative Sexton asked how much of the $93 million spent on health care each year by DOC was for preventive measures. Mr. Steineke replied that the percentage was very small. **Representative Sexton then asked for a breakdown of the $93 million spend on health care, which was 15% of the total DOC operating budget of $700 million.**

There being no further business, the meeting was adjourned at 2:30 pm

Senator Wib Gulley, Co-Chair

Carol Resar, Committee Clerk

Handout #1

NORTH CAROLINA SENTENCING and POLICY ADVISORY COMMISSION

REVISED POPULATION PROJECTIONS

FISCAL YEAR 1997/1998 to FISCAL YEAR 2006/2007

Prepared in Conjunction with
the Department of Correction's Research and Planning Office
RELEASED: JANUARY 1998

INTRODUCTION:

The attached table shows ten year prison population projections by fiscal year. The prison population projections were completed in two parts. The Sentencing Commission prepared projections of prison populations for all offenders sentenced on or after July 1, 1997 (new population). The Department of Correction prepared projections for all offenders in prison as of June 30, 1997 (stock population). The final combined projections take into account the decline of the stock population (parole releases and "max-outs") and the buildup of the new inmate population (new sentences, probation revocations, parole revocations, and post-release supervision revocations). Added to these figures is the estimated number of "safekeepers" and DWI offenders held in the state prison system.

ASSUMPTIONS:

- All Fair Sentencing Act (FSA) felons in Offense Classes A through I and pre-Structured Sentencing misdemeanants will serve the same percentage of their active sentence as the percentage served by comparable FSA felons paroled in Fiscal Year 1996/1997.

- All Structured Sentencing Act (SSA) felons will serve 112 percent of their minimum active sentences, and all SSA misdemeanants will serve 94 percent of their active sentences (the actual percentages served during the first 18 months of Structured Sentencing).

- Rates of active sentences will match the rates during Fiscal Year 1996/1997 for all SSA offenders.[1]

- Probation revocation rates will match rates during Fiscal Year 1996/1997.

CHANGES FROM PREVIOUS PROJECTIONS:

The 1998 revised population projections track very closely the population figures projected in 1997.

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[1]For some cells of the sentencing grid, an upward adjustment was made to account for changes to Structured Sentencing effective for crimes committed on or after December 1, 1995.

- Short-term projections were adjusted upward, due to an increase in the probation revocation rate, and a higher projected growth rate.

- The lowest prison population is projected to be in Fiscal Year 2000 (unchanged from last year's projection).

- Long-term projections (from Fiscal Year 2002) were adjusted downward, based on the most recent sentencing trends in discretionary cells of the grid.

- Projected growth rates in the volume of felony and misdemeanor convictions have been adjusted by the Sentencing Commission's *Forecasting Advisory Group* to reflect the following expected growth rates (compiled annually):[2]

TIME PERIOD	FELONY *Previous Growth Rate*	FELONY *Adjusted Growth Rate*
1997 to 1998	1%	2%
1998 to 1999	1%	1%
1999 to 2000	2%	2%
2000 to 2001	2%	2%
2001 to 2002	2%	2%

TIME PERIOD	MISDEMEANOR *Previous Growth Rate*	MISDEMEANOR *Adjusted Growth Rate*
1997 to 1998	0%	2%
1998 to 1999	1%	1%
1999 to 2000	1%	1%
2000 to 2001	1%	2%
2001 to 2002	1%	2%

PRISON CAPACITY:

Instate prison capacity projections were provided by the Department of Correction's Division of Prisons on January 13, 1998. These projections include both the Expanded Operating Capacity (EOC) and the Standard Operating Capacity (SOC) of all prison facilities.

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[2]The *Forecasting Advisory Group* consists of representatives from the Sentencing Commission, AOC, DOC, SBI, Governor's Crime Commission, and Office of State Planning. The group forecasts growth rates after reviewing recent crime trends, arrest trends, court filing trends, state demographic trends, prison admission trends in other states, and various statistical forecasting models.

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

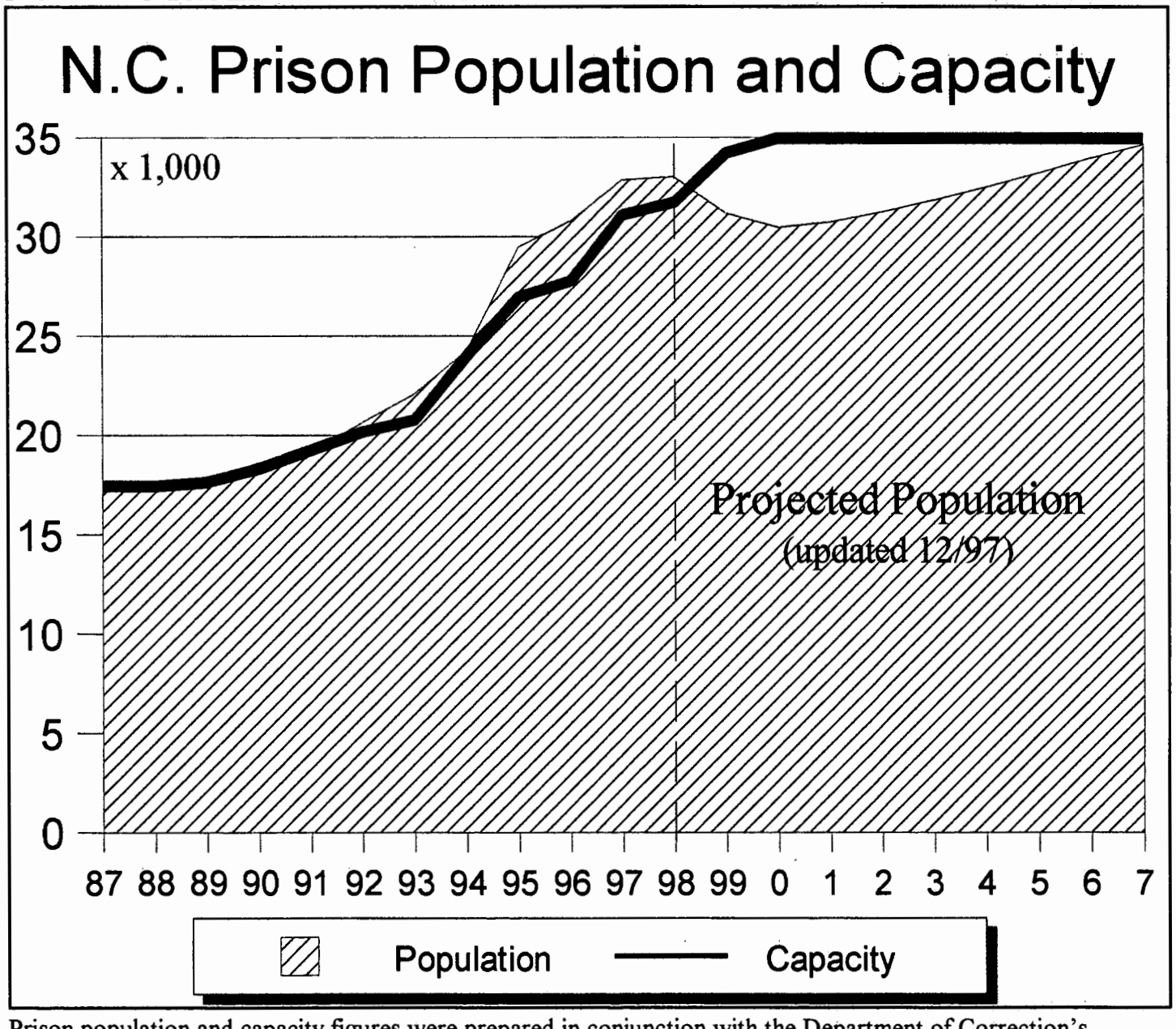
PRISON POPULATION PROJECTIONS: *UPDATED DECEMBER 1997*

PREPARED IN CONJUNCTION WITH THE DEPARTMENT OF CORRECTION'S RESEARCH AND PLANNING OFFICE

FISCAL YEAR	PREVIOUS PROJECTION as of June 30	**REVISED PROJECTION as of June 30**	*ESTIMATE OF EXPANDED OPERATING PRISON CAPACITY*[1]	*ESTIMATE OF STANDARD OPERATING PRISON CAPACITY*[2]
98	31,762	**33,021**	31,762	27,060
99	30,371	**31,177**	34,204	29,174
00	30,060	**30,475**	34,972	29,846
01	30,610	**30,743**	34,972	29,846
02	31,259	**31,228**	34,972	29,846
03	32,051	**31,828**	34,972	29,846
04	32,847	**32,469**	34,972	29,846
05	33,741	**33,199**	34,972	29,846
06	34,630	**33,937**	34,972	29,846
07	---	**34,617**	34,972	29,846

[1] Expanded Operating Capacity (EOC) is the bed space count yielded by calculating the number of general population single cells with one inmate per cell, the number of cells that house two inmates, and the number of inmates in dormitories operating at varying percentages beyond their Standard Operating Capacity (SOC) which is rounded up to the closest double bunk configuration.

[2] Standard Operating capacity (SOC) is the bed space count yielded by calculating the number of general population single cells with one inmate per cell plus the number of inmates who can be housed in dormitories by dividing the gross square feet of each dormitory by 50 square feet and rounding to the closest double bunk configuration.



Prison population and capacity figures were prepared in conjunction with the Department of Correction's Research and Planning Office.

Prison capacity figures reflect Expanded Operating Capacity.

Handout #2

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

PRISON POPULATION PROJECTIONS: UPDATED DECEMBER 1996

PREPARED IN CONJUNCTION WITH THE DEPARTMENT OF CORRECTION'S RESEARCH AND PLANNING OFFICE

END OF FISCAL YEAR	PREVIOUS PROJECTION	REVISED PROJECTIONS			*ESTIMATED PRISON CAPACITY**
		LOW	BEST	HIGH	
97	35,522	32,591	**32,849**	34,073	*31,088*
98	33,676	30,722	**31,762**	33,731	*33,776*
99	32,814	29,151	**30,371**	32,076	*35,542*
00	32,466	28,959	**30,060**	31,361	*35,542*
01	32,600	29,597	**30,610**	31,636	*35,542*
02	33,781	30,338	**31,259**	32,090	*35,542*
03	35,163	31,178	**32,051**	32,752	*35,542*
04	36,401	32,063	**32,847**	33,443	*35,542*
05	37,803	32,968	**33,741**	34,273	*35,542*
06	—	33,877	**34,630**	35,129	*35,542*

*Facilities under construction or funded. Includes 1,000 private prison beds and 500 substance abuse beds. Does not include contracts to house inmates out of state or in-state in county jails. Information provided by the Department of Correction, Division of Prisons, on December 12, 1996.

Handout # 3

DEPARTMENT OF CORRECTION

PRISON POPULATION PROJECTIONS VERSUS CAPACITY

HOUSE AND SENATE JOINT APPROPRIATIONS SUBCOMITTEE ON
JUSTICE AND PUBLIC SAFETY

January 21, 1998

Fiscal Research Division

DEPARTMENT OF CORRECTION
PRISON POPULATION SUMMARY*

TOTAL POPULATION	5/15/95	3/1/96	7/2/97	10/2/97	1/15/98
1. N. C. PRISONS	24,922	29,053	30,737	31,445	30,971
2. Out-of-State Housing	989	1,556	1,031	426	0
3. County Jail Contracts	258	418	387	305	287
4. Private Prison Treatment Beds	117 (150)	251 (275)	338 (350)	336 (350)	338 (353)
5. ECO Halfway House	-	20	20	20	20
TOTAL	26,286	31,298	32,513	32,532	31,616

*SOURCE: DOC "PRISON DAILY POPULATION SUMMARY"

Notes

- Total population figure includes all prisoners incarcerated in N.C. system or in contract facilities on the day specified; figure excludes State prisoners backlogged in county jails (backlog in county jails changes daily; Dec. 31, 1997 figure was 690; with adequate prison capacity, backlog averages 200 to 400 offenders).
  IMPACT program, which is now housed in Probation and Parole is not included in 1/15/98 figures.

FRD 1-19-98

2

DEPARTMENT OF CORRECTION PRISON BED CAPACITY

WHAT IS PRISON BED CAPACITY?

Prison bed capacity is the number of prison beds funded and constructed for inmate occupancy. The two types of capacity are:

Standard Operating Capacity (SOC) – The SOC is the number of beds available to house inmates under these criteria: 50 square feet of housing space per inmate in dormitories and one inmate per cell in single general population cells. **When operating at the SOC, a prison is 100% of capacity.**

Expanded Operating Capacity (EOC) – Each prison is also assigned an EOC bed space count. In some cases, the EOC is also 100% (no increase to the SOC is allowed). For the most part, however, prisons are allowed to operate with more beds than allowed by the SOC. The best example is in prison dormitories -- the EOC for most dormitories is based on providing less than 50 square feet per inmate as established in the SOC which in effect allows an increase in the number of inmates that can be housed. For example, housing inmates at 35 square feet per inmate allows a prison to operate at 130% of the SOC.

Prisons that operate at the EOC level do so by DOC policy or as allowed by court consent decrees. Settlement of the Small V. Hunt lawsuit originally required operation of 49 prisons at the SOC (100%) but modification of the consent decree over time has allowed these 49 prisons to operate up to 130% of capacity (35 square feet).

Overall, the EOC is calculated by determining the number of single cells with one inmate, the number of single cells with two inmates and the number of inmates in dormitories operating at varying percentages beyond the SOC of 100%.

WHAT DOES DOC INCLUDE IN PRISON BED CAPACITY FIGURES?

Establishment of the types of beds to be included in DOC prison capacity figures are a combination of guidance from the Special Committee on Prisons, other legislative committees, and DOC internal policies. Capacity figures traditionally include:

- All standard prison beds
- hospital and mental health beds at prison units with hospitals (not infirmary beds)
- DART in-prison beds and private substance abuse beds (classified as minimum security).

The premise has been that these beds were permanent, fixed prison beds with specific purposes. IMPACT beds (boot camp), although part of special probation, were included in capacity figures, until transfer of the program to Probation and Parole was authorized by statute by the 1997 General Assembly.

Segregation beds have not been included in prison capacity because of their primary purpose – control of inmate behavior – not to create extra beds space. The need for wardens and correctional superintendents to have these beds available as a behavior control tool, not just as a place to put any inmate for population control, has been long standing State and DOC policy.

Other beds not included in capacity are infirmary (sick call) beds and any beds set up as temporary beds in prison day rooms.

SECTION I: SUMMARY OF ALL HOUSING UNITS CONSTRUCTED AND OCCUPIED SINCE 1987 BY CALENDAR YEAR

SECTION II: SUMMARY OF ALL HOUSING UNITS UNDER CONSTRUCTION, FUNDED OR PLANNED, BY PLANNED OPENING DATE

EOC

	FACILITY NAME		INMATE OCCUPANCY BEGINS year	month	SECURITY LEVEL	STANDARD OPERATING CAPACITY HOUSING CONSTRUCTED OR FUNDED	ADJUSTMENTS TO CAPACITY	SOC CUMULATIVE CAPACITY INCREASE	EXPANDED CAPACITY PER JUDGE BRITT ORDER 3/28/95 CAPACITY ADDED	CUMULATIVE INCREASE	
	SECTION II:										
d	WARREN CORR INST		98	1	MEDIUM	168		26,686	168	31,392	
b	TYRRELL PRISON WORK FARM		98	2	MINIMUM	500		27,186	500	31,892	
	CLOSE E. WORK FARM SATELLITE		98	2	MINIMUM		(72)	27,114	(76)	31,816	
	REMAINING MOBILE HOME HOUSING CLOSED		98	2	MINIMUM		(154)	26,960	(154)	31,662	
d	POLK YOUTH INST		98	6	MEDIUM	100		27,060	100	31,762	97-98
	PRIVATE PRISON - PAMLICO		98	8	MEDIUM	528		27,588	528	32,290	
d	PRIVATE PRISON - MOUNTAIN VIEW		98	12	MEDIUM	528		28,116	528	32,818	
g	MODULAR HOUSING (16 units @ 36 SOC)		99	2	MINIMUM	576		28,692	736	33,554	
d	AVERY/MITCHELL GPAC 624		99	4	MEDIUM	624		29,316	816	34,370	
d	CLOSE 3 GPAC (Avery, Watauga, Yancey)	S/M	99	4	MED/MIN		(142)	29,174	(166)	34,204	98-99
d	ALBEMARLE 624		99	9	MEDIUM	624		29,798	816	35,020	
e	CENTRAL PRISON		00	5	CLOSE	196		29,994	196	35,216	
	CENTRAL PRISON (close K&O dorms)		00	5	MEDIUM		(148)	29,846	(244)	34,972	99 - 2000
f	ALEXANDER SINGLE CELL FACILITY (unsited)				CLOSE	520	(48)	30,318	472	35,444	FUTURE, NOT FUNDED
f	METRO AREA SINGLE CELL FACILITY				CLOSE	520	(48)	30,790	472	35,916	
f	NCCIW				MEDIUM	208		30,998	272	36,188	
f	SCOTLAND SINGLE CELL FACILITY				CLOSE	712	(48)	31,662	664	36,852	
f	WARREN				MEDIUM	168		31,830	168	37,020	
g	MODULAR HOUSING (4 units @ 36 SOC)				MINIMUM	144		31,974	184	37,204	
a	FUNDED BY 1994 SPECIAL SESSION										
b	FUNDED BY $87.5 MILLION BOND										
d	FUNDED BY 1995 LONG SESSION										
e	FEDERALLY FUNDED										
f	FUNDED FOR PLANNING ONLY										
g	PRESENT CONTRACT WILL FUND 16. FUNDING TO BE REQUESTED IN '97 SHORT SESSION FOR FOUR.										

1/13/98

WHAT FACTORS DRIVE CHANGES IN CAPACITY FIGURES?

Capacity changes are based on the date inmate occupancy will begin or end. Changes in capacity are due to:

- Funding for and construction of new prisons or new dorms or cellblocks at existing institutions
- Closing of prisons, dorms, or cell blocks
- Adjustments to individual prison bed counts (up or down) based on review and reassessment of existing space.
- Changes in estimated completion dates of prisons under construction and thus inmate occupancy dates.

The General Assembly has provided funding for capacity changes in several ways – capital and operating for new prisons; funds to renovate existing prisons; and expansion operating funds for additional security and program staff (In 1995, the General Assembly funded 422 positions for the EOC at Small V. Hunt units and for staffing at various other units).

WHAT CHANGES HAS DOC MADE IN PRISON CAPACITY SINCE THE 1997 LONG SESSION ?

6

DIFFERENCES IN
DOC PRISON BED EXPANDED CAPACITY
JULY, 1997 VERSUS JANUARY, 1998

Date	Capacity Reports 7/8/97	1/13/98	Capacity Change
6/30/98	33,522	31,762	-1,760

Reasons for Change

1. 60 Beds - Davie closed

2. 720 Beds - Modular units occupancy delayed from 2/98 (97-98) to 2/99 (98-99) **(NOTE: 2/99 date was established before contract was awarded; with contract now awarded, occupancy date (s) could be earlier and could vary by prison unit**

3. 500 Beds - Private prison (Pamlico) occupancy delayed from 6/98 to 8/98

4. 420 Beds - IMPACT beds (Boot Camp) transferred to Probation and Parole

5. 60 Beds - Miscellaneous adjustments up or down (figure is net)

6. Other Miscellaneous Changes - Avery/Mitchell GPAC Unit -- inmate occupancy moved from 12/98 to 4/99; Warren from 10/97 to 1/98; Private Prison Mt. View from 9/98 to 12/98.

Date	Capacity Reports 7/8/97	1/13/98	Capacity Change
6/30/99	35,488	34,204	-1,284

Reasons for Change

1. 816 Beds - Albemarle/Southern Piedmont occupancy delayed from 2/99 (FY 98-99) to 9/99 (99-2000)

2. 420 Beds - IMPACT beds transferred

3. 60 Beds – Davie Closed

7

Date	Capacity Reports 7/8/97	1/13/98	Capacity Change
6/30/2000	35,488	34,972	-516

Reasons for Change

IMPACT program and Davie permanent changes (-480 beds)

NORTH CAROLINA PRISON POPULATION VERSUS BED CAPACITY*

TIME PERIOD	INMATE POPULATION PROJECTIONS 12/96	DOC EXPANDED CAPACITY** 7/8/97	PRISON BEDS OVER/ UNDER	INMATE POPULATION PROJECTIONS 1/98	DOC EXPANDED CAPACITY 1/98***	PRISON BEDS OVER/ UNDER
6/30/1998	**31,762**	**33,522**	**+1,760**	**33,021**	**31,762**	**-1,259**
6/30/1999	**30,371**	**35,488**	**+5,117**	**31,177**	**34,204**	**+3,027**
6/30/2000	30,060	35,488	+5,428	30,475	34,972	**+4,497**
6/30/2001	30,610	35,488	+4,878	30,743	34,972	**+4,229**
6/30/2002	31,259	35,488	+4,229	31,228	34,972	**+3,744**
6/30/2003	32,051	35,488	+3,437	31,828	34,972	**+3,144**
6/30/2004	32,847	35,488	+2,641	32,469	34,972	**+2,503**
6/30/2005	33,741	35,488	+1,747	33,199	34,972	**+1,773**
6/30/2006	34,630	35,488	+858	33,937	34,972	**+1,035**
6/30/2007	-	-	-	34,617	34,972	**+355**

*Population projections are by Sentencing and Policy Advisory Commission.

**Expanded Operating Capacity (EOC) -- where reasonable or allowed by court order, DOC will house more prisoners than the standard capacity of 100%. Beds must be funded and constructed or under construction to be included in official capacity figures.

***Expanded capacity as of 1/13/98 does not include IMPACT beds (420 beds) which are now assigned to Probation and Parole (were included in 7/98 capacity). EOC also does not include beds contracted with County Jails or any beds funded for planning only (total of 2,232 beds have been funded for planning but not construction).

FRD 1/16/98

LONGER TERM POPULATION/CAPACITY ISSUES

1. **Criminal Penalty Bills** – Capacity figures assume no additional criminal penalty bills will be ratified by the General Assembly. The cumulative impact of criminal penalty bills must be tracked each session to ensure members are aware of impact of all bills affecting prison incarceration.

2. **Type of Bed Needed versus Type Available** – A portion of the "surplus" beds in the out years are likely to be minimum security, yet more offenders will need to be housed in close and medium security beds for longer periods of time. DOC is reviewing the Sentencing Commission projections to determine the proper mix of future beds. The General Assembly will consider future population mix as one factor in determining future prison expansion.

3. **Expanded Capacity** – Although allowed by court order in many cases, units with EOC well above 100% could potentially operate more effectively at a lower expanded capacity rate.

4. **Closing or Converting GPAC or other prison units --** DOC will make recommendations on possible closings or conversions on April 30, 1998.

5. **Use of Population Projections** – Population projections are estimates; actual population figures are likely to vary by a small margin. Use of a safety margin (2 to 3% above projections?) may be helpful when making budget decisions.

SHORT TERM (97-98 and 98-99) CAPACITY ISSUES

1. Contracts with County Jails
2. Temporary expansion of bed space in day rooms
3. Expansion of facilities operating at SOC or low EOC? Private prisons?
4. Review of Inmate Custody Assignments
5. Review of Inmate Support Budgets

Handout # 4

UPDATE ON PURCHASE AND INSTALLATION OF MODULAR PRISON UNITS – DEPARTMENT OF CORRECTION

BACKGROUND

- 1996 General Assembly authorized $5 million for modular prison units; DOC estimate was that approximately 20 modular housing units @ 36 SOC/46EOC could be purchased.

- 1997 -- Construction bid included two alternatives: (1) 20 smaller units (@28 SOC/36EOC and (2) 20 larger units @36 SOC/46 EOC in case adequate funds were not available.

- 1997 Session – DOC modified list of correctional units to receive modular housing units; General Assembly (JPS conferees) reviewed and approved final list of 20 sites and authorization of use of available funds for a 21st -- Martin Correctional Center

- December 1997 Justice and Public Safety (JPS) Appropriations Interim Meeting -- DOC and State Construction indicated that both bids exceeded funds available. Funds available were $4,507,283. DOC recommended purchasing 16 larger modular units now and 4 additional with expansion funding if authorized in short session at cost of $4,467,803. (16 larger units provides 576 beds at SOC; 20 smaller units provided 560 beds at SOC so net of 16). JPS recommended purchase of 20 larger units if funds ($893,479) could be found and authorized under current law.

Current Status

- Since contract for modular units had to be awarded by January 17, 1998, the discussion of modular funding was presented to the Justice and Public Safety Subcommittee of Governmental Operations

- DOC was not able to identify any "capital" funds available to purchase the 20 modular prison units and therefore recommended purchase of 16 of the larger modular units. (See Attachment 1 for list of prisons to receive modular units and those prisons where units were delayed).

- Contracts were awarded January 14, 1998 to two vendors. Western vendor will manufacture parts, transport to site, and finish construction on-site. Eastern units will be stick built – all parts are shipped to site and constructed on site.

- State Construction estimates the "notice to proceed" will be issued around February 1, 1998.

- State Construction estimates that construction of all units in the West will be completed West by December 1, 1998 (some earlier possible)

- State Construction estimates that construction of all units in the East will be completed approximately September 1, 1998 (some earlier possible).

FRD 1/20/98

3

Revised 12/05/97

NC DEPARTMENT OF CORRECTON - DIVISION OF PRISONS

RECOMMENDED LOCATION OF 20 NEW MODULARS

"All old modulars destroyed and new modulars added."

Facility	Population Without Current Modular/s	Anticipated new modulars/ additional beds	New Population
Durham	172	1 / 36	208
Davidson	244	1 / 36	280
Forsyth	202	1 / 36	238
Catawba	184	1 / 36	220
Gaston	196	1 / 36	232
Buncombe	130	1 / 36	166
Caldwell	182	1 / 36	218
Hyde*	0	2 / 72	72
Warren*	0	2 / 72	72
Raleigh CCW	130	1 / 36	166
McCain Hosp.	367	1 / 36	403
Nash*	60	1 / 36	96
Southern* (Montgomery)	136	1 / 36	172
Haywood	86	1 / 36	122
Henderson	98	1 / 36	134
Orange**	176	1 / 36	212
Cabarrus**	194	1 / 36	230
Rowan**	276	1 / 36	312
	2833	20 / 720	3553

WAKE
IDICE

* The population of these facilities reflects minimum custody population only.

** Working with OSBM for short session.

Handout #5

cc: Headis Beck
Dan Stieneke
Bert Rosefield
12/17/97

U. S. Department of Justice

National Institute of Corrections

Washington, DC 20534

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Patsy Woodlief
Jennie Lancaster
Boyd Bennett
12-29-97

DISCLAIMER

RE: NIC TA No. 98P1025

This technical assistance activity was funded by the Prisons Division of the National Institute of Corrections. The Institute is a Federal agency established to provide assistance to strengthen state and local correctional agencies by creating more effective, humane, safe and just correctional services.

The resource person who provided the on-site technical assistance did so through a cooperative agreement, at the request of the North Carolina Department of Corrections, and through the coordination of the National Institute of Corrections. The direct on-site assistance and the subsequent report are intended to assist the agency in addressing issues outlined in the original request and in efforts to enhance the effectiveness of the agency.

The contents of this document reflect the views of Dr. Steven Spencer, Dr. Cassandra Newkirk and Ms. Donna Drew, R.N., HCA. The contents do not necessarily reflect the official views or policies of the National Institute of Corrections.

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TECHNICAL ASSISTANCE REPORT

for the

NORTH CAROLINA DEPARTMENT OF CORRECTION
DIVISION OF PRISONS

(NIC Technical Assistance No. 98P1025)

1.0 Introduction

In early November 1997, Mr. Keith Nelson of the National Institute of Corrections (NIC) selected a team of three consultants to provide technical assistance to the North Carolina Department of Correction, Division of Prisons. The Department of Correction (DOC) had requested a review and evaluation of health care delivery services in its Central Prison and McCain Correctional Hospital. The team traveled to Raleigh on November 18th and carried out its work over the next four days. This report summarizes the consultants' activities, findings, and recommendations.

2.0 Scope of Work

The consultants were asked:

- to review the health care delivery system, organization, reporting relationships, staffing patterns, assigned tasks and responsibilities within the Central Prison and the McCain Correctional Hospital;
- to review the reporting relationships between the facilities and the Health Care Central Office;
- to review reporting relationships within the facilities, and between the facilities and the specific clinical areas represented in the Divisional Office;
- to provide an evaluation of the overall quality of care provided at both medical and mental health inpatient facilities, including a general assessment of treatment provided, use of documentation, and follow-up;
- to conduct tours of the facilities and interviews of staff and inmates as needed;
- to identify and make recommendations on measures that may be considered in improving the health care system clinically or administratively;
- to make recommendations regarding the possibilities of privatization and changes in reporting relationships or organizational structure; and
- to conduct an exit conference with Department and Division officials.

3.0 The Team Members

3.1 Donna Drew, R.N.

Ms Donna Drew has been a Health Care Unit Administrator with the Illinois Department of Corrections for twelve years, currently at the Dixon Correctional Center. A member of the nursing profession for 38 years, her experience has also included management responsibilities at an acute care facility for intensive care and coronary care units, surgery and recovery rooms, and emergency room. She was instrumental in the development of community paramedic services. She has special expertise in the development of quality assurance programs. She is certified in Quality Improvement in Correctional Health Care by the NIC, and has participated in the presentation of quality improvement programs in several states. As an institutional auditor, she has conducted several court-ordered correctional health care audits. She is also a Multicultural Instructor.

3.2 Cassandra F. Newkirk, M.D.

Dr. Cassandra Newkirk received her undergraduate degree from Duke University and her medical doctor degree from the University of North Carolina. She was Chief Resident in Psychiatry at Emory University Hospital, where she completed her residency program. She has had a private practice as well as having had extensive experience working in correctional settings, including working directly with male, female, and juvenile offenders in jail and prison settings. She was the Director of Psychiatric Services and Deputy Commissioner for Offender Services for the Georgia Department of Corrections from 1993 until 1995. In this position she was responsible for the design and implementation of all treatment and rehabilitative programs except Health Services. She is a Past President of the American Correctional Health Services Association. For the last nine years she has served as a mental health expert to several correctional system litigations. She has served as chair of the American Psychiatric Association's Committee on Jails and Prisons and has a special interest in the mental health needs of incarcerated women. Currently she has a full-time practice in correctional and forensic psychiatry.

3.3 Steven S. Spencer, M.D., F.A.C.P., C.C.H.P.

Dr. Spencer is an internist and a Fellow of the American College of Physicians. His education and training was at Swarthmore College, the University of Pennsylvania, the University of Michigan, and the Mayo Clinic. His experience includes private practice, nine years on medical school faculties, and six years as Medical Director of the Navajo Nation Health Foundation. He served for six years on the Arizona Board of Medical Examiners. From 1985 to 1993 he was the Medical Director of the New Mexico Corrections Department. He is currently an independent consultant in correctional health care, evaluating programs in prisons and jails for various local and state jurisdictions, for the United States Justice Department, for the National Commission on Correctional Health Care, and for federal court special masters. He has been a member of the Board of Trustees of the Certified Correctional Health Professionals (CCHP), and a member of the Board of Directors of the American Correctional Health Services Association. He has also served as an expert witness in litigation cases.

4.0 Preparation

In preparation for the site visit, the team members reviewed the following materials sent to us by the North Carolina Division of Prisons (DOP):

- 1994 State Auditor's Report
- 1997 Follow-up Response to State Auditor's Report
- Recommended Nursing Changes in the Delivery of Health Care at Central Prison
- Health Care Plan completed by CGA Consulting Services, Inc.

5.0 On-site Activities

5.1 On the morning of November 19 we met with Dan Stieneke, Director of the DOP, and Lavee Hamer, Legal Advisor to the Secretary of the Department of Correction. Director Stieneke expressed his concerns about the health care delivery systems at Central Prison and McCain Hospital, and his desire for us to look at the systems and at the organizational structure and relationships, including the relationship between inpatient medical and mental health care. He stressed that all of his staff were expecting our visit and were prepared to spend time talking with us if requested, and would provide us with any documents or records we wanted to review. We did indeed find the staff to be very helpful and cooperative, and prepared for our visit.

5.2 On November 19, 20, and 21 we spent time in the two facilities and in the central office, interviewing staff, being taken on inspection tours, and reviewing documents. On November 20 Dr. Newkirk spent additional time in the mental health unit at Central Prison, while Dr. Spencer and Ms. Drew visited McCain Hospital. On the afternoon of November 21 the team met privately and discussed our findings and recommendations, arriving at consensus. The following morning we conducted an exit conference for the Director and fifteen of the DOP and DOC leadership staff.

5.3 The following people were interviewed by one or more of us, almost all of them individually in private:

James French, Warden, Central Prison
Bobby L. Reardon, Health Service Administrator, Central Prison
Nancy Galyan, RN, Director of Nursing (Medical), Central Prison
James Smith, MD, Chief Psychiatrist at Central Prison
David Hubbard, Superintendent, McCain Correctional Hospital
Susan Eason, Health Treatment Administrator, McCain Correctional Hoapital
Sherwood Lee, RN, Director of Nursing, McCain Correctional Hospital
Kyu Lee, MD, Medical Director, McCain Correctional Hospital
Iqbal M. Khan, MD, physician, McCain Hospital, temporarily at Central Prison
Jennie Lancaster, Command Manager, Division of Prisons
Herbert A. Rosefield, PhD, Assistant Director for Health Services, DOP
Linda Young, Director of Managed Care, Division of Prisons
R. Alan Harrop, PhD, Director of Mental Health, DOP

Barbara Pohlman, MD, Medical Director, Division of Prisons
John R. Brown, RN, Director of Nursing, Division of Prisons
Stephen Berry, Mental Health Administrator, Central Prison
Robert James, Psychological Program Manager, Central Prison
Jimmy McLamb, RN, Assistant Director of Mental Health Nursing, Central Prison
William J. Rowell, RN, Director of Mental Health Nursing, Central Prison

5.4 The team also reviewed a great number of documents, including reports, minutes, job descriptions, organizational charts, policies and procedures, memoranda, quality assurance materials, and clinical guidelines.

6.0 Findings

Our most significant findings were as follows, not listed in order of priority:

6.1 There has been considerable staff turnover and persistent vacancies, at McCain Hospital and, on the medical side, at Central Prison. In nursing, authorized positions have been insufficient, and are supplemented by contract and agency personnel. Physician staff is currently at a critical level.

6.2 At Central Prison there is a sharp division between medical and mental health care, working to the detriment of patient care.

6.3 Dual supervision (clinical and administrative) is not uniformly successful, and is not working to everyone's satisfaction.

6.4 Job descriptions are generic and overly wordy, often lacking specificity for the designated responsibility and authority.

6.5 Relationships between the facilities and the central office are not always satisfactory.

6.6 In medical care at Central Prison, there is a need for clinical leadership.

6.7 In nursing care at Central Prison, there is a lack of a cooperative working relationship between medical and mental health staff.

6.8 In mental health care at Central Prison, there is a lack of treatment other than medication.

6.9 The physical plant at Central Prison is not conducive to successful recruitment and retention of staff.

6.10 There is not enough mental health nursing staff at Central Prison to carry out required duties. With more nursing staff, more time could be spent with patients, especially helping to "talk down" some of those who become agitated and thus possibly reducing the number of hours of therapeutic seclusion and restraint.

6.11 There are few mental health nursing protocols.

6.12 Nursing staff documentation in the mental health record is inadequate.

6.13 There are not enough psychological staff to carry out required duties. Little individual counseling or group therapy is taking place. With more psychological staff, more group and individual therapy could be done, hopefully reducing some of the need for therapeutic seclusion. (Group therapy is the preferred therapeutic modality for those inmates who remain on the unit for long periods of time and for those who are behavioral management problems.)

6.14 A large number of patients are put in therapeutic restraints.

6.15 There is a high use of therapeutic seclusion.

6.16 There is no formal psychiatric oversight or supervision at the Central Office level.

6.17 The quality assurance procedures in place do not address the quality of mental health services at Central Prison, nor ways of improving them. The issue of the usage of therapeutic seclusion and restraints and how to reduce these numbers, is not addressed.

6.18 There is no overall Quality Assurance / Quality Improvement Plan, and the current QA/QI activities are in the embryonic stage. All of the findings listed above have a significant impact on the quality of care. An adequate comprehensive QI Plan would identify more specifically the quality of care issues and methods to bring about an improvement.

7.0 General Principles

We have bases our recommendations on the following general principles, which we believe to be applicable to this situation:

7.1 The Warden or Superintendent has the final authority on all matters pertaining to security in his facility. He also needs to be informed as to what is going on in the health care area, and to feel confident that health services are being run competently and smoothly.

7.2 Medical autonomy is an important principle, and a requirement of American Correctional Association and National Commission on Correctional Health Care standards. It means that health care decisions are made solely by health care personnel.

7.3 Clinical staff should report to and be supervised by clinical supervisors as far up the line as possible, until an essential administrative level is reached.

7.4 Dual supervision and dual reporting should be avoided, to the greatest extent possible.

7.5 Responsibility should carry concomitant authority and accountability. Dual supervision erodes and undermines this principle.

7.6 Responsible supervision includes appropriate delegation of administrative tasks, and the requesting of input from other staff in carrying out performance evaluations. This is not the same as dual supervision.

7.7 It is essential that people working in the same facility and in the same health care operation, be in good communication and work cooperatively. This is a matter of communication, consultation, and liaison, not a matter requiring line authority. The higher you go in an organizational hierarchy, the more important these informal, liaison relationships are.

7.8 A psychiatric hospital, or inpatient unit, should operate on a medical model.

8.0 Recommendations on Organizational Structure and Reporting Relationships

8.1 We believe the recent consolidation of physician staff, with unified supervision by the Division Medical Director, to be a step in the right direction.

8.2 We recommend that there be a Division Chief Psychiatrist position created in the Central Office, reporting to the Division Medical Director, and with a strong liaison relationship to the Division Mental Health Director. This psychiatrist would be responsible for all psychiatric issues except those at Central Prison Hospital. (See 8.6)

8.3 All physicians then, whether medical or psychiatric, would ultimately be accountable to the Division Medical Director, who in turn is accountable to the Assistant Director for Health Services.

8.4 At Central Prison we recommend a Medical Director overseeing all clinical activity and provider staff. Assisting this Central Prison Medical Director would be an Assistant Medical Director for Medical Care (medical-surgical) and an Assistant Medical Director for Psychiatric Care. The latter should supervise all of the hospital mental health treatment staff. The former should supervise all of the medical-surgical provider staff, i.e. physicians, physician assistants, and nurse practitioners. The Central Prison Medical Director should report directly to the Division Medical Director, but have a strong liaison working relationship with the Hospital Services Administrator. The Assistant Medical Directors should have a strong liaison relationship with their respective Assistant Administrators. (See below)

8.5 The Chief Psychologist position at the Central Prison should be a PhD level position.

8.6 At Central Prison we recommend a Hospital Services Administrator (HSA) overseeing the administration of the entire hospital, with an Assistant Administrator for Medical Care and an Assistant Administrator for Psychiatric Care. The Central Prison HSA should report directly to the Division Assistant Director for Health Services, and have a strong liaison relationship to the Warden. All ancillary and support services should report to the appropriate Assistant Administrator. The Director of Nursing should report directly to the HSA.

8.7 At Central Prison we recommend a single unified nursing staff, with one Director Of Nursing for the entire hospital, reporting to the Hospital Services Administrator. There should be an Assistant Director of Nursing for Medical Care (medical-surgical) and an Assistant Director of Nursing for Psychiatric Care.

8.8 At McCain Correctional Hospital we recommend that the Health Treatment Administrator report directly to the Division Assistant Director for Health Services, with a liaison relationship to the Superintendent.

8.9 At the Central Office, we recommend an Administrative Assistant for the Assistant Director for Health Services

9.0 Additional Recommendations

9.1 Timely and goal-oriented treatment plans should be developed on all patients in the Central Prison mental health unit.

9.2 Adequate numbers of all categories of staff should be hired at the Central Prison mental health unit and at the medical units at both Central Prison and McCain Hospital. This should include a minimum of one full time psychologist for each housing unit of the Central Prison mental health facility.

9.3 Intake physical examinations at the Central Prison mental health unit should be done by Central Prison medical staff, rather than the present contract arrangement with an outside physician assistant, and those patients should be followed medically by the medical staff.

9.4 Central Prison's mental health staff should develop policies and procedures specific to their needs, based on the Mental Health Commission's standards which are the minimum standard. It should be noted that minimal community standards do not always constitute minimal standards necessary for the provision of mental health services to incarcerated persons.

9.5 A major staff recruitment and retention effort is necessary, for nursing and physician categories. Suggested avenues of exploration and incentives for nurses include a review of state pay scale with attention to adjustment for long term nurses, tuition reimbursement, choice of shift length (8 or 12 hours), establishing a nursing internship with schools in the area, and establishing a rotation of schedules with nursing programs in the area.

9.6 Inservice education and training should be provided appropriate to administrative duties.

9.7 In response to one of the Division's queries, we found no particular indication for privatization of health services.

9.8 Finally, and a strong consensus recommendation of the consultant team, the Division should adopt a comprehensive Health Services Quality Improvement Plan, with designated authority; participation of administration including the Central Prison Warden and the McCain Hospital Superintendent; participation of all clinical disciplines, medical and mental health; review, monitoring, and other meaningful activities; and scheduled meetings and reports.

10.0 Conclusion

This report has summarized the activities, findings, and recommendations of the three member consultant team appointed by the National Institute of Corrections to provide technical assistance to the North Carolina Department of Correction, Division of Prisons. Our recommendations would lead to realistic conditions that would meet the future needs of the Division and resolve present problems. We describe a destination, but do not undertake to plot the pathway to that destination. We wish to thank Director Stieneke and his staff for their outstanding courtesy, cooperation, and hospitality. We hope that we have been of service, and we wish them success in their continuing efforts to provide quality health care services to their inmate patients.

For the Consultant Team,

Steven S. Spencer, MD

AM

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 1/21/98

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Bradley Humphreys	OSBM
David Ferrell	Hafer, McNamara, Caldwell, et al
Roslyn Savitt	NC Coalition Against Domestic Violence
Deborah Ross	ACLU
Gregg Shields	DOC
John Maeller	Sentencing Commission
Eric Zogry	" "
Debbie Meagher	" "
Kitty Herrin	" "
Sandy Pearce	DOC
Ken Parker	"
Jim Stewart	CCPS

VISITOR REGISTRATION SHEET

AM

Appropriations Subcommittee on Justice & Public Safety 1/21/98

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Tom Sutton	DOC
Tracy Little	Parole Commission
Delita Spooner	Parole Commission
Lynn Phillips	DOC
Don Steinke	DOC
Joe Hamilton	DOC

HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Thursday January 22, 1998 9:00 a.m.
Room 612, Legislative Office Building

I. CALL TO ORDER

Chairmen: Senator Wib Gulley
Representative Gregg Thompson
Representative Larry Justus, Presiding
Representative Joe Kiser

II. PRESENTATIONS

- Report on the Activities of the North Carolina Victims Assistance Network

  Catherine Smith, Director, Victims Assistance Network

- Update on Drug Testing of Inmates

  Charles Stewart, Chief of Security, Division of Prisons

- Overview of Prison and Community Correction Substance Abuse Programs

  Jim Mills, Fiscal Research Division
  Elisa Wolper, Fiscal Research Division

- Overview of Substance Abuse Programs in the Department of Health and Human Services

  Flo Stein, Chief of Substance Abuse Section,
  Division of Mental Health, Developmental Disabilities, and Substance Abuse Services

- Update on Interagency Substance Abuse Council and Single State Agency

  Flo Stein, Chief of Substance Abuse Section

III. OTHER BUSINESS

IV. ADJOURNMENT

SENATE AND HOUSE JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
January 22, 1998

The Senate and House Joint Appropriations Subcommittee on Justice and Public Safety met at 9:00 am on Thursday, January 22, 1998 in Room 612 of the Legislative Office Building. Representatives Justus, Thompson, Kiser, Smith, McCrary, Hardy, Redwine, Sexton, Crawford, Easterling and five Senators were present. Representative Justus, Co-Chairman, presided.

First, Representative Justus asked Ms. Catherine Smith, Director of Victims Assistance Network (NCVAN) to give a report on the Network. Ms. Smith read through Handout #1. She also told the Committee that Handout #2 was a sample of the professional training that was done during the year. Representative Justus asked if the "Surviving Violent Crime" handbook was sent out to people or did a person have to ask for it. Ms. Smith replied that both happened. There were 5,000 copies printed last year with financial help from Blue Cross/Blue Shield. Representative Redwine asked how NCVAN was funded. Ms. Smith said the General Assembly appropriated $150,00 per year. In addition money was received from grants, membership dues and revenue from the handbooks and seminars. NCVAN expenses were $262,000 and a quarterly audit report was sent to Crime Control and Public Safety. Representative Thompson asked if NCVAN had a PAC and Ms. Smith replied that it did not.

Senator Wellons asked how the word was getting out regarding the Violet Crime Victim Subsistence Project. Ms. Smith stated that the pamphlet was distributed extensively statewide (Handout #3). **Senator Wellons asked Ms. Smith to find out how many victims had been helped through this program.**

Representative Redwine asked how the Victims Rights Bill would effect NCVAN. Ms. Smith replied that it would help protocol from law enforcement to post-conviction stages. She hoped that NCVAN would be able to provide agencies with information and try to get them to "sing from the same sheet of music."

Representative Justus stated that the House JPS Committee was charged to look at HB 665 in an effort to find additional money. The bill sets up a dedicated fund from court

fees. In the House Bill $5 million would be generated from an increase of $5 in court fees. The Governor's Crime Commission would distribute this additional money. The final version of the House Bill removed the $5 increase in court fees with the decision that the agencies would be funded with a direct appropriation. The Governor's Crime Commission would study ways to get money to local agencies. Mr. Mills stated that a fiscal note for HB 665 had $5.6 million in 1998-99 for 1)Victim Witness Subsistence; 2) technical equipment in courts; 3) additional Assistant District Attorneys; 4) additional clerk time for victims' restitution work; 5) five court reporters; and 6) five judges. Representative Thompson then asked Mr. Mills how many victim witness assistance positions were funded in the fiscal note. Mr. Mills replied that it did not say that out of 100 clerks funded, some specific number would be for the victim witness assistance program. Representative Justus felt that with these extra positions the workload could be absorbed.

Senator Wellons asked Mr. Mills to get the figures that show how many victims were helped by Department and function.

After some further discussion on House Bill 665, Ms. Smith told the Committee that without a dedicated fund from court fees, the enhancements the program would like would not be possible. **Representative Justus asked Ms. Smith to bring a report to the next meeting describing specifically what the $5 million was needed for.** Senator Ballance stated that the constitutional amendment was already passed and was on books, so there was no turning back. He further stated that he co-chaired a study commission on dedicated sources of revenue. Representative Justus told Senator Ballance that he would look forward to a report at the next meeting on what the Senate was going to do on this subject.

Senator Wellons asked Ms. Smith what percentage of the victims was a result of domestic violence. She replied that 99% were love ones of homicide victims. **Representative Sexton asked for a report showing how much money was being spent now on domestic violence and if any money for domestic violence was included in the additional $5 million requested.**

Next, Representative Justus asked Mr. Charles Stewart, Chief of Security for the Division of Prisons, to update the Committee on the drug testing of inmates (Handout #4). Mr. Stewart told the Committee that two facets of drug testing was implemented in 1991 through a federal grant; 1) random or suspicion testing and 2) pre-release testing. Representative Kiser asked who was tested and Mr. Stewart responded that mostly minimum security inmates. Representative Kiser asked what action was taken if a facility had a high incidence of positive drug tests. Mr. Stewart replied that they had a narcotics canine program and a visitor interdiction network. However, there was only one dog at this time. Local law enforcement dogs were used when possible. Representative Kiser asked how many tracking dogs the state had. Mr. Stewart stated that there were two or three dogs at eleven tracking stations. Representative Kiser then said that there were more drugs than escapees and maybe the state needed to reevaluate the use of the dogs.

Representative Thompson then asked Mr. Stewart if he thought the drug testing was sufficient. Mr. Stewart stated that he thought the Department of Corrections (DOC) was doing a good job. Over the past six months the pre-lease testing showed a drop in positive tests from 6.8% to 5%. Mr. Stewart further reported that there was an inmate disciplinary program in effect for drug violations. Mr. Stahl with the Department of Corrections told the Committee that inmate access to drugs differed from minimum to close security and the facility size which effected the statistics. Mr. Stewart also stated that there were six field drug test coordinators and the DOC was trying to get the statistics on the OPUS system.

Representative Kiser asked how prevalent it was for officers to bring drugs into the facilities. Mr. Stewart said he would get those figures. Mr. Stahl told the Committee that over 4,000 inmates were working in the community every day, so the problem was not just inside the prisons. Drugs were being consumed off premises. Senator Wellons asked if the guards and staff were tested. Mr. Stahl responded that random testing of staff was not done, but testing was done for suspicion.

Representative Thompson asked if inmates could smoke cigarettes anywhere or just in authorized areas. Mr. Stewart said that it varied by facility, but usually smoking was allowed only in day rooms and never in disciplinary areas. Representative Thompson asked how many additional dogs were needed. Mr. Stewart said that each dog could cost $2,500-3,000.

Representative Justus next asked Mr. Jim Mills, Fiscal Analyst, to review the Prison and Community Correction Substance Abuse Programs (Handout #5). Mr. Mills highlighted the key statutory requirements and the primary objectives of the Department of Correction substance abuse program on page one of the Handout. Representative Kiser asked if a person who had been through the program returned to prison would he go through the program again. Mr. Mills said yes. Also, Handout #6 showed the number of program repeaters. Mr. Baker with the DOC said if the court recommended that an offender go through the treatment program, he would get priority.

Representative Justus asked what the treatment consisted of. Mr. Mills referred the Committee to Handout #7. **Representative Kiser questioned the timing of the meals on the last page of the handout. Mr. Baker will check on that.** Mr. Mills pointed out that page 5 of Handout #5 showed the number of beds and the cost of those beds at the private prisons.

Next, Ms. Elisa Wolper, Fiscal Analyst, reviewed the remainder of Handout #5, beginning on page 6, which was a summary of resources for substance abuse treatment. Ms. Wolper reported that $20.7 million of the Justice and Public Safety Budget was for substance abuse programs. Page 7 of Handout #5 showed that additionally, $23 million was spend from the general fund for substance abuse services through other state

agencies. **Representative Justus asked for a typical two-week cycle of reporting to the judge by the drug treatment court.**

Ms. Wolper told the Committee that on pages 12 and 13 of Handout #5 was a list of the reports that would be due before short session. Ms. Wolper then finished her review of the report.

Next, Representative Justus asked Ms. Flo Stein with the Division of Mental Health to review the Substance Abuse Program in the Department of Health and Human Services (Handout #8). Ms. Stein began on page 7 of the handout with the description of services provided. Ms. Stein told the Committee that the federal government was still the major fund provider because the people receiving services did not have any other resources. The General Assembly provided $42 million and federal grants provided another $32 million.

Beginning on page 22 of Handout #8, Mr. Pete Martin, Director of the DWI Criminal Justice Branch, gave an overview of the Treatment Alternatives to Street Crimes (TASC). He said that TASC was a bridge between treatment programs and the criminal justice system. Representative Justus asked about the recidivism rates. Mr. Martin responded that the rate in TASC was 40% less than in comparison groups. Ms. Stein added that of the 110,000 offenders on probation, only 10,000 had been to the TASC program.

Mr. Martin then finished reviewing Handout #8. He highlighted that page 30 showed that the funding needs for a statewide TASC network would be $2.7 million. Handout #9 is a state map which showed the TASC sites that currently exist.

Finally, Representative Justus asked Ms. Stein to give the Committee an update on the Interagency Substance Abuse Council and Single State Agency (Handout #10). Ms. Stein stated that page 2 of the handout showed a breakdown of funds between the state agencies. Senator Ballance asked why a Ph.D. was required for a director and then they had to be certified, when a college graduate could be certified. Ms. Stein replied that the private managed care groups and insurance companies were pushing for a person to have at least a Masters Degree to do treatment.

Ms. Stein told the Committee that page 3 of Handout #10 was the Governor's Executive Order 115 that set up a single state agency to set common standards and procedures for alcohol and drug treatment services. Ms. Stein assured the Committee that DOC set its own standards and rules, but this agency monitored those rules to make sure that the person was receiving treatment regardless of which program was providing the treatment. Its role was more one of guidance than setting rules.

At Senator Gulley's request, Representative Justus passed out a copy of an article titled "Prisons for Profit." (Handout #11)

There being no further business, the meeting was adjourned at 12:30 p.m.

Representative Larry Justus, Co-Chair

Carol Resar, Committee Clerk

Handout #1

North Carolina Victim Assistance Network
505 Oberlin Rd., Suite 151, Raleigh, North Carolina 27605 — 919/831-2857

Overview of NC-VAN Activities 1996/97

Victim Assistance
Equipped with an extensive database, NC-VAN provides a comprehensive statewide information and referral service for crime victims, criminal justice professionals, victim advocates and concerned citizens. Over the past year, NC-VAN has responded to over 1,150 calls for various victim assistance. NC-VAN provides information on over 1,500 service providers, professionals and support groups — linking callers to victim assistance and support groups in their local communities. Calls range from facilitating communication between the district attorney's office and the victim, emergency financial aid, relocation services, rape crisis and domestic shelters, legal aid, victim compensation, victim impact statements, among other types of information. Updating the information and referral database is an ongoing function of staff to assure quality referrals and information on a timely basis.

Certification for Victim Assistance
Currently, victim assistance programs across North Carolina have no set standards or base line of basic services for crime victims. A certification process is a step we've taken to establish a level of professionalism among those providing victim services. In addition, this process is intended to provide knowledge and understanding of the principles and practices of victim services, the justice system and victim advocacy to those working with crime victims. Establishing a certification process would ensure that victim service providers are providing consistent and appropriate assistance to crime victims, thus giving policy makers a means to fairly evaluate the status of, and need for, victim services in North Carolina.

In that light, NC-VAN has convened a Certification Committee. The objective of this committee is to investigate similar programs across the nation and begin to develop a basic core of training curriculum for the individuals who come into contact with victims in the district attorneys offices, law enforcement agencies and other non-profit victim service providers across North Carolina.

Domestic Violence/Sexual Assault Protocol Development Summits
On April 24 - 26, 1996, NC-VAN hosted an unprecedented *Domestic Violence Protocol Development Summit*; and on April 2-4, 1997, hosted a "sister" summit on *Sexual Assault Protocol Development*. Both Summits were an important event for our state as we have come to a point in time where the shear volume of violent crime demands that we respond to this epidemic by developing a pro-active multidisciplinary response by the criminal justice system.

Over 500 professionals combined attended the Summits, (259 - Domestic Violence; 230 - Sexual Assault). This figure included district court judges, clerks of court, magistrates, law enforcement, district attorneys, sexual assault advocates, medical professionals and victim/witness assistants. Attendees were part of 39 multidisciplinary teams coinciding with the 39 prosecutorial districts across the state. Each particular Summit had as its objective to establish protocols that deal with the reporting, investigating, crisis intervention, medical treatment and successful prosecution of domestic violence and sexual assault
incidents in their communities. Attendees heard from nationally renowned professionals in plenary sessions and then broke into teams for assigned tasks intended to assist them in developing local protocols for domestic violence and sexual assault. So successful were these formats that the Office for Victims of Crime in Washington, D.C. currently holds North Carolina's *Summits* up to other states as a national model. NC-VAN will submit a grant to conduct a follow-up *Summit* that

highlights innovative and successful protocols and to demonstrate the effectiveness of the teams that were established in North Carolina as a result.

Silent Witness Project/Silent No More
Kicking off National Crime Victims' Rights Week in 1997, NC-VAN hosted a public awareness exhibit that consists of 27 life-size figures, each representing a woman who was murdered at the hands of a husband, boyfriend or loved one. The uniqueness of this exhibit lent itself to poignant education as it brought the issue of domestic violence and the need for increased prevention efforts to the public's attention. This traveling exhibit also took part in activities covering 60 counties across the state over the year. In addition, the Project was part of the National Silent Witness Project making its debut with 47 states on Capital Hill, Washington D.C. this past October.

Law Enforcement Run For Victims
Closing National Crime Victims' Rights Week on April 18, NC-VAN along with the U.S. Attorneys Office in Greensboro co-hosted the 8th Annual Law Enforcement Run for Victims. This public awareness event is held every year as a way to educate the public on the devastating effects that crime has on society was well as providing an opportunity to say thank you to all law enforcement agencies across the state for the job that they do so well.

Allied Professional Training
NC-VAN staff **facilitated 9 victim assistance/crisis response training sessions** reaching a combined audience of over 345 professionals, volunteers and victim advocate groups.

NC-VAN's **annual continuing education conference** was held in Raleigh on June 19-21, 1997. This year's conference provided over 18 continuing education units for prosecutors, law enforcement, services providers and victims with training on timely topics relating to their day-to-day work. Last year, over 135 individuals participated in this training.

Future/Ongoing Projects
Begin developing a format/program for establishing a statewide crisis response team of professionals and volunteers to respond to acts of violence statewide. Individuals we plan to involve in the development stage include: law enforcement, district attorneys, domestic violence, rape crisis, senior and child abuse professionals, clergy, single-focus advocacy groups and concerned citizens.

Victim Services Directory
NC-VAN is in the process of updating its *Statewide Directory of Victim Services, Emergency Resources, and Related Criminal Justice Agencies* for the upcoming year. This Directory has proven to be a valuable tool for those who come into contact with victims of crime. The Directory is organized by counties and lists the various resources available. A cross index provides the user with alternative referrals in neighboring counties in the event a desired service is not operating in a county. Over 20,000 copies have been distributed over three years to the criminal justice and victim assistance professionals across the state.

Surviving Violent Crime Handbook
To date, NC-VAN has distributed over 10,000 copies of its *Surviving Violent Crime Handbook* to law enforcement and victim witness assistants in North Carolina. The Handbook offers practical information about the criminal justice system and how it works, laymen language for legal/court terms, the grieving process and their rights as crime victims. NC-VAN is in the midst of updating the Handbook to reflect crime victims' constitutional rights in North Carolina. To meet the needs of the Hispanic community, we are currently having the handbook translated into Spanish.

Handout #2

VICTIM AWARENESS CURRICULUM

One of the best ways to increase knowledge about victims' issues and concerns is to conduct a series of seminars focusing on these important issues. Each educational program below consists of a one-hour curriculum — in lecture and discussion format — for helping corporate and public policy professionals, service providers, volunteers and concerned citizens understand victimization, its consequences, and the appropriate response to victims' needs.

The three-hourcurriculum can be taught in a morning or afternoon session, or divided into three, one-hour courses, depending on the participant's preference and time constraints.

I. VICTIMIZATION AND ITS CONSEQUENCES

Description: The purpose of this workshop is to familiarize participants with the financial, physical and emotional injuries victims suffer as a direct result of criminal victimization.

Training Format: Lecture and discussion

Length: One hour

Objectives: At the conclusion of this seminar, participants will better understand:

- The scope of victimization in North Carolina and the nation;
- The cost of crime — for both victims and society;
- The range of injuries victims suffer, including the life-altering consequences of serious physical injury.

II. CRISIS RESPONSE

Description: The purpose of this seminar is to familiarize participants with the typical reaction to a crisis situation which generally follows three stages: the psychological impact of crime, including common crisis reactions experienced by victims in the immediate aftermath of victimization and long-term stress reactions will be covered.

Training Format: Lecture and discussion

Length: One hour

Objectives: At the conclusion of this seminar, participants will better understand:

- "The emotional roller coaster" which includes three stages: 1) shock, disbelief and denial; 2) emotional turmoil, anger, fear, frustration, confusion, guilt, and grief; 3) reconstruction of the future.
- The long-term stress reactions that typically follow a crisis including: Post-Traumatic Stress Disorder; and
- Other evidence of long-term stress which may cause persistent crisis reactions.

III. RESPONSE TO VICTIMS' NEED

Description: Victims of violent crime need compassion, understanding, information, employer intercession as well as the freedom to participate in the criminal justice system in order to fully reconstruct their lives following an act of violence.

Training Format: Lecture and discussion

Length: One hour

Objectives: At the conclusion of this seminar participants will better understand:

- The victim's need for a sense of safety and security following the crime;
- Appropriate methods for discussing the crime with the victim in order to reduce further injury;
- The importance of preparing the victim for the future;
- The need to re-establish a sense of equilibrium to the victim.

Handout #4

STATE OF NORTH CAROLINA DEPARTMENT OF CORRECTION DIVISION OF PRISONS	SUBJECT: INMATE DRUG/ALCOHOL TESTING		
SECURITY MANUAL	EFFECTIVE DATE: November 01, 1997		
APPROVED BY: DAN STIENEKE	SUPERSEDES ISSUE DATED: 3/1/97	PAGES 11	NUMBER: .2000

THIS MATERIAL IS CLASSIFIED INFORMATION AND IS NOT AVAILABLE TO INMATES OR THE PUBLIC. IT IS NOT TO BE PHOTOCOPIED UNLESS SPECIFICALLY APPROVED BY THE CHIEF OF SECURITY FOR THE DIVISION OF PRISONS.

.2001 **PURPOSE**

The purpose of this policy is to specify the conditions and procedures for conducting drug testing of inmates. The Division of Prisons has a responsibility to protect the public, to provide a safe environment for staff and inmates, and to enforce the rules and regulations governing inmate conduct. The goal of the Division of Prisons is to preserve order and maintain security. Drug use presents a threat to the safety of staff and inmates. Drug testing of inmates combined with appropriate graduated sanctions is an effective means of suppressing drug use, drug trafficking, and drug-related infractions, including institutional violence, and to the extent feasible, ensuring that inmates released from prison are drug free. Drug testing also provides a mechanism to identify those inmates with substance abuse problems and target them for effective treatment programs. The current drugs routinely tested for include cannabinoid, cocaine, and opiates with additional testing for amphetamines, barbiturates, and benzodiazepines upon request.

.2002 **RESPONSIBILITY**

(a) The Chief of Security is responsible for establishing and

monitoring the drug testing program for inmates in the Division of Prisons and monitoring test results.

(b) The superintendent/warden is responsible for the implementation of the drug testing program at that facility.

(c) Facility medical staff are responsible for reviewing medication orders for inmates who have tested positive for drugs. Division of Prisons medical staff should not be involved in urine sample collection, breath alcohol testing or specimen control.

(d) Staff involved in the drug testing program at the facility are responsible for carrying out their duties according to the standard operating procedures for the drug testing program.

(e) All staff of the Division of Prisons are responsible for reporting to the facility superintendent or designee any evidence and observations that suggest illegal drug use or other drug related activity.

(f) Drug testing technicians are responsible for testing urine samples and reporting results, and maintaining all drug testing forms and test data.

.2003 **URINALYSIS**

(a) Reasons for testing inmates: The following are examples of when an inmate may be subject to urinalysis:

(1) Upon initial admission to the Division of Prisons or upon admission to specified facilities involved in the drug testing program;

(2) As part of the random drug testing program approximately 15% of the total inmate population is randomly drug tested each month. Specific numbers are established by the Chief of Security in consultation with the Field Drug Testing Coordinators.

(3) When an inmate is found to be in possession of drugs or drug paraphernalia or when drugs or drug paraphernalia are found in an area that is controlled, occupied, or inhabited by the inmate;

(4) When staff have documented reason to believe that the inmate has used or is using drugs. This may be based on the behavior of the inmate or on reliable information from informants. The reliability of the informant should be documented;

(5) When suspicious behavior that suggests drug use or drug related activity by the inmate or his visitors is observed during visitation;

(6) When an inmate returns late from any community based program or returns under suspicious conditions that suggest drug use or drug related activity;

(7) As part of a drug abuse prevention program;

(8) When an inmate has tested positive on a previous urinalysis;

(9) When an inmate is being considered for placement in community based programs such as work release, study release, family visits, and the community volunteer program.

(10) In accordance with provisions enacted by the 1996 session of the General Assembly requiring the establishment of a Pre Release Drug Testing Program, the inmate is within 60 to 90 days of a known or anticipated release date.

(b) Authority to designate inmates for testing:

(1) Inmates selected for random testing will be chosen by a random selection process, whereby the identity of the inmate is not known by selection personnel when the

inmate is chosen for testing. Facilities are encouraged to utilize computer generated random selection lists when possible.

(2) Other inmates selected for testing will be identified by the facility superintendent or designee.

(c) Sample Collection

(1) Before collecting a urine sample, the processing officer will positively identify the inmate by name and prison number.

(2) A clear, non-reusable plastic container designed for the collection and storage of urine samples will be provided to the inmate by the processing officer just prior to the collection of the urine sample.

(3) The observing officer, who will be of the same sex as the inmate being tested, will escort the inmate to an area that provides privacy from visual observation by others. The observing officer will give the inmate a direct order to provide a urine sample. The collection of the urine sample will be observed only by the inmate and the observing officer, unless there is a legitimate security need for the presence of additional staff.

(4) If an inmate is unwilling to provide a urine sample within 2 hours of an order to do so, the collecting officer should initiate disciplinary action against the inmate for B-11 Refuse to submit to a drug test or breathalyzer test. To eliminate the possibility of diluted or adulterated samples, staff shall keep the inmate under direct visual supervision during this two hour period or until a urine sample is furnished. To assist the inmate in giving a sample, staff shall offer the inmate 8 ounces of water at the beginning of the two hour period. An inmate is presumed to be unwilling if the inmate fails to provide a urine sample within the two hour period. An inmate may rebut this presumption during

the disciplinary process.

(5) The inmate will seal the sample container, the processing officer will label the container, and the inmate will be instructed to sign the "This is my sample" line on the label. If the inmate refuses to sign the label, the processing officer will document the inmate's refusal on the label.

(6) In the presence of the inmate, the processing officer will place tamper resistant evidence tape on the container, place the sealed container in a plastic ziploc bag, and place the bag with the container in the transport box. In order to ensure chain-of-custody requirements are met, samples should be transported in a lockable container.

(d) Specimen Control

(1) All samples must be held in a secure environment until testing is conducted. Samples held more than 24 hours before testing must be refrigerated.

(2) A written record on the location and transportation of urine samples must be maintained at all times so that a chain of custody is documented from the time that the inmate provides the urine sample until it is tested by the lab technician. Whenever custody of the specimen changes, the receiver will check the seals on the containers and document such. The chain of custody log is recorded on the DAPP 26 form.

(e) Results of Testing

(1) All samples with a positive result will be re-tested using the same testing technology. After a positive result is reported to the facility superintendent, facility medical staff will review the inmate's medical records to determine what prescribed or over the counter medications the inmate is currently

taking and consult with the laboratory technician to discuss the possibility of a false positive result. If there is no basis for a false positive result, disciplinary action will be initiated against the inmate for B-4 manufacturing, possessing, introducing, selling or using any unauthorized controlled substance, unauthorized intoxicant or alcoholic beverage, or possessing associated equipment. A guilty finding will result in a presumptive active sentence to include the forfeiture of earned time resulting in a delay of release.

(2) An inmate with a negative test result is still subject to disciplinary action if there is behavioral or other evidence to warrant such disciplinary action.

(3) If disciplinary action is taken against an inmate as a result of the test results, the inmate will be given the opportunity during the disciplinary hearing to challenge the validity of the test results.

(4) If known or anticipated release of inmates who test positive is a parole case, the Superintendent or their designee will notify the appropriate parole case analyst assigned to that case that the inmate has tested positive for drug use. Paroles may be rescinded at the discretion of the State Parole Commission.

(5) Any positive drug test within the last 30 days of confinement will result in a notification to the sheriff in the county of release. This notification will automatically be generated electronically through the Division of Criminal Information (DCI) network.

(6) An inmate that tests negative during initial pre-lease screening may be retested at the discretion of the facility Superintendent for any of the reasons outlined in Section .2003 (a). If an inmate tests positive during initial pre-release drug screening at least one additional test must be completed prior to release. The

second test should be conducted at least 30 days from the date of the initial pre-release test.

(7) Upon the first positive drug test for any inmate, an individual counseling session with the assigned case manager will occur. This counseling may involve referral to part time or voluntary treatment program(s) such as as AA or NA, and possible classification review. Upon a second positive drug test result in a twelve month period, the inmate's case manager will initiate a referral for mandatory participation in any available part time or full time drug treatment program(s). As a result of a second positive drug test result in a twelve month period, a classification review will be conducted to determine whether changes in housing and/or work program assignments are necessary. All referrals for treatment will be coordinated in conjunction with normal disciplinary actions associated with positive drug or alcohol results. Treatment programs may impact classification actions, but will not influence disciplinary actions established for these offenses.

(8) If an inmate refuses to submit a urine sample, disciplinary action will be initiated against the inmate for offense, B-11 Refusing to submit to a drug test or breathalyzer test.

.2004 **STAFF TRAINING**

All staff involved in the collection, documenting, transport or otherwise handling of urine samples will be required to complete the training program utilizing Lesson Plan #812, Inmate Urinalysis Drug Screening. Trainees should be allowed to assist with urine sample collection and breath alcohol testing while being supervised by a staff member experienced in these areas until such time as the trainee demonstrates proficiency in each area.

.2005 **SUBSTANCE ABUSE TREATMENT PROGRAMS**

A system of substance abuse treatment programs is in place for treatment and education purposes. These programs are delivered to selected offenders while incarcerated in the Department of Correction. Drug Treatment Programs my include part time Substance Abuse Programs as well as full time Substance Abuse Programs.

1. Drug education in the form of literature and individual counseling is available at all facilities. Inmates may be required to attend by their case manager or may volunteer to attend.

2. Group counseling is available at selected facilities with inmates attending on a voluntary basis.

3. Narcotics Anonymous/Alcoholics Anonymous is available at most facilities with participation being mostly voluntary. Inmates may be required by case managers to attend for classification or other considerations. Case managers may refer inmates to NA or AA programs based on a history of substance abuse, or positive test(s) while incarcerated. Inmates participating in NA/AA are subject to drug testing as part of the random/suspicion or cause testing program.

4. Drug/Alcohol Recovery Program (DART) is a full time 28 day residential treatment program designed to identify and treat individuals who score between three and thirteen on the Short Michigan Alcoholism Screening Test (SMAST). Individuals selected for participation must have a documented history of drug/alcohol related problems. They may also be court recommended for the DART Program. Inmates must be felons in close, medium, or minimum custody level one. Each participant in the DART program will be drug tested at least once during the period of program participation.

5. DART After Care is required of all inmates that complete the DART program. The purpose of the eight week after care,

part-time program is treatment, recovery and relapse prevention. Inmates participating in DART After Care are randomly selected for drug testing.

6. State Alliance for Recovery and General Education for Chemically Dependant Youth,(SARGE) Program similar to the DART program but targeted at Youth population (18 - 21 yrs. of age) and uses the same qualifying criteria as DART. The SARGE Program is a full time residential program that extends from 6 - 9 months. Each participant in the SARGE Program will be drug tested at least once during the period of program participation.

7. Private Alcohol/Drug Treatment Centers are on contract to provide treatment programs for adult male and female felon inmates in minimum custody, and misdemeanents aged nineteen and above. These facilities house and treat residents for periods ranging from 6 months to 20 months. Private treatment centers randomly test 35% to 45% of the residents on a monthly basis.

.2006 **BREATH ALCOHOL TESTING**

(a) Reasons for Testing Inmates: The following are examples of when an inmate is subject to breath alcohol testing:

(1) When staff have documented reason to believe that the inmate has used or is using alcohol. This may be based on the behavior of the inmate or on reliable information from informants. The reliability of the informants should be documented.

(2) When an inmate is found to be in possession of alcohol.

(3) As part of an alcohol use prevention program.

(4) As part of the random breath alcohol testing.

(5) When an inmate returns late from any community based program or returns under suspicious conditions that suggest alcohol use or alcohol related activity.

(6) When an inmate has tested positive on a previous breath alcohol test.

(b) Authority to Designate Inmates for Testing

(1) Inmates selected for random testing will be chosen by a random selection process, whereby the identity of the inmate is not known by selection personnel when the inmate is chosen for testing.

(2) Other inmates selected for testing will be identified by the facility superintendent or designee.

(c) Sample Collection: Procedures for breath alcohol testing are outlined in the instructional manual for the equipment used to conduct the breath alcohol testing. Breath alcohol testing will be done by personnel appropriately trained in breath alcohol testing procedures and breath alcohol testing equipment.

(d) Results of Testing

(1) Based on a positive breath alcohol testing result of greater than .02, disciplinary action will be initiated against the inmate for B-4 manufacturing, possessing, introducing, selling or using any unauthorized controlled substance, unauthorized intoxicant or alcoholic beverage, or possessing associated equipment. Inmates may be subject to disciplinary action for manufacturing, possessing, introducing, selling or using any unauthorized controlled substance, unauthorized intoxicant or alcoholic beverage, or possessing associated equipment based on positive breath alcohol test results of .02 or less only in those cases where staff observe indications that alcohol use

has occurred. Staff must document these observations in corroboration of a .02 or less positive test result to support disciplinary action. Observable indications may include but are not limited to slurred speech, bloodshot eyes, staggering walk or presence of the odor of an alcoholic beverage. Confirmatory testing of breath alcohol testing will not be conducted unless the testing officer has doubts as to the validity of that particular inmate's test.

(2) If disciplinary action is taken against the inmate as a result of the breath alcohol testing, the inmate will be given the opportunity during the disciplinary hearing to challenge the validity of the test results.

(3) If an inmate refuses to submit to a breath alcohol test, disciplinary action will be initiated against the inmate for offense B-11, Refuse to submit to a drug test or breathalyzer test.

North Carolina Department of Correction
Division of Prisons
831 West Morgan Street • P.O. Box 29540 • Raleigh, North Carolina 27626-0540

James B. Hunt Jr., Governor | Daniel L. Stieneke, Director of Prisons | Mack Jarvis, Secretary

MEMORANDUM **November 2, 1997**

TO: Area Administrators
Institution Heads
Center Superintendents
Field Drug Testing Coordinators

FROM: Charles K. Stewart
Chief of Security

RE: Quarterly Inmate Drug Testing Report

During the months of July, August, and September of 1997, the Division of Prisons drug tested 17,061 specimens with 6% testing positive. Some specimens possibly tested positive for more than one drug.

A summary by laboratory site follows:

Greenville Lab, DOP Facilities: (Shirley Mitchell, Coordinator)
Carteret, Gates, Greene, Martin, Fountain, Tillery, Pasquotank, Currituck, Odom, Caledonia, Eastern, Hyde, Tyrell and Craven.

Random/Cause: 2,832 inmates tested - 149 positive = 5%
Cocaine: 8 Marijuana: 139 Opiates: 2

Raleigh Lab, DOP Facilities: (Ron Inscoe, Coordinator)
Wake, Raleigh, Durham, Orange, Umstead, Nash, Johnston, Franklin, NCCIW, Central Prison, Polk, Warren, Goldsboro, Neuse and Wayne.

Random/Cause: 3,692 inmates tested - 170 positive = 5%
Cocaine: 6 Marijuana: 152 Opiates: 12

Fayetteville Lab, DOP Facilities: (Gary Crutchfield, Coordinator)
Sanford, Sandhills, McCain, Robeson, Bladen, Duplin, New Hanover, Wilmington, Columbus, Scotland, Sampson, Pender, Morrison, Harnett, Hoke and Lumberton.

Random/Cause: 4,302 inmates tested - 305 positive = 7%
Cocaine: 6 Marijuana: 276 Opiates: 23

Greensboro Lab, DOP Facilities: (Charles Stevens, Coordinator)
Alamance, Caswell, Davidson, Davie, Forsyth, Sandy Ridge, Guilford, Randolph, Stokes, Yadkin, Watauga, Wilkes, Southern, Blanch, Dan River and North Piedmont CCW.

Random/Cause: 1,451 inmates tested - 127 positive = 9%
Cocaine: 13 Marijuana: 106 Opiates: 8

Charlotte Lab, DOP Facilities: (Rocky Nance, Coordinator)
Anson, Cabarrus, Charlotte, Catawba, Gaston, Mecklenburg, Rowan, Piedmont, Brown Creek, Iredell, Lincoln, Cleveland, Stanly and Union.

Random/Cause: 2,434 inmates tested - 208 positive = 8%
Cocaine: 16 Marijuana: 189 Opiates: 3

Asheville Lab, DOP Facilities: (Roger Patterson, Coordinator)
Black Mountain, Blue Ridge, Buncombe, Haywood, Henderson, Rutherford, Caldwell, Western Youth, Craggy, Marion, Foothills, Yancey, Alexander and Avery.

Random/Cause: 2,350 inmates tested - 72 positive = 3%
Cocaine: 0 Marijuana: 70 Opiates: 2

Summary of Positives:

Random/Cause: Total Tested Positive - 1,031

Marijuana:	932
Cocaine:	49
Opiates:	50

Thank you for your continued assistance in this matter and if there are any questions, please contact your appropriate drug testing coordinator or the office of Chief of Security.

CKS:maf

cc: Daniel L. Stieneke
Central Management Staff
File

North Carolina Department of Correction

Division of Prisons

831 West Morgan Street • P.O. Box 29540 • Raleigh, North Carolina 27626-0540

James B. Hunt Jr., Governor | Daniel L. Stieneke, Director of Prisons | Mack Jarvis, Secretary

MEMORANDUM **May 6, 1997**

TO: Area Administrators
Institution Heads
Center Superintendents
Field Drug Testing Coordinators

FROM: George T. Solomon
Assistant Chief of Security

RE: Quarterly Inmate Drug Testing Report

During the months of January, February and March of 1997, the Division of Prisons drug tested 11,830 specimens with 9% testing positive. Some specimens possibly tested positive for more than one drug. As a reminder, during this drug testing quarter the testing level for marijuana has been lowered from 100 nanograms to 50 nanograms increasing positive results for marijuana.

A summary by laboratory site follows:

Greeneville Lab, DOP Facilities: (Shirley Mitchell, Coordinator)
Carteret, Gates, Greene, Martin, Fountain, Tillery, Pasquotank, Currituck, Odom, Caledonia, Eastern, Hyde, Tyrell and Craven.

2,037 inmates tested - 117 positive = 6%
Cocaine: 2 Marijuana: 111 Opiates: 4

Raleigh Lab, DOP Facilities: (Ron Inscoe, Coordinator)
Wake, Raleigh, Durham, Orange, Umstead, Nash, Johnston, Franklin, NCCIW, Central Prison, Polk, Warren, Goldsboro, Neuse and Wayne.

1,971 inmates tested - 93 positive = 5%
Cocaine: 8 Marijuana: 84 Opiates: 4

Fayetteville Lab, DOP Facilities: (Gary Crutchfield, Coordinator)
Sanford, Sandhills, McCain, Robeson, Bladen, Duplin, New Hanover, Wilmington, Columbus, Scotland, Sampson, Pender, Morrison, Harnett, Hoke and Lumberton.

2,609 inmates tested - 267 positive = 10%
Cocaine: 11 Marijuana: 250 Opiates: 12

Greensboro Lab, DOP Facilities: (Charles Stevens, Coordinator)
Alamance, Caswell, Davidson, Davie, Forsyth, Sandy Ridge, Guilford, Randolph, Stokes, Yadkin, Watauga, Wilkes, Southern, Blanch, Dan River and North Piedmont CCW.

1,459 inmates tested - 204 positive = 14%
Cocaine: 5 Marijuana: 196 Opiates: 5

Charlotte Lab, DOP Facilities: (Rocky Nance, Coordinator)
Anson, Cabarrus, Charlotte, Catawba, Gaston, Mecklenburg, Rowan, Piedmont, Brown Creek, Iredell, Lincoln, Cleveland, Stanly and Union.

2,046 inmates tested - 272 positive = 13%
Cocaine: 13 Marijuana: 260 Opiates: 8

Asheville Lab, DOP Facilities: (Roger Patterson, Coordinator)
Black Mountain, Blue Ridge, Buncombe, Haywood, Henderson, Rutherford, Caldwell, Western Youth, Craggy, Marion, Foothills, Yancey, Alexander and Avery.

1,708 inmates tested - 96 positive = 6%
Cocaine: 7 Marijuana: 89 Opiates: 4

Summary of Positives:

Marijuana:	990
Cocaine:	46
Opiates:	37

Thank you for your continued assistance in this matter and if there are any questions, please contact your appropriate drug testing coordinator or the office of Chief of Security.

GTS:cdg

cc: Daniel L. Stieneke
Central Management Staff
File

North Carolina Department of Correction
Division of Prisons
831 West Morgan Street • P.O. Box 29540 • Raleigh, North Carolina 27626-0540

James B. Hunt Jr., Governor
Daniel L. Stieneke
Director of Prisons
Mack Jarvis, Secretary

MEMORANDUM

August 25, 1997

TO: Area Administrators
Institution Heads
Center Superintendents
Field Drug Testing Coordinators

FROM: George J. Solomon
Assistant Chief of Security

RE: Quarterly Inmate Drug Testing Report

During the months of April, May, and June of 1997, the Division of Prisons drug tested 12,843 specimens with 8% testing positive. Pre-Release totals for this same quarter are 4,062 specimens with 7% testing positive. Some specimens possibly tested positive for more than one drug.

A summary by laboratory site follows:

Greenville Lab, DOP Facilities: (Shirley Mitchell, Coordinator)
Carteret, Gates, Greene, Martin, Fountain, Tillery, Pasquotank, Currituck, Odom, Caledonia, Eastern, Hyde, Tyrell and Craven.

Random/Cause:	1,896 inmates tested - 152 positive = 8%			
	Cocaine: 2	Marijuana: 138	Opiates: 5	Amphetamines: 12
Pre-Release:	323 inmates tested - 41 positive = 13%			
	Cocaine: 0	Marijuana: 41	Opiates: 0	Amphetamines: 0

Raleigh Lab, DOP Facilities: (Ron Inscoe, Coordinator)
Wake, Raleigh, Durham, Orange, Umstead, Nash, Johnston, Franklin, NCCIW, Central Prison, Polk, Warren, Goldsboro, Neuse and Wayne.

Random/Cause:	2,083 inmates tested - 184 positive = 9%			
	Cocaine: 3	Marijuana: 171	Opiates: 7	Amphetamines: 6
Pre-Release:	1,463 inmates tested - 65 positive = 4%			
	Cocaine: 0	Marijuana: 55	Opiates: 6	Amphetamines: 4

Fayetteville Lab, DOP Facilities: (Gary Crutchfield, Coordinator)
Sanford, Sandhills, McCain, Robeson, Bladen, Duplin, New Hanover, Wilmington, Columbus, Scotland, Sampson, Pender, Morrison, Harnett, Hoke and Lumberton.

Random/Cause:	3,911 inmates tested - 293 positive = 7%			
	Cocaine: 6	Marijuana: 259	Opiates: 18	Amphetamines: 11
Pre-Release:	149 inmates tested - 6 positive = 4%			
	Cocaine: 1	Marijuana: 4	Opiates: 1	Amphetamines: 0

Greensboro Lab, DOP Facilities: (Charles Stevens, Coordinator)
Alamance, Caswell, Davidson, Davie, Forsyth, Sandy Ridge, Guilford, Randolph, Stokes, Yadkin, Watauga, Wilkes, Southern, Blanch, Dan River and North Piedmont CCW.

Random/Cause:	1,291 inmates tested - 100 positive = 8%			
	Cocaine: 7	Marijuana: 86	Opiates: 4	Amphetamines: 6
Pre-Release:	476 inmates tested - 36 positive = 8%			
	Cocaine: 1	Marijuana: 36	Opiates: 0	Amphetamines: 0

Charlotte Lab, DOP Facilities: (Rocky Nance, Coordinator)
Anson, Cabarrus, Charlotte, Catawba, Gaston, Mecklenburg, Rowan, Piedmont, Brown Creek, Iredell, Lincoln, Cleveland, Stanly and Union.

Random/Cause:	1,681 inmates tested - 198 positive = 12%			
	Cocaine: 6	Marijuana: 189	Opiates: 2	Amphetamines: 5
Pre-Release:	1,018 inmates tested - 128 positive = 13%			
	Cocaine: 5	Marijuana: 120	Opiates: 4	Amphetamines: 2

Asheville Lab, DOP Facilities: (Roger Patterson, Coordinator)
Black Mountain, Blue Ridge, Buncombe, Haywood, Henderson, Rutherford, Caldwell, Western Youth, Craggy, Marion, Foothills, Yancey, Alexander and Avery.

Random/Cause:	1,981 inmates tested - 80 positive = 4%			
	Cocaine: 3	Marijuana: 72	Opiates: 3	Amphetamines: 3
Pre-Release:	633 inmates tested - 24 positive = 4 %			
	Cocaine: 0	Marijuana: 21	Opiates: 1	Amphetamines: 2

Summary of Positives:

Random/Cause: Total Tested - 12,843		**Pre-Release : Total Tested - 4,062**	
Marijuana:	915	Marijuana:	277
Cocaine:	27	Cocaine:	7
Opiates:	39	Opiates:	12
Amphetamines:	43	Amphetamines:	8

Thank you for your continued assistance in this matter and if there are any questions, please contact your appropriate drug testing coordinator or the office of Chief of Security.

GTS:klb

cc: Daniel L. Stieneke
Central Management Staff
File

Handout #5

OFFENDER SUBSTANCE ABUSE TREATMENT PROGRAM

Joint Appropriations Subcommittee on Justice and Public Safety

Fiscal Research Division
January 22, 1998

DEPARTMENT OF CORRECTION
SUBSTANCE ABUSE PROGRAM
DIVISION OF ALCOHOL AND CHEMICAL DEPENDENCY

BACKGROUND

- 1987 GENERAL ASSEMBLY ESTABLISHED DEPARTMENT OF CORRECTION SUBSTANCE ABUSE PROGRAM COMMONLY KNOWN AS **DART** (DRUG/ALCOHOL RECOVERY TREATMENT PROGRAM **(G.S. 143B - 262 AND 262.1)**

- KEY STATUTORY REQUIREMENTS:

  (1) Medium custody facility with separate area designated for substance abuse (prison programs).

  (2) Intensive in-patient treatment for four to six weeks

  (3) Develop effective treatment programs for inmates, parolees, and probationers.

  (4) Program shall include extensive follow-up after period of intensive treatment

  (5) Priority order for admission to treatment programs

- PRIMARY OBJECTIVES OF DOC SUBSTANCE ABUSE PROGRAM

  (1) Reduction of chemical dependency among offenders

  (2) Reduce likelihood of recurring criminal activity and recidivism

DOC SUBSTANCE ABUSE PROGRAM -- PROGRAM DESIGN

- PROGRAM GOAL IS A CONTINUUM OF CARE BASED ON NATIONAL RESEARCH INDICATING ONE-TIME TREATMENT NOT VERY EFFECTIVE WITHOUT FOLLOW-UP TREATMENT. THE THREE MAJOR DART PROGRAM COMPONENTS ARE:

  (1) **DART IN-PRISON BEDS** - DART IN-PRISON 28/35 DAY INTENSIVE TREATMENT PROGRAM AND 8 TO 12 WEEK STRUCTURED AFTERCARE. DART STAFFING IS A COMBINATION OF PERMANENT DOC SUBSTANCE ABUSE COUNSELORS; DOC CONTRACT COUNSELORS; AND PEER (Inmate) COUNSELORS. (**985 Beds**)

  (2) **DART PRIVATE PRISON TREATMENT BEDS** - PRISON TREATMENT PROGRAM RUN ON CONTRACT BY PRIVATE VENDORS AS A LONG-TERM (6 TO 12 MONTH) RESIDENTIAL TREATMENT PROGRAM. INMATES ARE PROVIDED TREATMENT AND SKILLS FOR TRANSITION TO COMMUNITY. (**350 BEDS**)

  (3) DART COMMUNITY BEDS (PROBATION/PAROLE) - COMMUNITY BASED PROGRAMS FOR PAROLEES AND PROBATIONERS (DWI/SUBSTANCE ABUSE UNIT IN GOLDSBORO USES 28 DAY DART MODEL AND NEW 90 DAY MODEL; DART/DWI AFTERCARE PILOTS) (400 Beds)

COMPONENTS OF DART IN-PRISON PROGRAM

- **35 DAY PROGRAM** (7 DAYS ORIENTATION/28 DAYS INTENSIVE TREATMENT) BASED ON 28 DAY MINNESOTA MODEL (12 steps) MODIFIED FOR SUBSTANCE ABUSE OFFENDERS IN A CORRECTIONAL SETTING. INMATES ARE TYPICALLY ASSIGNED TO UNITS AFTER INTAKE PROCESS.

- **8-12 WEEK AFTERCARE** PROGRAM IS CARRIED OUT AS NEEDED AFTER INMATE RETURNS TO GENERAL POPULATION. (Most highly-structured at Wayne)

- **CRITERIA FOR TREATMENT** -- BASED ON CRITERIA IN STATUTE IN PRIORITY ORDER -- COURT RECOMMENDATION FOR TREATMENT; DIAGNOSTIC CENTER REFERRAL (Based on standardized test); DOC STAFF REFERRAL; AND, SELF REFERRAL.

- **CAPACITY** -- PRISON SYSTEM HAS 985 DART BEDS FOR 35 DAY PROGRAM AND CAPACITY OF 10,275 INMATES ANNUALLY (approximately 43% of admissions). DOC ESTIMATES 63% OF OFFENDERS HAVE SUBSTANCE ABUSE PROBLEMS. SERVING ALL OF THESE OFFENDERS LIMITED BY RESOURCES AND PROGRAM PRIORITY (Medium Custody)

PRIVATE PRISON TREATMENT BEDS

PURPOSE

- PROVIDE THERAPEUTIC LONG-TERM RESIDENTIALTREATMENT FOR NON-ASSAULTIVE OFFENDERS. FOCUS IS ON SKILLS NEEDED FOR TRANSITION TO COMMUNITY

CHARACTERISTICS

- PROGRAM IS CONTRACTED WITH PRIVATE VENDORS – 4 VENDORS PROVIDE 350 BEDS AT COST OF $7.46 MILLION ANNUALLY.
- PROGRAMS MUST MEET CORRECTIONAL STANDARDS FOR A MINIMUM SECURITY PRISON; BEDS ARE COUNTED IN PRISON BED CAPACITY.
- OFFENDERS ARE PRIMARILY PAROLE ELIGIBLE AND ARE IDENTIFIED BY SUBSTANCE ABUSE PROGRAM STAFF AND/OR PAROLE COMMISSION.
- TREATMENT PLANS ARE NORMALLY 6 TO 12 MONTHS AND AFTERCARE, ALTHOUGH MARY FRANCIS CENTER HAS A 35 DAY PROGRAM. AVERAGE LENGTH OF STAY IN 1997 WAS APPROXIMATELY 5.7 MONTHS.
- LAST PHASE OF TREATMENT PARTIALLY IN COMMUNITY -- WORK RELEASE, EDUCATION, ETC.
- 5-YEAR CONTRACTS; DOC GUARANTEES 90% OF CAPACITY. (YEAR TO DATE ABOUT $9500 HAS BEEN PAID BY DOC FOR NOT MEETING 90% TARGET, PRIMARILY TO ONE VENDOR)
- IN 1996, 25% OF PARTICIPANTS WERE UNFAVORABLY DISCHARGED AND TRANSFERRED TO ANOTHER PRISON (E.G. Drug use; disciplinary problems etc.)
- 1997 GENERAL ASSEMBLY ELIMINATED FUNDING FOR 150 BEDS THAT WERE NEVER ESTABLISHED ($2.2 million reduction); BALANCE OF FUNDS AUTHORIZED FOR EVALUATION OF DOC SUBSTANCE ABUSE PROGRAMS AND DART/DWI AFTERCARE

DOC Private Prison Treatment Contracts

Name/Location	Contracted Beds	Bed Utilization				96-97 Cost Per Day
		9/1/97	10/1	11/1	1/15/98	
Cornell (Durham)	75	73	73	73	70	$46.08
Evergreen (St. Pauls)	75	74	72	70	74	$55.00
Mary Francis (Tarboro)	100	98	93	88	98	$72.00
Right Turn (Charlotte)	100	95	98	98	96	$54.75
TOTAL	**350**	**340**	**336**	**329**	**338**	**$56.96 (Avg.)**

Source: DOC Prison Population Reports (1/15/98) and Substance Abuse Budget Summary (12/9/97).

SUMMARY OF RESOURCES FOR SUBSTANCE ABUSE TREATMENT OF OFFENDERS

- JUSTICE AND PUBLIC SAFETY AGENCIES

Department of Correction's budget includes $19,930,035 in General Funds to support residential treatment in prisons, at DART-Cherry, through the Criminal Justice Partnership Program and through private agencies, and aftercare for offenders completing the DART-Cherry programs.

1. The Division of Alcoholism and Chemical Dependency provides residential treatment for 13,842 offenders at a cost of $16,137,447 or a cost of $1,166 per offender served. The cost per bed (1,635 total beds) is $9,870. An additional $467,806 is spent on aftercare for approximately 400 offenders completing residential treatment at DART-Cherry.

2. Additional state resources flow through the Criminal Justice Partnership Program. For 1997-8, over $3 Million in grants has been provided to county programs for substance abuse treatment. In September 1997 data, these programs provided treatment to 1,080 offenders, mostly outpatient. Many CJPP programs raise additional funding from local and private sources and GCC grants. (*total not available).*

3. Several other DOC programs work with offenders with substance abuse problems but have broader programs. For 1997-8, $1,528,458 flows through DOC to 4 private agencies who provide substance abuse and other services to offenders (Summit, Harriet, ECO and Women at Risk) ; for 1997-8 DOC can use up to $350,000 in available funds for boot camp aftercare programs in 4 communities, serving 150 offenders.

The total Justice and Public Safety Budget includes $20,730,035 in General Funds for substance abuse programs.(The only non DOC program is the Drug Treatment Court through AOC). These programs also receive at least $1 million in Federal Funds (SARGE and CJPP) and some local funds (CJPP and Drug Treatment Court)

TOTAL:	$20.7 Million General Funds
	$ 1 Million Federal Funds

- OTHER AGENCIES

The Health and Human Services-Mental Health, Developmental Disabilities and Substance Abuse Services Section provides substance abuse treatment to over 28,000 clients under court supervision. This includes court commitments so the number of offenders receiving treatment is less than 28,000.

1. Drug Education Schools, which provided drug education to about 3,400 offenders in deferred prosecution programs, and Alcohol and Drug Education Schools, a required sanction for all DWI offenders as a condition of restoring their license, are primarily fee supported.

2. TASC, Treatment Alternatives to Street Crimes, works exclusively with offenders, providing case management. They served 10,890 clients in 1996-97 through 25 of the state's 40 Area Mental Health Agencies. State Funds are $2.28 Million, Federal Funds $1.68 Million and additional funds are raised locally (fees are required of most TASC clients).

   TASC is involved in broader ways in community corrections.—Over 33 TASC case managers work on site at Day Reporting Centers, , they provide case management to some Drug Treatment Courts and some DART-Cherry aftercare clients and they the IMPACT aftercare program jointly with Division of Adult Probation and Parole. They also provide some services to jail detainees/pre trial release.

3. Offenders may receive treatment through Area Agencies, either through pre-arrangements by aftercare programs, as individuals, or under TASC case management. The entire Substance Abuse Section receives $84 Million in state funds; additional local, private and federal funds are raised by local agencies.

TOTAL:	About $35 Million in General Funds to Substance Abuse Services under court order (not all offenders).	
	$2.28 Million of these funds are earmarked for offenders through TASC.	
GRAND TOTAL (JPS+TASC)	$23	Million General Funds
	?	Federal Funds
	?	Local and Private

SUBSTANCE ABUSE TREATMENT PROGRAMS

Program	Focus	Links with Other Programs	Beds/Annual Capacity	1996-97 Budget
Correction–Division of Alcoholism & Chemical Dependency				
DART ADMINISTRATION	Oversees program in 15 prisons.			**$1,772,222**
DART In-Prison Treatment	28/35 day intensive treatment program; aftercare in prison.		985 Beds 10,275 annual	**$3,708,280**
Private Treatment Beds	6-12 month program run by 4 private vendors. Minimum Security facilities.	Offenders may have also completed in-prison DART	350 Beds 554 annual	**$7,596,716**
DART-Cherry	Probationers and Parolees with DWI or Drug Offenses	Probation Parole Officers, TASC, Community Penalties, CJPP programs all refer	200 beds 2,607 annual for 28day 100 beds 406 annual for 90 day	**$3,060,229**
DART-Cherry Aftercare	90 day outpatient treatment for offenders completing DART-Cherry	Utilize TASC and CJPP programs where possible	at least 400 offenders over the year, about 100 at point in time	**$ 467,806**
SUBTOTAL DIVISION			**1,635 Beds +aftercare 13,842 annual + after**	**$16,605,253**

Program	Focus	Links with Other Programs	Beds/Annual Capacity	1996-97 Budget
OTHER DEPARTMENT OF CORRECTION				
Criminal Justice Partnership Program	Intermediate Offenders and Pre-Trial Release (monitor); parolees can be served if counties choose	Close cooperation with TASC and Probation and Parole	79 Counties; 47 Day Reporting Centers, 19 Satellite Substance Abuse, 21 pretrial release. **In Sept 1,080 receiving some SA treatment.**	$10,367,587 in awards for 1997-98, inc. **$3,046,782 for Substance Abuse**
John Hyman (grant through DOC)	Offenders in NE counties		100 per year	**$ 250,000**
SARGE Program	In prison program for youthful offenders plus aftercare	joint with DYS (some in training schools)	104 Beds, 141 annual 50 in aftercare	$660,118 Fed **$ 28,000 St**
SUBTOTAL OTHER DOC				**$3,324,782**
TOTAL DOC				**$19,930,035**

Program	Focus	Links with Other Programs	Annual Capacity	Cost
OTHER JPS AGENCIES				
Drug Treatment Courts	close supervision and treatment of non trafficking offenders	TASC provides some case management; PPO Supervise; send some to DART-Cherry	5 locations; capacity 250	**$800,000** sunsets June 30, 1998
HEALTH AND HUMAN SERVICES—MHDDSA				
general substance abuse treatment—detox, residential, outpatient	population w/substance abuse problems; 68,000 clients in 1996-97, 42% court ordered (including commitments)		statewide via 40 Area Agencies;	$84 Million state funds; local programs raise additional funds through fees, grants, contracts
Drug Education Schools	Educational program for offenders charged with simple possession	In some cases, TASC runs schools	Statewide 3,400 in 1996-7	fee supported for most part
Alcohol and Drug Education Traffic Schools (ADETS)	Required as minimum sanction for all DWI offenders as condition of restoring license		Statewide 800 completed program in first half of 1995-6	fee supported for most part
TASC -Treatment Alternatives to Street Crime	Assessment and Case Management offenders with Substance Abuse Problems	Participate in many CJPP programs, Drug Treatment Courts, DART aftercare. Run IMPACT aftercare. Do assessments.	In 25 Area Agencies covering 24 Prosecutor's Districts; 10,890 clients in 1996-97	**$2,280,734 State** $1,677,104 Federal Individual programs raise additional funds with fees/contracts
TOTAL NON JPS				**$2,280,734**
GRAND TOTAL				**$23,010,769**

1997-1998 REPORTS AND EVALUATIONS OF SUBSTANCE ABUSE TREATMENT FOR OFFENDERS

DEPARTMENT OF CORRECTION

OUTSIDE EVALUATION OF DOC'S SUBSTANCE ABUSE PROGRAMS—MAY 1. SB 352, Sec. 19.23 requires an outside evaluation of DOC's substance abuse programs including a review/update of the findings of the 1996 study, a study of DART-DWI aftercare, and the development of performance measures. The Secretary of DOC shall report the results of the study to Correction and Crime Control Oversight and Appropriations by May 1, 1998.

DART-Cherry Program ---December 1 and May 1. SB 352, Sec 19.24 requires the Department of Correction to report by December 1,1997 and May 1, 1998 on activity and expenditures on the DART-DWI program at Cherry Hospital. Report goes to CCC Oversight and Appropriations .

Lattie Baker, Assistant Secretary of the Department of Correction, presented the first of these reports to the House Appropriations Subcommittee on JPS on December 16th. The major items reported at that time are as follows:

**Since September 1997, the DART-Cherry program has operated two parallel programs—an 100 bed 90-day therapeutic community and a 200-bed 28-day residential program. The 90-day program is appropriate for offenders with more significant substance abuse issues. To date, all participants have been offenders.*

**The 28-day program continues to include both parolees and probationers. For the first 5 months of 1997-8, 602 probationers and 601 parolees entered the program. Of the probationers, 96.7% completed the program as did 99% of the parolees.*

**Utilization of the 300 beds has steadily increased since April 1997 and was 99.5% in the 28-day program in October and November. Since the 90-day program has been fully operational, they have averaged 96% utilization.*

**Projected per-offender cost for 1997-8 (Both programs combined and the aftercare component)) is $32.22 per day.*

**The aftercare program provides 90 days of outpatient substance abuse treatment to offenders returning to their communities.*

IMPACT BOOT CAMP REPORT—Feb/March. Since 1995, DOC has been required to report annually to Governmental Operations and CCC Oversight on the IMPACT Boot Camp program and its aftercare pilot. Many of these offenders have substance abuse problems and these issues may be included in the report. The report will include recidivism data through December 1997.

THREE YEAR EVALUATION OF CRIMINAL JUSTICE PARTNERSHIP PROGRAM—JUNE 1999 The Criminal Justice Partnership Program has begun a 3 year evaluation of their program, both process and outcomes. The study will look at recidivism and relapse to substance abuse compared to non-CJPP offenders, as well as program characteristics and targeting. The study is funded by National Institute of Justice.

GRANT FUNDED PROGRAMS REPORT--DEC 1 AND MAY 1
Harriet's House, Summit House and Women at Risk all include some substance abuse treatment in their programs for female offenders. They will report to Governmental Operations on their use of state funds and the effectiveness of their programs on May 1, 1998. When the programs reported to Governmental Operations in December, they were directed to include more specific information on cost effectiveness in their May reports.

PERFORMANCE PROGRAM BUDGETING--The Department of Correction includes several outcome and performance measures for substance abuse treatment for adult offenders as part of the Performance/Program Budget. These measures will be discussed and revised as part of the PPB process between now and 1999.

ADMINISTRATIVE OFFICE OF THE COURTS

EFFECTIVENESS OF DRUG TREATMENT COURTS—MAY 1. AOC is required to report on the effectiveness of the Drug Treatment Court program by May 1, 1998. Funding for this program sunsets on June 30, 1998. They have received a 2 year federal grant to fund this evaluation.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DWI SUBSTANCE ABUSE ASSESSMENT REPORT—FEB 1
The Substance Abuse Services Section reports annually (Feb 1) on the program of mandatory substance abuse assessments of DWI offenders. They report on the number who have completed the assessments and required treatment, the kind of treatment provided, and the fees collected.

PERFORMANCE PROGRAM BUDGET The Health program area includes several outcome and performance measures for substance abuse treatment via Mental Health as part of the Performance/Program Budget. These measures will be discussed and revised as part of the PPB process between now and 1999.

LRC ON SUBSTANCE ABUSE AFTERCARE There is currently a Legislative Research Commission looking at Substance Abuse Aftercare. Their study will look at all programs providing substance abuse aftercare services in terms of their cost, effectiveness and plans for evaluation. They will also be looking at what changes are necessary to better match needs and programs and eliminate gaps. Their next meeting is in early February.

OTHER

RECIDIVISM REPORT—APRIL 1

The Sentencing Commission reports annually on recidivism among criminal offenders. This report will cover community corrections programs as well as TASC and is due April 1, 1998.

FEBRUARY	APRIL	MAY
Impact	Recidivism	Evaluation DOC Programs
DWI Assessment Report		DART-Cherry
		Drug Treatment Courts
		Grant Funded Programs

DOC SUBSTANCE ABUSE PROGRAM -- POSSIBLE ISSUES FOR EVALUATION

- ***TARGETING – MATCHING OFFENDERS TO RIGHT TREATMENT RESOURCES AND DETERMINING OPTIMAL LENGTH OF TREATMENT*** – *ARE APPROPRIATE OFFENDERS* ENTERING 35 DAY/ 90 DAY AND LONG TERM PRIVATE PROGRAMS? DOES DOC HAVE RIGHT TYPE OF TREATMENT PROGRAMS THAT MATCH NEEDS OF INDIVIDUAL OFFENDERS? ARE THERE SITUATIONS WHEN DART PRISON BEDS ARE INAPPROPRIATELY USED AS PRISON BED MANAGEMENT TOOLS?

- ***SUBSTANCE ABUSE PROGRAM PROCESS AND PROCEDURES*** – ARE ALL DOC PROGRAMS FOLLOWING PROCEDURES AS OUTLINED IN PROGRAM MANUALS? TO WHAT EXTENT SHOULD DOC PROGRAMS BE CONSISTENT WITH HEALTH AND HUMAN SERVICES SUBSTANCE ABUSE TREATMENT PROGRAMS?

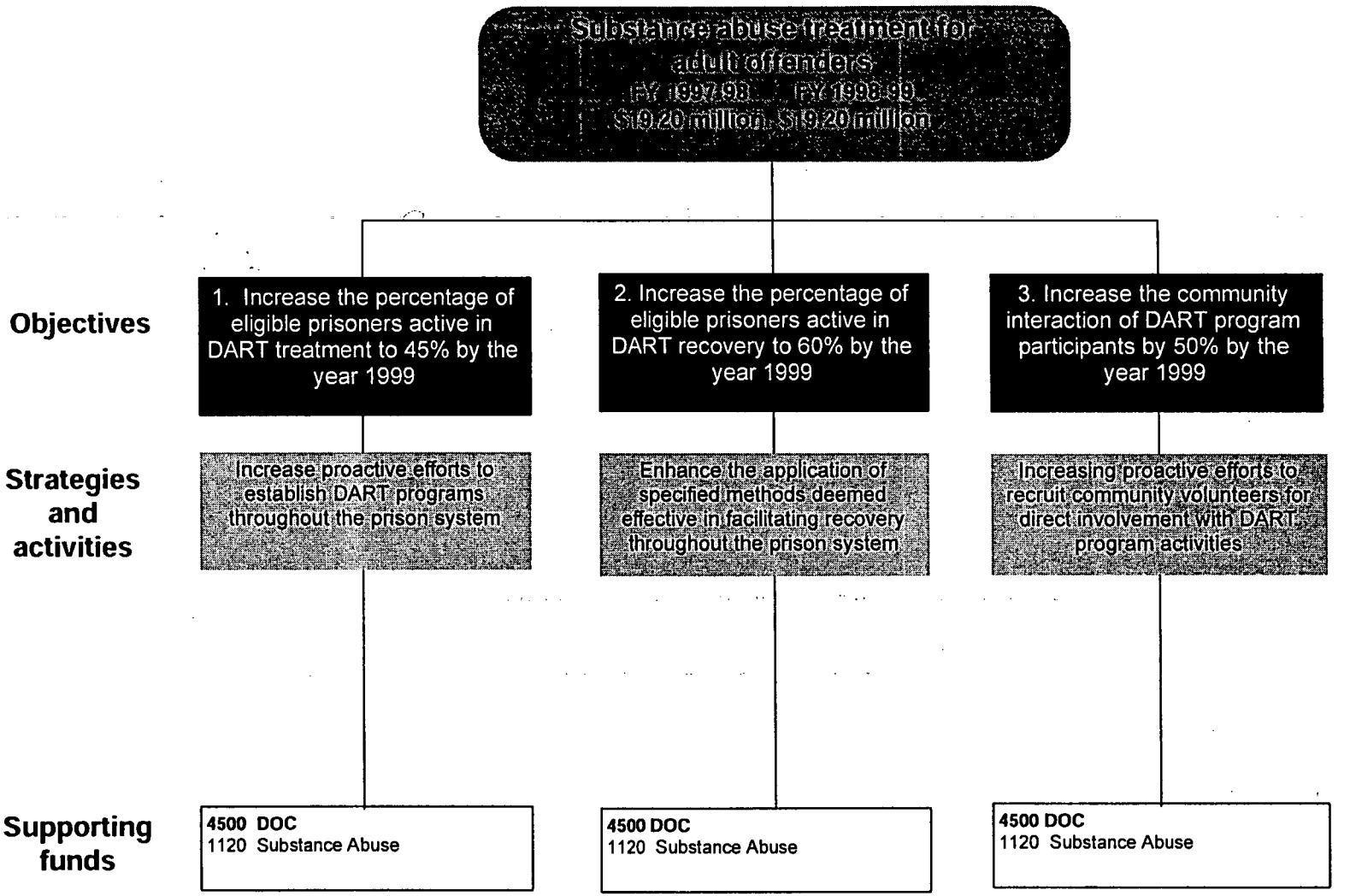
- ***ORGANIZATION AND STAFFING*** – IS DOC PROPERLY STAFFED AND ORGANIZED TO DELIVER EFFECTIVE TREATMENT? WHAT SHOULD OFFENDER/STAFF RATIOS BE? ARE SUPERVISOR/STAFF RATIOS APPROPRIATE?

- ***COST EFFECTIVENESS*** – HOW DO DOC SUBSTANCE ABUSE COSTS COMPARE TO OTHER PRISON SYSTEMS? ARE DOC FUNDS ALLOCATED TO MOST EFFECTIVE PROGRAMS?

- ***LINKAGES TO COMMUNITY PROGRAMS*** – HAS DOC DEVELOPED EFFECTIVE WORKING RELATIONSHIPS WITH OTHER AGENCIES?

- **PERFORMANCE MEASURES** – ARE OFFENDERS COMPLETING PROGRAMS? ARE DOC PROGRAMS REDUCING CHEMICAL DEPENDENCY AND CRIMINAL BEHAVIOR? DOES DOC HAVE MANAGEMENT INFORMATION SYSTEM IN PLACE TO TRACK OFFENDERS THROUGH PRISON AND COMMUNITY PROGRAMS? WHAT ARE OTHER KEY PERFORMANCE INDICATORS FOR EVALUATING A SUBSTANCE ABUSE PROGRAM?

3400 Substance abuse treatment for adult offenders



North Carolina Department of Correction
Division Alcoholism and Chemical Dependency Programs
Estimated Number of Program Repeaters (Annualized)
FY 1996-97

Percentage	Number	Program	Capacity	Annualized Capacity
10%	1,028	DART Residential Prison Beds	985	10,275
5%	150	DART DWI Program	300	3,013
3%	17	Private Drug/Alcohol Treatment Beds	350	554
N/A	N/A	SARGE (State Alliance Rehabilitation & General Education)	134	182

NOTE: Data reported are estimates given by program managers and consultants. Actual data will be tracked in OPUS files and systematic collection and reporting will be more reliable.

FROM :SUB.ABUSE PROGRAM TO - 12157153509 1999.01 21 02:04PM #509 P.10

Handout #6

Handout #7

North Carolina Department of Correction

Divison of Alcoholism and Chemical Dependency Programs

DWI (28 Day) Program

Daily Activity Schedule

Time	Activity
5:30 AM	Wake-up/Cleanup/Personal Hygiene
6:00	Breakfast
7:00	Clean Up/Work Hardening
8:00	Community Treatment Meetings
8:30	Session 1.1
9:40	Videos/Lectures
10:50	Session 1.2
12:00 Noon	Lunch
1:00 PM	Free Time
1:45	Group Therapy/Counseling Sessions
4:00	Group Education/Lectures/Videos
5:00	Dinner
6:00	Free Time
7:00	Group Education/Videos
8:00	AA/NA On Campus Meeting
9:00	Free Time
10:30	Lights Out

North Carolina Department of Correction

Divison of Alcoholism and Chemical Dependency Programs

DWI (90 Therapuetic) Program

Daily Activity Schedule

Time	Activity
5:30 AM	Wake-up/Cleanup/Personal Hygiene
6:00	Breakfast
7:15	Morning Meetings
8:00	Human Resource Development/GED/Community College
10:00	Free Time
12:00 Noon	Lunch
1:00	Drug Education/Video/Lectures/Discussions
3:00	Drug Treatment/Group Therapy
5:00	Evening Meeting
5:30	Dinner
7:00	AA Meetings On Campus
8:00	AA Meetings Off Campus
9:00	Free Time
10:30	Lights Out

North Carolina Department of Correction

Divison of Alcoholism and Chemical Dependency Programs

DART (Drug Alcohol Recovery Treatment)

Daily Activity Schedule

Time	Activity
6:00 AM	Wake-up/Cleanup/Personal Hygiene
7:00	Breakfast
8:45	Morning Meditation
9:00	Drug Education/Lectures/Discussion
10:30	Group Therapy/Discussions
11:45	Lunch
1:00 PM	Video/Lectures
3:15	Supervised Recreation/Trust Exercise/Clean Up
4:00	Return to Division of Prisons Supervision
6:00	Dinner
7:00	Home Work/AA & NA Book Study/Hygeine
9:30	AA/NA Mandatory Meeting (Every Saturday)
10:00	Lights Out

North Carolina Department of Corroction

Divison of Alcoholism and Chemical Dependency Programs
Private Drug/Alcohol Treatment Programs

Cornell Corrections

Daily Activity Schodulo

Time	Activity
6:00 AM	Wake-up/Cleanup/Personal Hygiene
7:30	Breakfast
8:00	Individual Counseling
9:30	Treatment Group (Alcohol/Drug Education/Pre Employment Training)
12:00 Noon	Lunch
1:30 PM	Life Skills (Lectures/Job Search/Family Values/Ethics/Self-Esteem)
3:30	Outsidc Rccrcation (Health Walks/Weight Lifting)
5:30	Dinner
7:00	AA/NA Meeting Off Campus
8:00	AA/NA Meeting On Campus
11:00	Lights Out

North Carolina Department of Correction

Divison of Alcoholism and Chemical Dependency Programs

Private Drug/Alcohol Treatment Programs

Evergreen Rehabilitation Center

Daily Activity Schedule

Time	Activity
6:00 AM	Wake-up/Cleanup/Personal Hygiene
7:30	Breakfast
8:30	Room Inspection
9:00	Lecture
9:45	Phase I Group Session
11:00	Peer Evaluation
12:00 Noon	Lunch
1:30 PM	Team/Group Meetings
3:00	Canteen/Break
4.00	Step Study/Movie/Community Meeting/Free Time
5:00	Dinner
6:30	Life Story/Relapse Review/Free Time
7:30	AA Meetings
8:30	Reflections/Community Meetings/Closing Meditation
9:00	Canteen/Break
10:00	Lights Out

North Carolina Department of Correction

Divison of Alcoholism and Chemical Dependency Programs

Private Drug/Alcohol Treatment Programs

Mary Frances Center

Daily Activity Schedule

Time	Activity
6:30 AM	Wake-up/Cleanup/Personal Hygiene
7:00	Breakfast
7:45	Daily Reflections
8:00	Work Assignments
8:30	Journal Entries
9:15	Recovery Lecture
10:15	Free Time
11:00	Recovery Video/Focus Group
12:00 Noon	Lunch
1:30 PM	Continuing Care Group
2:45	Study/Therapy Assignments
3:30	Recreation/Leisure Activities
4:30	Break
5:00	Dinner
6:00	Patient Group Leader Meeting
6:30	Study/Free Time
8:00	AA Meeting
9:00	Study/Free Time
11:15	Lights Out

North Carolina Department of Correction

Divison of Alcoholism and Chemical Dependency Programs

Private Drug/Alcohol Treatment Programs

Right Turn of North Carolina

Daily Activity Schedule

Time	Activity
6:00 AM	Wake-up/Cleanup/Personal Hygiene
7:00	Breakfast
7:50	Work Hardening
10:00	Educational Sessions
11:20	Comunity Meetings/Meditations
12:00 Noon	Lunch
1:15 PM	Group Therapy
2:30	Recroation/Individual Counseling Sessions
3:50	Work Hardening/Study Hall
4:35	Personal Hygiene
5:00	Dinner
5:35	Free Time/Study Hall
8:00	12 Step Meeting
9:15	Break
9:30	Free Time/Study Hall
10:30	Break
11:00	Lights Out

North Carolina Department of Correction

Divison of Alcoholism and Chemical Dependency Programs

SARGE (State Alliance Rehabilitation and General Education)

Daily Activity Schedule

Time	Activity
5:30 AM	Wake-up/Cleanup/Personal Hygiene
6:15	Breakfast
7:30	SARGE Meditation/School Call
7:45	Design for Living/Process Group Discussion
8:45	Group Therapy Discussion
9:30	Canteen Break
10:00	Video/Stress Management Discussion
10:30	Book Study/12 & 12
11:20	Lunch
12:20 PM	SARGE Meditation Goup Discussion
1:30	Group Therapy
2:15	Break
2:30	Video/Stress Management Group
3:00	Book Study/12 & 12
3:45	Dinner
4:15	Individual Counseling
4:45	Therapeutic Recreation/Relaxation
7:00	12 Step Meeting/Video/Stress Management

Substance Abuse

A Public Policy Challenge for North Carolina

Fiscal Research Division

March 11, 1997

dbmdlouy #8

Substance Abuse:
What is it?

- ***Alcohol Use*:**
  "Current" users defined as individuals 12 and older having used alcohol in the past month;
  -"Binge" drinking defined as 5 or more drinks on at least one occasion in the past month; and
  -"Heavy" drinking defined as 5 or more drinks on 5 or more days in the past month.

- ***Illicit Drug Use:***
  -"Current" user is defined as an individual having used an illicit drug in the month prior to the survey;
  -"Occasional" user is defined as an individual who used an illicit drug during the past year but fewer than 12 days; and
  - "Frequent" user is defined as an individual who used drugs on 51 or more days during the past year.

- ***Addiction*** is chronic & life-threatening, rooted in genetic susceptibility, social circumstances and personal behavior.

FRD
3/97

Source*: National Household Survey on Drug Abuse:*
Substance Abuse and Mental Health Services Administration (1995)

Substance Abuse:

Myths and Facts

- **Myth:** People with substance abuse problems get sent to 28-day treatment programs where they are cured.
  Fact: Treatment is provided ***in many settings*** (outpatient, & inpatient with different levels of intensity; ***in many different ways*** (short-term treatment and therapeutic communities); ***for different lengths of time {4 general phases of treatment include 1) detoxification; 2) rehabilitation; 3) continuing care; and 4) relapse prevention};***

- **Myth:** Addiction is a bad habit.
  Fact: Addiction is chronic & life-threatening, rooted in genetic susceptibility, social circumstances & personal behavior; certain drugs are highly addictive & others become addictive over longer periods of time; and

- **Myth:** Many people relapse, so treatment obviously does not work.
  Fact: Relapse is often part of the recovery process; addiction treatment can reduce the number and duration of relapses resulting in improvements in an individual's health and ability to function.

FRD
3/97

Source: The White Paper: Effectiveness of Substance Abuse Treatment, U.S. Department of Health and Human Services (February 1995)

Substance Abuse:

A National Perspective (continued)

- Estimated $3 Billion Spent Per Year in Health Costs Due to Untreated Drug Addiction (Brandeis University)

- 75% in Federal Prisons Were Substance Related Offenders (based on 1991 data);

- 69% in State Prisons Were Substance Related Offenders;

- Alcohol is Present in More Than One-Half of All Incidents of Domestic Violence *(Alcohol Health & Research World, Epidemiology of Alcohol-Related Violence, 1993)*

- Estimated 4,000 -12,000 Babies Born With Physical Signs and Intellectual Disabilities Associated With Fetal Alcohol Syndrome *(Center for Substance Abuse Prevention, SAMSHA, 1993)*

- At Least 20% of Welfare Recipients - about 1 million mothers - Have Drug and Alcohol Problems Severe Enough to Require Treatment BEFORE Benefitting From Literacy and Job Training, or Holding a Job.

FRD
3/97

Source: *Costs of Substance Abuse*: National Center on Addiction and Substance Abuse at Columbia University (1996)

Substa[illegible] Abuse:
A National Perspective (continued)

Drug Use on the Rise Again in 1995 Among American Youth:

- Continuing Increase In Illicit Drug Use Prevalence Among Youths:
  -8th Graders Taking Any Illicit Drug Doubled Since 1991 (from 11% to 21%);
  -10th Graders Taking Any Illicit Drug Rose by Two-Thirds (20% to 33%); and
  -the Number Grew by Nearly Half Among 12th Graders (27% to 39%)

- 35% of High School Seniors Used Marijuana (1 in 20 {5%} use marijuana daily)

- Heroin & Cocaine Use Began to Rise After 1991

- 1.7 Million Heavy Drinkers Were Under Age 21

- 4.5 Million (20% of youth) Current Smokers Between Ages 12-17

Perceived Risks:

In 1995, continuing a downward trend, significantly fewer students felt that there is a great risk of people harming themselves when they use marijuana, crack, or powdered cocaine. (*Monitoring the Future Study,* University of Michigan - 1995)

FRD
3/97

Source: *National Household Survey on Drug Abuse: SAMHSA* (1995)

Substance Abuse:
A North Carolina Perspective

Impact on Crime/Criminal Justice

- 34,127 Drug Related Arrests *(N.C. Department of Justice, State Bureau of Investigation, 1995)*
  -4,011 were less than 18 years old
- 2,305 Less Than 18 Years Old Arrested for DWI's & Liquor Laws
- 84,908 DWI's (1995)
- Estimated 57,000 Alcohol-Connected Violent Crimes (1992)
  -Estimated $49.2 Million Cost to Taxpaying Citizens
  -Estimated $10.2 Million in Costs for Public Programs
- 49 {known} Murders in 1995 (Involving Alcohol/Drugs)
- 26,940 Filings (32% of total filings) in Superior Court for Controlled Substances (FY95/96)
- Estimated $136.3 Million in Costs for Public Programs for Drug-Involved Violent Crime
- 19% (436) of Rapes Included Offenders Under the Influence of Alcohol or Drugs

Estimated Cost: $254.3 Million Per Year

{Of this, $146.5 Million Represents Costs to Public Programs}

(National Public Services Research Institute, 1996)

FRD
3/97

Division of MH/DD/SAS

Substance Abuse Services Section

1997-99 Program & Budget Overview

Fiscal Research Division

March 11, 1997

Substance Abuse Services Section

***Mission**: to provide leadership in the planning, development and organization of a statewide system alcohol and other drug services; to coordinate and communicate policies and strategies that educate, encourage, and respond proactively to alcohol and other drug prevention, intervention, and treatment issues.*

The Section Supports Its Mission Through:

- Institutional Services
- Community Services
- Employee Assistance Program
- DWI/Criminal Justice
- Regulatory Unit

FRD
3/97

Substance Abuse Services Section

- Institutional Services
  -Provides inpatient services through 3 Alcohol and Drug Abuse Treatment Centers.

- Community Services
  -Provides support to 41 Area Programs in the implementation of substance abuse plans; 2) coordination and development of programs to reduce HIV/AIDS; 3) provide leadership and support for the development of a comprehensive system of prevention and treatment services for children and youth; and 4) coordination of prevention efforts.

- Employee Assistance Program
  -Assists employees impaired by stress, financial problems, substance abuse or other personal concerns; provides technical assistance to Area Programs; and provides guidance for DHR's Alcohol & Drug-Free Workplace Initiative.

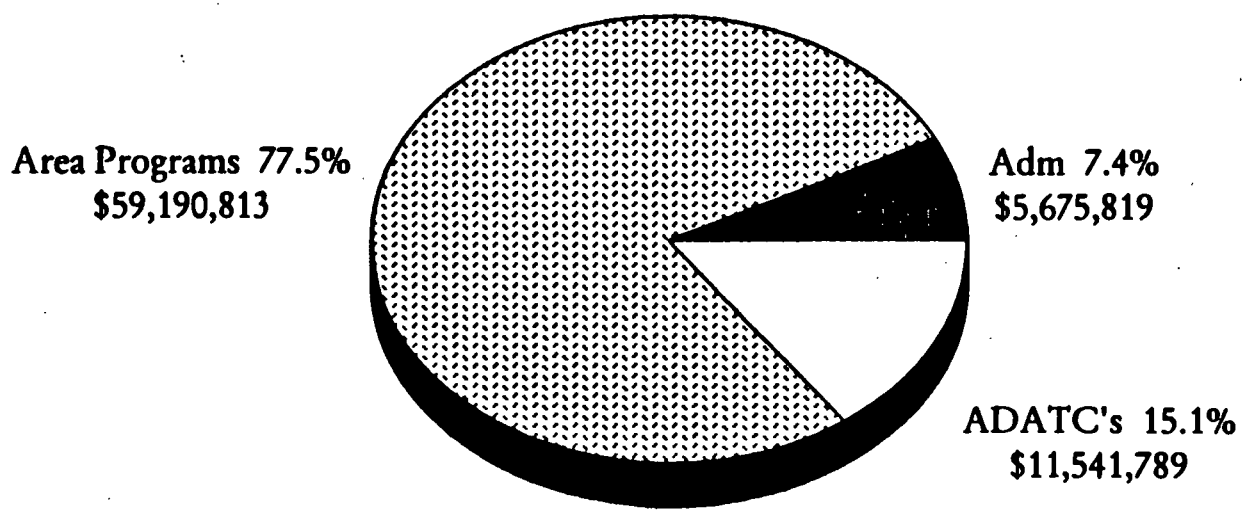
- Regulatory Unit
  -Prevention of controlled substances into illicit markets; and

- DWI/Criminal Justice
  -Provides leadership and support for services targeted at clients involved with the criminal justice system (e.g., Treatment Alternatives to Street Crime - TASC).

Substance Abuse Services Section

Budget Summary:	FY95/96 Actual	FY96/97 Authorized	FY97/98 Rec'd.	FY98/99 Rec'd.
Requirements	$77,757,876	$76,408,421	$76,659,764	$76,625,929
Revenues	$35,293,204	$34,326,558	$34,217,645	$34,218,479
Appropriations	$41,464,672	$42,081,863	$42,442,119	$42,407,450
Positions	321.9	368.2	368.2	368.2

FY1996-97 Requirements by Purpose



Total: $76,408,421

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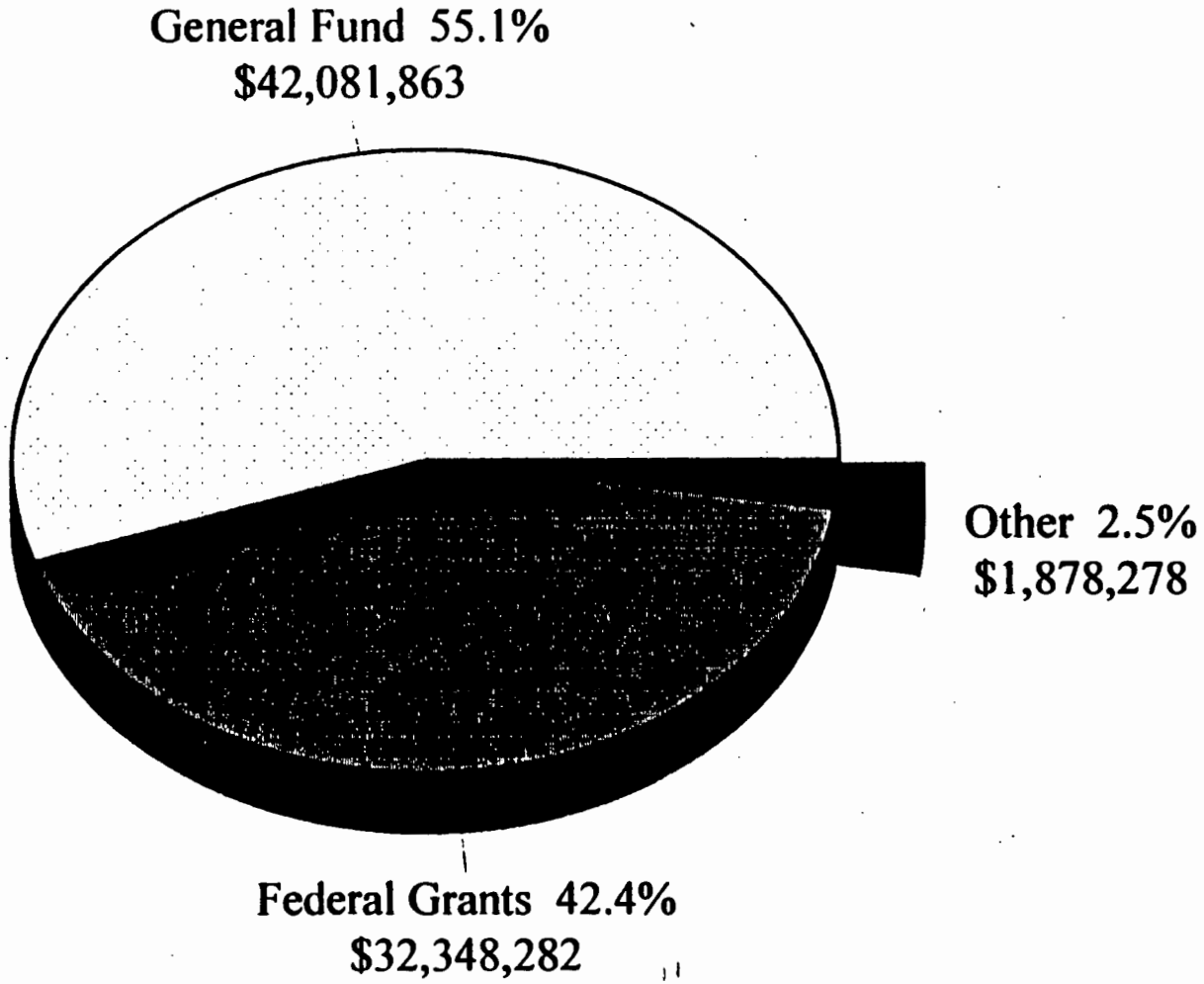
Substance Abuse Services Section

Source of Funds (FY96/97)



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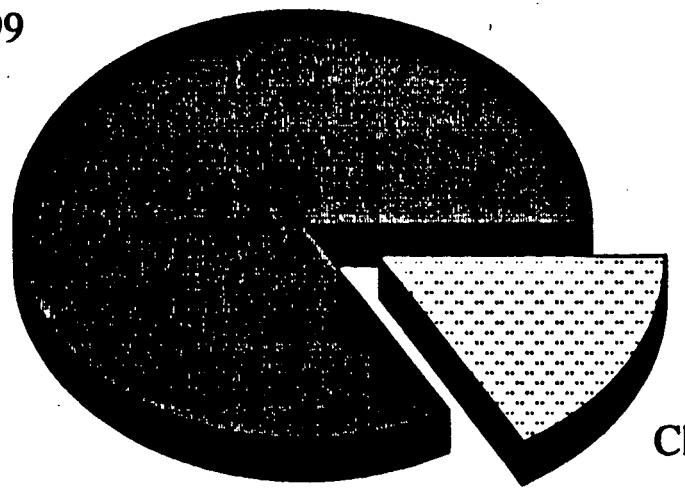
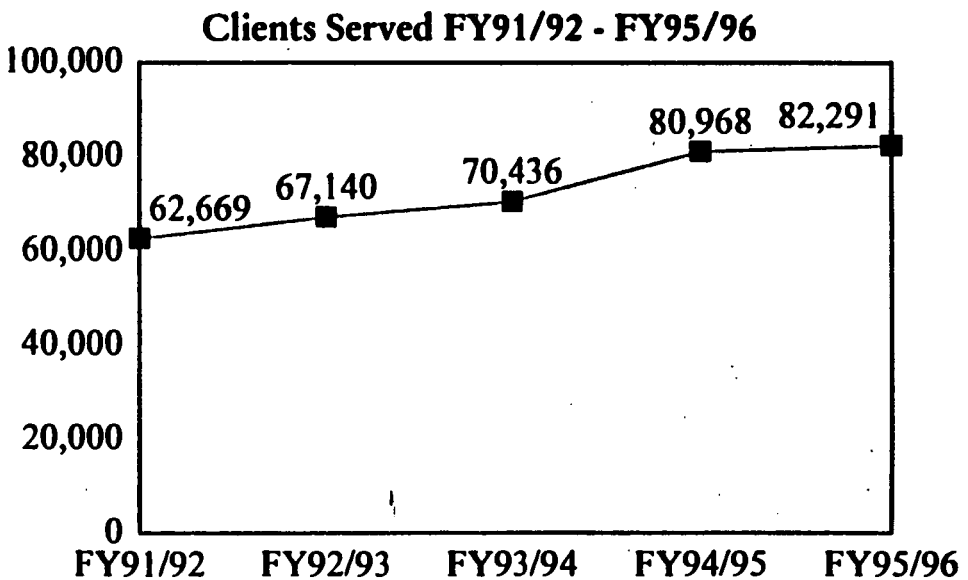
Area Program Substance Abuse Services Client Information:

Adults 68,499
83.2%



Children 13,792
16.8%

FY95/96



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SUB...ANCE ABUSE SERVICES

North Carolina's "Public" Service Delivery System:

Area Programs - provide services in the areas of assessment, screening, education, half-way house, detoxification, inpatient and residential treatment, and day activity.

Residential Services in North Carolina

Service	Total Beds Available
Non-Hospital Detoxification	124
Social Setting Detoxification	109
Half-way House	431
Residential Treatment	284
ADATC	257
TOTAL	1205

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State Alcohol & Drug Abuse Treatment Centers

Client Profile (FY95/96)

- 3,937 Persons Served
- Average Length of Stay 24.7 days
- 95.5 Voluntarily Committed
- 32% Women Served
- 48% Nonwhite Clients
- 4% Clients Were Pregnant Women
- 19.5% Treated for Alcohol Only; 19.2% Treated for Drugs Only & 60% Both
- 58% Reported Cocaine as the Drug of Choice
- 5% Were IV Drug Users

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Substance Abuse Services

Factors Impacting System Demands Across the State:

- Estimated 787,000 North Carolinians with Substance Abuse Problems
- Estimated 17,544 IV Drug Users
- Estimated 190,856 Women In Need of Services
- Projected 7,400 Infants Prenatally Exposed to Illicit Substances
- 84,908 DWI Arrests in the State in 1995
- 34,132 Drug Related Arrests
- Welfare Reform
  -estimated 20,384 TANF recipients in need of substance abuse services
  -estimated 41% of TANF recipients need comprehensive treatment

Source: National Public Services Research Institute, 1996

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Cost Effectiveness of Substance Abuse Treatment:

What Does The Research Say?

Costs & Benefits of Substance Abuse Treatment

The National Treatment Improvement Evaluation Study (NTIES)

A five-year study of the impact of drug and alcohol treatment in 5,388 clients treated in public substance abuse treatment programs funded by the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Treatment.

Among NTIES' Findings:

- Reduced Drug & Alcohol Use
- Reduced Involvement of Criminal Activity
- Improved Employment, Income, and Housing
- Improved Physical and Mental Health
- Reduced Risk for HIV/AIDS Infection

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Source: The National Opinion Research Center, University of Chicago, 1996

Costs & Benefits of Substance Abuse Treatment

CALDATA Findings

Before Treatment:

- In the year before treatment the average drug and alcohol abuser cost taxpaying citizens almost $23,000.

- 70% of the costs were crime related costs {law enforcement, adjudication and corrections}.

During Treatment:

- Treatment generally paid for itself while it was being delivered.

After Treatment:

- Costs to taxpaying citizens reduced by 35% {due primarily to a 42% drop in the costs of crime}.

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Costs & Benefits of Substance Abuse Treatment

CALDATA Findings

Conclusions:

- Regardless of the modality of care, treatment-related economic savings outweighed costs
  -by at least 4 to 1 in inpatient settings
  -by more than 10 to 1 for outpatient settings;

- 72.4% receiving treatment showed some improvement {defined as reduced costs to taxpayers};

- 66% showed reductions in costs following treatment; and

- Treatment resulted in $1.5 billion in savings to taxpayers {with an investment of $209 million}.

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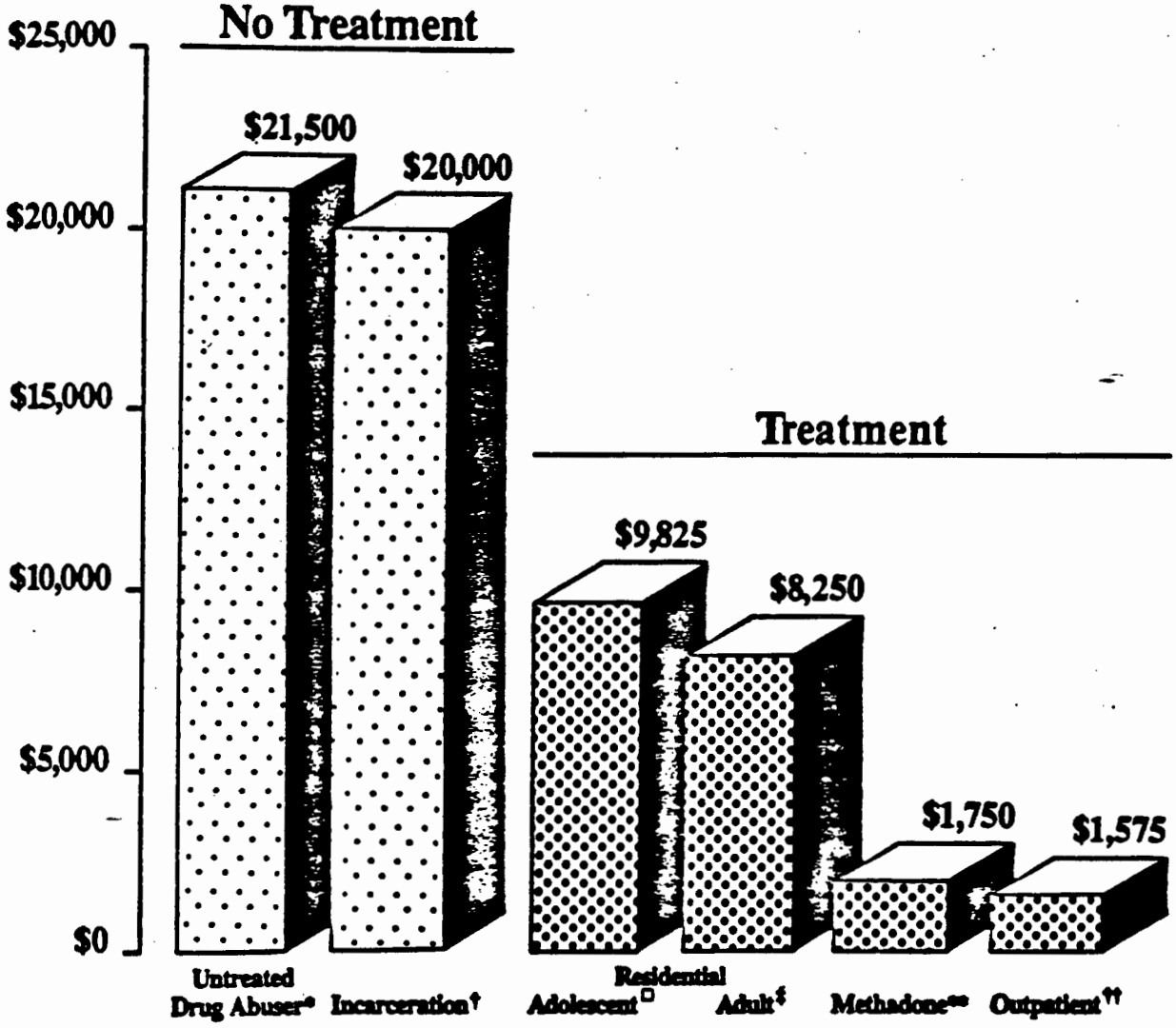
Compare The Costs.



All Costs Are For a 6-Month Period, Per Person

SOURCES:

* New York State, Division of Substance Abuse Services, 1985. Estimated social and governmental costs of an untreated drug abuser.

† G. Godshaw, R. Koppel, and R. Pascoast. "Anti-drug Law Enforcement Efforts and Their Impact." (U.S. Customs Services, Department of the Treasury, Washington, DC., August 1987).

□ William Butynski. Paper presented at Research Analysis Utilization System (RAUS) Review Meeting, (National Institute on Drug Abuse, Washington, DC., August 1989).

‡ Dean R. Gerstein and Henrick J. Harwood, eds. *Treating Drug Problems* Vol. I, (Washington, DC: National Academy Press 1990) 189. Average treatment costs for adult residential drug-free treatment range from $6,500-$30,000.

** Gerstein 188. Average outpatient methadone treatment costs range from $1,500-$2,000.

†† Gerstein 189. Average treatment costs for outpatient drug-free treatment range from $1,350-$1,800.

North Carolina Department of Health and Human Services
Division of Mental Health, Developmental Disabilities
and Substance Abuse Services
325 North Salisbury Street • Raleigh, North Carolina 27603 • Courier # 56-20-24
James B. Hunt, Jr., Governor
H. David Bruton, MD, Secretary
John F. Baggett, Ph. D., Director
(919) 733-7011

NORTH CAROLINA'S TREATMENT ALTERNATIVES TO STREET CRIME (TASC) NETWORK

- A 20 year initiative bridging the criminal justice and treatment systems through providing aggressive case management for chemically addicted offenders.
- Administrative rules promulgated by the Commission for Mental Health, Developmental Disabilities and Substance Abuse Services establish minimum standards of operation.
- All programs are established in accordance with 10 critical elements to provide structure.
- Services include client screening, urinalyses, substance abuse assessments/evaluations, Drug Education Schools, referrals to treatment, case management and community re-integration projects IMPACT Aftercare).
- Mandated use of modified clinical records insure quality client care.
- The State Substance Abuse Services Section (Single State Agency), for system coordination, requires that TASC funding proposals include a letter of support from the local Community Justice Partnership Board and Memoranda of Agreement with all referral sources and the other community agencies that work with offenders.
- TASC is one of the community corrections agencies participating in the annual evaluation conducted by the North Carolina Sentencing and Policy Advisory Commission.
- TASC has also been selected as one of programs included in the outcome study being conducted by the Division of Mental Health, Developmental Disabilities and Substance Abuse Services.
- The State Substance Abuse Services Section has selected the statewide expansion of TASC as its first priority for State Expansion Funding for FY 98-99.

ENHANCED TASC

WE WANT OFFENDERS TO CHANGE THEIR LIFESTYLE, AND TO BE ACCOUNTABLE FOR THEIR ACTIONS. WE WANT THEM TO STOP COMMITTING CRIMES, STOP USING DRUGS, FIND EMPLOYMENT, AND TAKE CARE OF THEIR SPOUSES AND CHILDREN.

WHAT WE KNOW ABOUT TREATING OFFENDERS

We know a great deal about how to help offenders overcome their addictions and become contributing members to society.

- We know that treatment works, even for serious drug offenders.

- We know that the use of incentives and sanctions in treating drug offenders seems to yield higher retention and lower relapse rates than voluntary treatment.

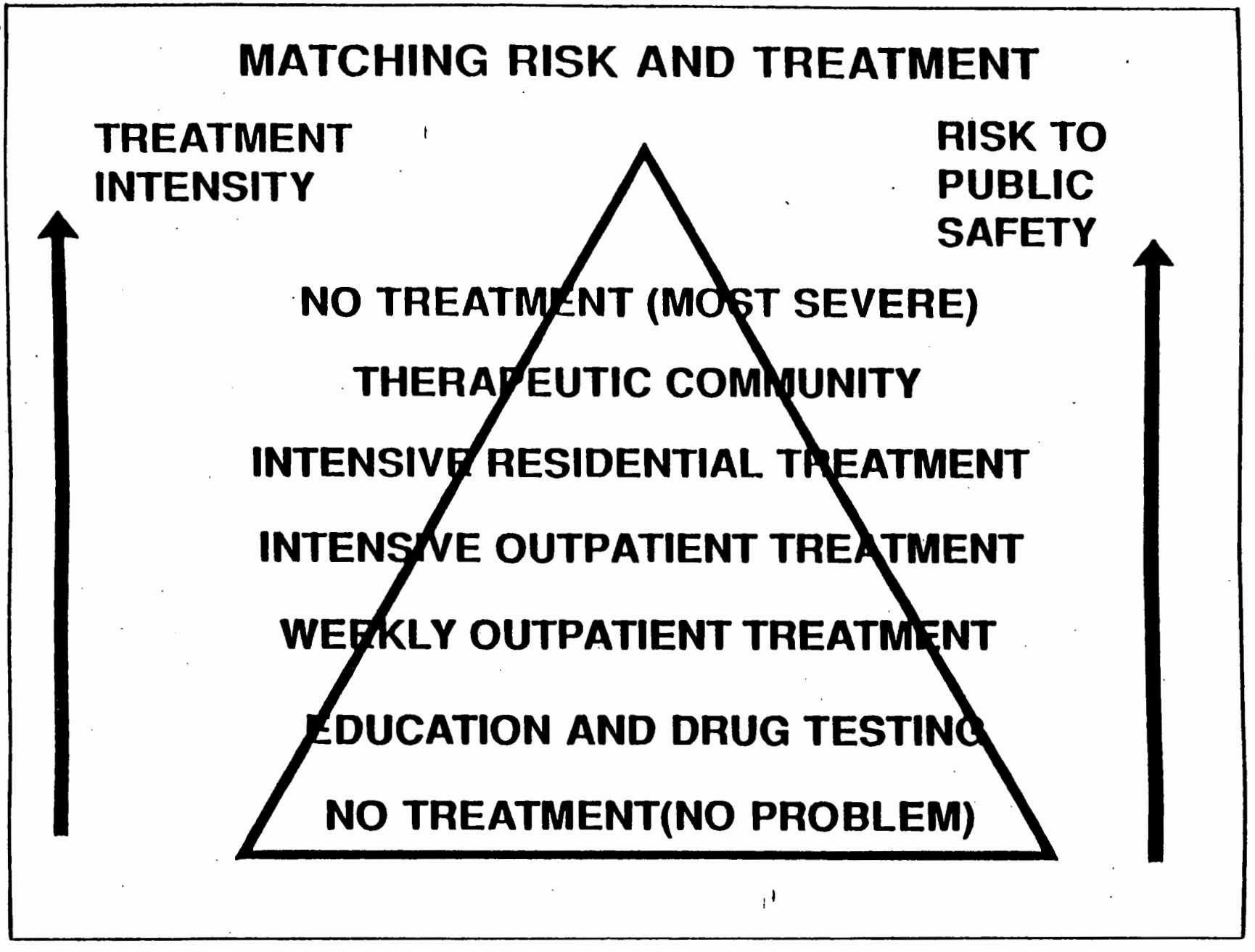
- We know that offenders need to receive continuity of care as they move through the system and into community treatment and supervision.

- We know that offenders leaving a structured, institutional setting endure great stress — often with limited coping skills — and have a critical need to learn how to prevent relapse.

- We know that a comprehensive approach is needed — that many drug-abusing offenders lack adequate education, job skills, medical care, family support, or even a home as a backdrop for remaining sober or drug free.

MATCHING OFFENDERS TO SUBSTANCE ABUSE TREATMENT CRITERIA

- **RISK TO PUBLIC SAFETY**
  Recidivism/Revocation
- **SEVERITY OF TREATMENT NEED**
  Standardized Instrument
- **RESPONSIVITY TO TYPE OF TREATMENT**
  Appropriate versus Available Service


MATCHING RISK AND TREATMENT
TREATMENT INTENSITY
RISK TO PUBLIC SAFETY
NO TREATMENT (MOST SEVERE)
THERAPEUTIC COMMUNITY
INTENSIVE RESIDENTIAL TREATMENT
INTENSIVE OUTPATIENT TREATMENT
WEEKLY OUTPATIENT TREATMENT
EDUCATION AND DRUG TESTING
NO TREATMENT(NO PROBLEM)

TASC/DES
FY 96-97

	TASC	DES
Alamance/Caswell	545	52
Albemarle	75	0
Blue Ridge	662	12
Coastal Horizons	692	274
Cumberland	2,587	200
Southlight	224	1525
Durham	455	230
Edgecombe/Nash	192	57
Guilford	544	209
Mcleod Ctr.	2,143	447
Pitt	303	65
Step One	1242	183
VGFW	325	35
Onslow	93	0
Randolph	81	0
Gaston/Lincoln	119	11
Tideland	81	0
Rockingham	99	47
Trend	58	0
OPC/Chatham	35	0
OPC/Orange	74	
OPC/Person	34	
Neuse	184	0
Duplin-Sampson	5	0
Piedmont	38	0
TOTAL	10,890	3,347

* # REPORTED BY PROGRAMS - DECEMBER 1997

DRUG EDUCATION SCHOOL (DES)

Purpose

In 1981 the General Assembly mandated a statewide system of Drug Education Schools (DES) to target social/recreational possessors of marijuana. The purpose of Drug Education School is early intervention in the pattern of drug use by first offenders charged with certain drug possession offenses.

Eligible Population

Drug Education School is a community punishment. Participation in Drug Education School is authorized by statute for offenders convicted of misdemeanor possession of marijuana, possession of drug paraphernalia, or inhaling or possession toxic vapors. To be eligible, the offender also must no have a previous conviction for any offense under any state or federal law involving controlled substances or drug paraphernalia or toxic vapors. Offenders must complete the course within 150 days of conviction.

Organizational Structure and Budget

Drug Education Schools are administered by the Division of Mental Health, Developmental Disabilities and Substance Abuse Services in the Department of Health and Human Services. Each of the forty-one area mental health programs in the state must either provide or contract for the provision of Drug Education Schools. A fifteen hour standard curriculum is provided in each are program. Staff who provide the DES curriculum have other primary job responsibilities and teaching this course in ancillary. Drug Education Schools are self-supporting through a $150 per case program fee.

Supervision Provided

Offenders ordered to participate in DES are given "probation without conviction." With the defendant's conse4nt, the sentencing judge,. without entering judgment, may defer further proceedings and place the defendant on probation under certain terms including participation in a Drug Education School. This is not probation in the ordinary sense because it does not involve conviction; however, it is subject to laws that apply to ordinary probation. The judge may impose other conditions of probation. If the offender violates a condition of his probation, the court may enter an adjudication of guilt and proceed to sentence the defendant. and dismiss the proceedings against him.

The DES curriculum is a standardized fifteen hour course which is taught in two and one-half hour segments. The curriculum is based on an effective education model which covers topics such as legal, social, and financial implication of substance abuse, pharmacology and physiology of drugs, and life skills (peer pressure communication, decision-making). Typically, offenders who are ordered to participate in DES are twenty-five year old white males, who have been charged with Schedule VI (Marijuana) Controlled Substance viloations, and with drug paraphernalia violations. Some of the offenders in DES are in deferred prosecution status and thus the DES program is responsible for managing the case and reporting violations to the court. In cases of supervised probation and participation in DES, staff report the offender's progress to the probation officer who is responsible for handling violations.

Statutory Authority

G.S. 90-96 and - 96.01.

TASC/CJ FUNDS
FY 97-98

FUNDING SOURCE:

FEDERAL BLOCK GRANT

TASC	$847,104
Jail Demonstration Projects	$230,000
Community Corrections Programs	$600,000
TOTAL	**1,677,104**

STATE ALLOCATIONS

E-TASC	$1,812,507
TASC	468,227
TOTAL	**2,280,734**

GRAND TOTAL	**$3,957,838**

TREATMENT ALTERNATIVES TO STREET CRIME (TASC)

BACKGROUND

A 1962 landmark Supreme County decision, Robinson vs. California, stipulate that chemical addiction is an illness and not a crime, therefore the state may force an addict to submit to treatment and may subsequently impose criminal sanctions for failure to comply with that treatment program.

By the early 1970 Law Enforcement Assistance Administration (LEAA) and the National Institute of Drug Abuse (NIDA) began developing the concept of linking treatment and the judicial process for the specific purpose of interrupting the relationship between addictive behavior and criminal activities. The result was a Federal initiative named Treatment Alternatives to Street Crime (TASC). In 1978, three (3) North Carolina cities (Charlotte, Raleigh and Greensboro) received funding under this initiative to begin providing TASC in North Carolina. During the past 20 years TASC has proven to be successful in managing the offender in the community. While Probation and Parole supervision provided the original core of community based correction, TASC has functioned as an intricate link to the community correction continuum. The North Carolina TASC Network provides an objective and effective bridge between two separate institutions: the justice system and the treatment community.

In 1993, ratification of House Bill 277 titled "Structured Sentencing Act" included a request for community corrections resources in addition to programs operated by the Department of Correction. 1.8 million dollars to enhance and expand TASC marked the first major expansion since 1978. Comprehensive treatment and effective case management help stabilize the offender's drug taking behavior and curb crime. An annual evaluation of Community Corrections Agencies has revealed that offenders charged with felony drug charges have the highest recidivism; however, persons completing TASC have 40% less arrests.

ENHANCED TASC FUNDING PROPOSAL

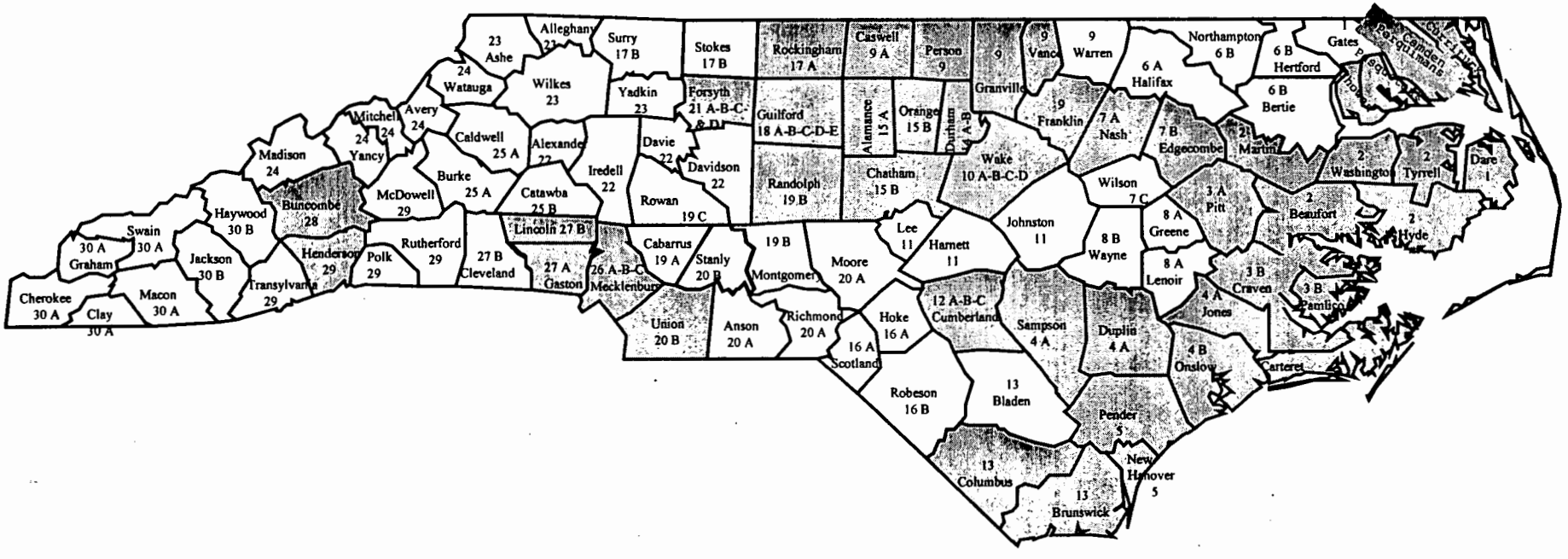
Currently 22 judicial districts are unserved, two are partially served and two 4-A and 3-B developed a TASC program in advance of State funding.

The funding needs to develop and maintain a statewide TASC Network is as follows:

22 New Programs	2,200,000
5 Programs enhanced	300,000
2 convert to State Funding	200,000
TOTAL:	2,700,000

NORTH CAROLINA
TREATMENT ALTERNATIVES TO STREET CRIME (TASC) SITES

Shaded areas represent Judicial Districts served by TASC Programs



Handout # 9

North Carolina Has Responded by:

1. Creating Various Substance Abuse Offices/Commissions/Programs

- Commission on Substance Abuse Treatment and Prevention
- Governor's Office of Substance Abuse Policy
- Department of Human Resources - Division of Mental Health - Substance Abuse Services Section
- Department of Corrections - Division of Alcoholism and Chemical Dependency Programs
- Department of Crime Control & Public Safety - Drug Task Forces
- Administrative Office of the Courts - Drug Treatment Courts
- Department of Environment, Health & Natural Resources - Perinatal Services

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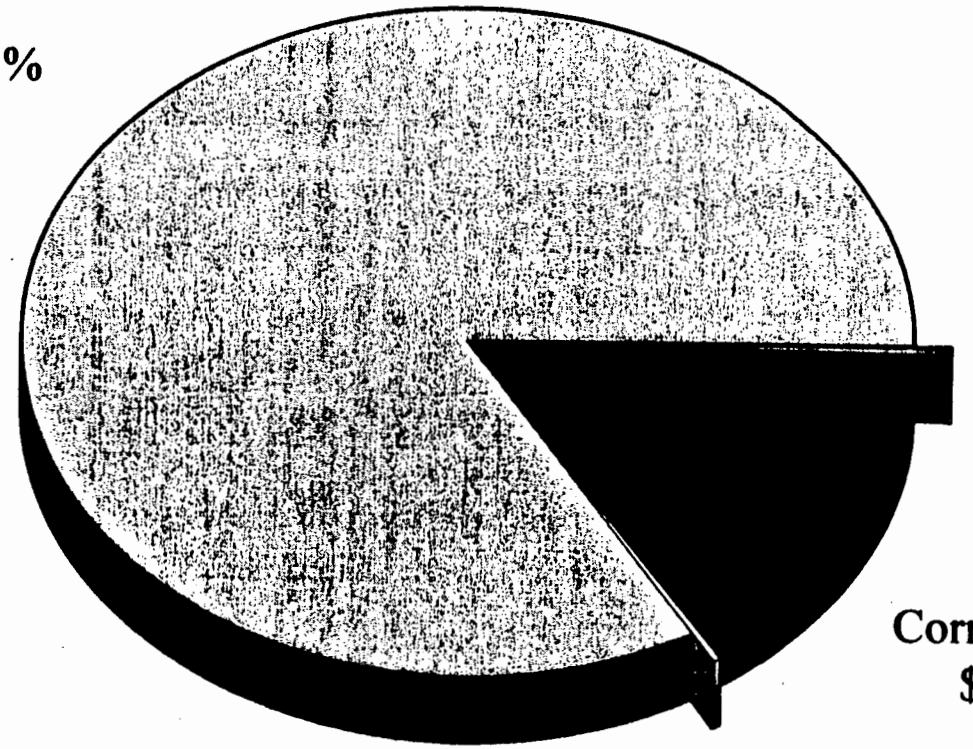
3/97

Handout #10

North Carolina has Responded by:

2. *Appropriating & Allocating Resources*



FY96/97 Total: $124,676,913

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3/97

State of North Carolina

JAMES B. HUNT JR.
GOVERNOR

EXECUTIVE ORDER NO. 115
SINGLE STATE AGENCY TO SET STANDARDS
AND MODELS OF CARE FOR ALCOHOL AND DRUG PREVENTION
AND TREATMENT SERVICES

WHEREAS, alcohol and other drugs negatively impact many individuals, families and communities, with severe social consequences, and economic costs to the citizens of North Carolina estimated at approximately five billion dollars; and

WHEREAS, recent scientific research has demonstrated that alcohol and other drug problems are preventable and treatable, and has led to the development of a scientific basis for standards and models of care; and

WHEREAS, the citizens of the state will benefit from designation of a Single State Agency to establish standards and models of care for programs and agencies within the purview of the North Carolina Department of Human Resources;

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of North Carolina, IT IS ORDERED:

Section 1. Establishment.

The Substance Abuse Section of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services is hereby designated as the Single State Agency within the Department of Human Resources to establish, promulgate and implement state-of-the-art standards and models of care for alcohol and other drug prevention and treatment services.

Section 2. Scope.

The standards and models of care established by the Single State Agency shall include, but not be limited to: screening and assessment, patient placement, continuum of

care, professional education, training, credentialing and staffing. The Single State Agency shall place emphasis on standards and models of care for special population groups. The Single State Agency shall develop, with the Department of Correction, an integrated continuum of care before and after incarceration.

Section 3. Implementation.

The Single State Agency shall have the responsibility to implement standards and models of care for alcohol and other drug prevention and treatment in the public mental health, developmental disabilities, and substance abuse services system, including area programs and contract agencies, working cooperatively with agencies within the Department of Human Resources. It shall have the specific responsibility of recommending revisions or additions to statutes and administrative rules through the Director of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services to the Secretary of the Department of Human Resources and the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services.

Section 4. Training, Evaluation and Monitoring.

The Single State Agency shall ensure training in standards and models of prevention and treatment in the public mental health, developmental disabilities, and substance abuse services system, including area programs, public and private contract agencies, and state institutions under the supervision of the Department of Human Resources. It shall be responsible for identifying and maximizing training and technical resources available from state and federal agencies. The Single State Agency shall evaluate and monitor compliance with these standards and models of care in the system through program performance and client outcomes.

Section 5. Interagency Council.

There is hereby created in the Department of Human Resources an Interagency Council on Substance Abuse Prevention and Treatment. The purpose of the Interagency Council is to promote an integrated coordinated effort on development of standards and models of care, to advise the Single State Agency on its activities, and to make recommendations to the Secretary of the Department of Human Resources on measures to

enhance substance abuse prevention and treatment. Membership shall include representatives of the Departments of Correction, Crime Control and Public Safety, Public Instruction, the Divisions of Motor Vehicles, Public Health, Youth Services, the Governor's Commission on Substance Abuse Treatment and Prevention, and the Administrative Office of the Courts. Membership shall also include members of the North Carolina Substance Abuse Federation to represent advocacy and professional organizations. The Governor shall appoint the members of the Interagency Council after consultation with the various agency heads, the Chief of the Single State Agency, and the Secretary of the Department of Human Resources. The Interagency Council shall be chaired by the Chief of the Single State Agency or the Chief's designee. The Interagency Council shall meet at least quarterly or upon the call of the Chair.

Section 6. Reporting.

The Chief of the Single State Agency shall prepare an annual report of the work of the Single State Agency, and, after review by the Director of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, shall forward the report to the Governor through the Secretary of the Department of Human Resources.

This Order is effective immediately and shall remain in effect until rescinded.

Done in the Capital City of Raleigh, North Carolina, this the 3rd day of July, 1997.

James B. Hunt Jr.
Governor

ATTEST:

Elaine F. Marshall
Secretary of State

Single State Agency for Alcohol and Other Drugs. What is it Any Way?

North Carolina has an historic opportunity to develop a strategic plan for services into the new millennium. Governor James B. Hunt recognizing the seriousness of the alcohol and drug problem experienced by many of North Carolina families has directed the Substance Abuse Services section to strengthen the prevention and treatment system. The Governor's Executive Order Number 115 - Single State Agency to Set Standards and Models of Care for Alcohol and Drug Prevention and Treatment Services, gives broad authority to the Division of MH/DD/SAS to develop an effective system of care for the state and its citizens and provides for accountability within that system through a program planning and evaluation. The Substance Abuse Services Section will work with the Governor, the Governor's Commission of Alcohol and Drug Abuse Treatment and Prevention, David Bruton, M.D., Secretary of the Department of Health and Human Services, and John Baggett, Ph.D., Director of the Division of Mental Health, Developmental Disabilities and Substance Abuse Services and all of the stakeholders to preserve what is good in the current system and to improve upon those elements of the system that need enhancement.

The federal government has used the term Single State Agency as a designation for the management of certain federal appropriations. The Substance Abuse Services Section serves as the Single State Agency for the Substance Abuse Prevention and Treatment Block Grant. In this case, the Center for Substance Abuse Treatment (CSAT) and the Center for Substance Abuse Prevention (CSAP) requires that the Single State Agency function as the following:

- funder
- trainer
- planner
- advocate
- regulator
- quality assurancer
- professional developer
- system manager
- information manager
- fiscal manager

The environment in which prevention and treatment services are planned, implemented and financed is undergoing dramatic change. The principles and practices of managed behavioral health care are influencing the publicly funded alcohol and other drug treatment delivery system. The traditional role of the Single State Agency has been described above, but there are emerging tasks such as:

- QA/utilization review
- licensure
- accreditation
- network management

- resource development
- monitoring
- performance standards
- service research

The new Executive Order will now permit the state to focus its efforts to further define and clarify its role in the provision of public managed alcohol and other drug treatment and prevention. Utilizing the strength of the alcohol and other drug provider community and our partners in other agencies and disciplines, we will begin the strategic system development process. The service system configuration will necessarily consider for the following principles and issues.

Principles:

1. The service delivery system will be client and family centered.

2. The service delivery system will address the needs of both children and adults.

3. The service delivery continuum will include prevention, treatment and recovery care.

4. The delivery system will embrace an approach to treatment and prevention which includes trained professionals from a variety of disciplines and will honor the recovering professional as an integral part of the treatment team.

5. The service system will be fundamentally based on the science of addiction and prevention.

6. The service system will invite rigorous evaluation of its performance.

The Single State Agency will:

- Assist the public prevention and treatment systems transition to managed addiction care under the Carolina Alternatives Program.

- Encourage the development of contracts for managed care that promote access to care, limit costly and/or unnecessary care, encourage the use of lower cost preventive services and hold the providers accountable for achieving specified outcomes of care.

- Develop a core set of performance measures, data reporting standards, quality improvement, and performance monitoring.

- Require that service networks include private providers of alcohol and other drug treatment.

- Ensure that providers of residential treatment halfway houses and other supported housing are included in service networks.

- Provide clinical leadership to ensure appropriate prevention and treatment protocols are utilized and that the delivery system is prepared to respond to emerging problems such as the increasing use of heroin, the increasing number of persons driving while intoxicated, the increasing use of drugs by children, addiction problems of women on welfare or those with dual disorders.

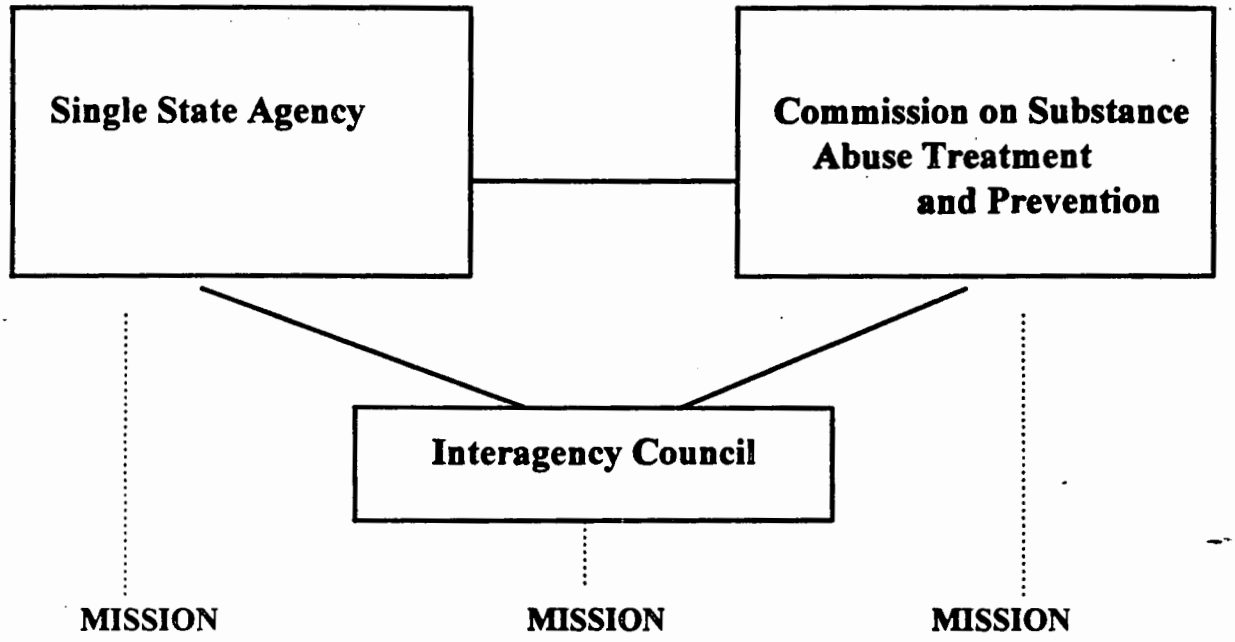
- Enhance North Carolina's productivity through the comprehensive delivery of Employee Assistance Programs in the workplace.

- Continue to work collaboratively with the courts and correction systems to improve public safety through the provision of accountable prevention and treatment services to offenders.

- Strengthen existing networks and establish new agreements with other providers agencies and departments to ensure comprehensive cost effective systems and services.

The design of a system that responds to the needs of consumers and their families and ensures recovery is an important challenge. This same system must also nurture and support the people who work to provide the care. The Single State Agency can facilitate the process of defining such a system but it will only occur if each interested person participates. The Substance Abuse Services Section is ready to work with the alcohol and drug prevention and treatment community to "continue the work."

DEVELOPING A SYSTEM OF ACCOUNTABILITY FOR SUBSTANCE ABUSE SERVICES



To define/ set substance abuse policy and implement state-of-the-art clinical practice standards for institutional and community-based prevention and treatment programs.

To advise the SSA on its activities, and promote an integrated, coordinated effort on measures to deliver substance abuse prevention and treatment services.

Develop policy recommendations that focus on improving service delivery, quality and communication to address prevention and treatment of substance abuse and addiction.

Key Targeted Areas

- Client outcomes
- Formation of interagency council
- DHR intra-agency coordination
- Start to develop clinical pathways/protocol
- Promote interagency coordination and collaboration
- Develop integrated plans for evaluation of program effectiveness
- Monitor development and implementation of standards and models of care
- Educate key state leaders and the public in promoting substance prevention,and addiction as health care issues;
- Mobilize education and advocacy efforts among agencies, both public and private.

Handout #11

PRISONS FOR PROFIT

A prison run by USCC in Diboll, Texas.

Meet the company cashing in on North Carolina crime

BY ERIC BATES

Lt. Donald Beal had just left the new federal jail at Miramar Naval Air Station in San Diego and was headed home when "all hell broke loose."

"I wasn't gone five minutes when I got paged," recalls Beal, who supervised the transportation of undocumented immigrants detained at the jail. "By the time I got back, all you could see was black smoke. There were people everywhere, lying on the ground."

Inside, prisoners had set fire to mattresses and plastic chairs. As flames and toxic fumes filled the former brig, guards responded by locking inmates in their cells and searching frantically for handcuffs and gas masks. When the smoke cleared, dozens of prisoners who had taken no part in the riot were seriously injured. Taxpayers were socked with a $2 million bill for medical expenses, and prison officials were left to explain how things got so out of hand at a facility that had been open for only 16 days.

But in this case, prison officials did not work for the government. They were employees of U.S. Corrections Corp., a private company awarded $11 million to operate the jail. According to San Diego council members and attorneys representing inmates, USCC tried to boost its profits by hiring few guards and providing them with little training. The firm also ignored warnings that prisoners were angry over rules denying them T-shirts and requiring them to buy necessities like razors and toothpaste from the company.

"It was kind of stupid," says Beal. "Giving prisoners T-shirts wasn't in the contract—and when you're dealing with private companies, the bottom line is everything."

Now USCC is preparing to bring that bottom-line mentality to North Carolina. Four months after the 1996 riot in San Diego, the state Department of Correction awarded the company $100 million to build and operate two medium-security prisons—one on the Tennessee border and the other on the coast. USCC broke ground in November, and the company hopes to begin profiting from the incarceration of 1,000 prisoners next summer.

Officials call the facilities "pilot projects" designed to test whether private companies can build and run prisons cheaper than the state. Republican legislators pushing to privatize prisons argue that USCC will be free of bureaucratic red tape, enabling them to slash labor costs and eliminate waste. Unfettered American capitalism will produce a better fetter, they insist, saving the state millions of dollars each year.

"It looks to me like it's the best of all possible worlds," says state Rep. Larry Justus, who co-chaired the Joint Legislative Correction Oversight Committee. "If it works, like we certainly think it will and hope it will, I'd like to see a substantial number of our prisons operating in this manner. Simply because it's a cost-saver."

But the track record of private prisons raises questions about who pockets the savings—and who pays the price. In Kentucky, where USCC has its headquarters, scores of inmates have escaped from company prisons, including one where the fence was still under construction. Inspectors at a USCC prison in Florida found dozens of unqualified, underpaid guards and hundreds of idle inmates. A founder of the company is serving time for bribing a public official to get a contract; a former senior vice president has been indicted on charges he defrauded the state of Arkansas on prison purchases. And earlier this year, Georgia barred the company from doing business with the state for two years after USCC won a contract by underestimating its annual expenses by $5.3 million.

"From the bid amount that was made by USCC, there was no way they would be able to provide adequate staffing and place the safety of the community first," says Tyrone Freeman, executive director of the Georgia State Employees Union. "The public builds prisons to protect the community, but private companies build prisons because they want to put money in the pockets of their shareholders. In the long haul, it's not going to save one dime for North Carolina."

"They're crooked as a dog's hind leg."

The drive to privatize prisons began during the early 1980s. Like other states, North Carolina was packing prisons to the bursting point—warehousing as many as 17,700 inmates in facilities built for 13,200. With their promise of big savings, private prisons seemed to offer a solution.

In 1985 Correction Secretary Aaron Johnson toured a Texas detention center run by a private company. He liked what he saw. "I found the facility to be clean, efficiently operated and, according to the federal officials located there, a very cost-efficient program for the government," he announced.

Inspectors from the British Prison Officers Association who visited the same prison came away with a very different impression. They found inmates confined to warehouse-like dormitories 23 hours a day. The private facility, they concluded, demonstrated "possibly the worst conditions we have ever witnessed in terms of inmate care and supervision."

But GOP leaders in North Carolina ignored the warning signs. In just one weekend, the administration of Gov. Jim Martin put together a proposal to allow private companies to build and run three prisons in the state. Democrats in the legislature blocked the measure, saying private prisons were just too new to take the risk. Spurred by a federal court order to ease overcrowding, the state instead capped the number of inmates while embarking on a massive program to build more prisons.

Unfortunately, supply had a hard time keeping up with demand. North Carolina ranks third in the nation for its recent growth in the number of citizens behind bars, which now stands at nearly 31,000. For years, North Carolina also led the nation in shipping prisoners to out-of-state facilities—including a Texas lockup run by the same private firm recently caught on videotape brutalizing inmates from Missouri (see "Stunning Shipments," below).

Last month, the state brought home the final group of prisoners being held outside its borders. But the four-year program gave North Carolina an idea: Instead of exporting inmates to private prisons, why not import the private prisons?

"It prompted a lot of discussion," says Lynn Phillips, assistant secretary for construction with the state correction department. "People thought, 'Well, golly, maybe it will work in this state.' We want to reduce the size of government and look to the private sector to do more. The private companies we've talked to all say they can do it cheaper and better than government."

After receiving bids from eight companies, the state awarded the contract for its first two private prisons to U.S. Corrections Corp. USCC is building one facility near Spruce Pine on the border between Avery and Mitchell counties, and the other near Bayboro in Pamlico County. The state will lease the prisons from USCC, with an option to buy them after six years.

The company was founded in 1983 by two Louisville developers who wanted to turn an abandonded hospital into upscale apartments and offices. Then they got a more lucrative idea. "It was one of those things you sit bolt upright in bed thinking about—that it could be converted into a prison," recalls Milton Thompson, now chairman of the board.

Today USCC oversees 5 percent of the 77,500 prisoners currently guarded by American corporations. The company ranks third in the industry, far behind two giant firms that control a combined 77 percent of the prison "market." USCC won the North Carolina contract by offering to build and run the two prisons for a daily rate of $50 per prisoner, significantly less than its competitors and well below the state average of $67.50 for medium-security prisons.

It was a good deal for the company. "At the time of the bid, North Carolina was the prize of the year," says Raoul Cunningham, a company spokesman. "To have won both facilities made it a real plum."

Unfortunately for taxpayers, private prisons have not demonstrated that they actually save much money. The U.S. General Accounting Office recently examined the few available reports comparing costs at private and public prisons. Its conclusion: "These studies do not offer substantial evidence that savings have occurred." The most reliable study cited by the GAO found that a private prison in Tennessee cost only 1 percent less to operate than two comparable state-run prisons.

For one thing, the bill for pri- ▶

STUNNING SHIPMENTS

Although the first private prisons in North Carolina are under construction, the state already has plenty of experience with for-profit corrections. And some of it suggests that turning inmates over to private prisons might not be such a good idea.

To ease overcrowding at home, prison officials began a well-publicized program to send "shipments" of inmates to out-of-state prisons in 1993. What the N.C. Department of Correction hasn't revealed was that it almost dispatched hundreds of prisoners to a Texas facility where private guards brutally assaulted inmates.

In 1996, the state considered sending prisoners to the Brazoria County Detention Center in Texas—a facility that attracted the national spotlight last year when a videotape revealed guards employed by a private company kicking inmates from Missouri, coaxing dogs to bite them and shocking them with stun guns. The company that ran the prison, Capital Correctional Resources, signed a contract with Missouri only after a deal with North Carolina fell through.

"We actually went down there and visited the site as a potential place to send prisoners," says Danny Thompson, who monitored out-of-state prisons for North Carolina. "We were in the phase of negotiating with Brazoria over what we would expect them to do if we went with them." At the last minute, however, the state opened several new prisons in North Carolina, eliminating the need for more out-of-state housing.

Thompson acknowledges that placing inmates in the facility would have been a disaster. "Had we proceeded with the contract, I'm afraid we would have been all over the national news," he says. "We would have had a whole lot of people from North Carolina spending time in Texas trying to figure out what went on."

At the same time prisoners from Missouri were being brutalized at Brazoria, North Carolina was housing inmates at another prison in Texas run by the same company. Prisoners angry over substandard conditions at the Limestone County Detention Facility in Groesbeck rioted twice in 1996—once in what Thompson calls "a major insurrection." After visiting the prison, Thompson recommended "that it might be in our best interests to pull out." That October, North Carolina began withdrawing its inmates.

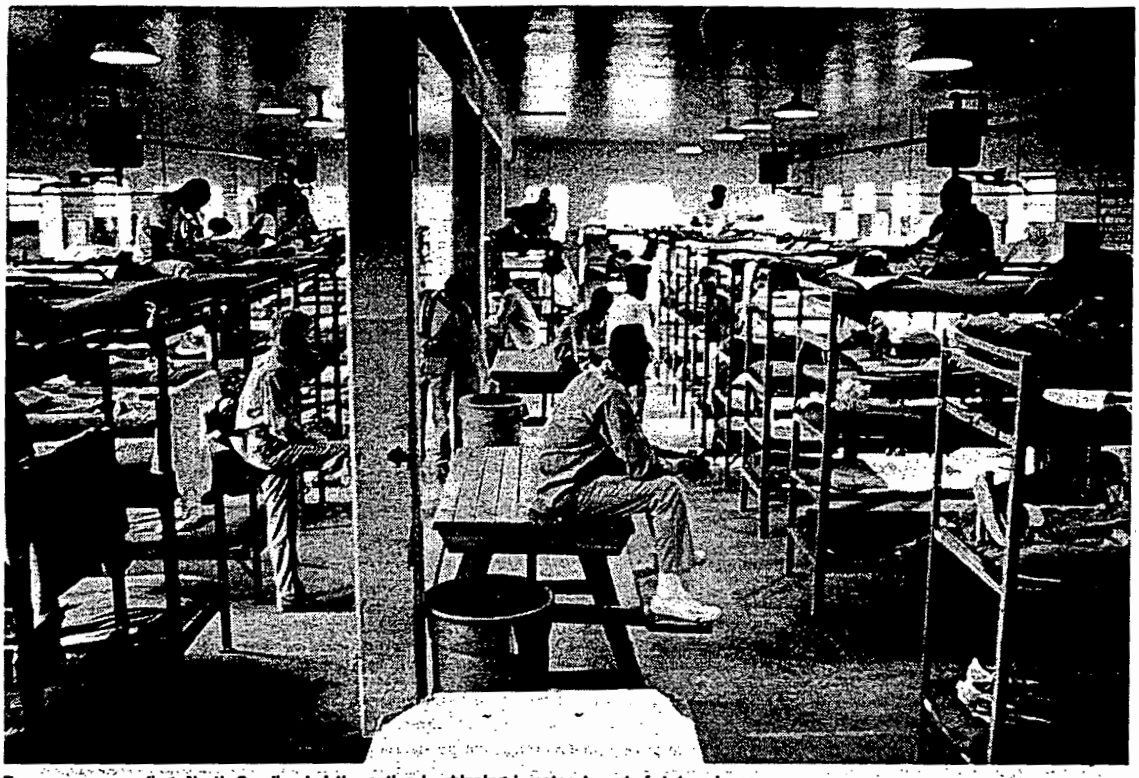
The Limestone facility wasn't the only private prison where North Carolina inmates rioted. In 1995, prisoners at the West Tennessee Detention Facility in Mason ripped up commodes and tore out sinks, causing $30,000 in property damage. Corrections Corp. of America, the firm that runs the prison, ranks among the top five performing companies on the New York Stock Exchange over the last three years. CCA shares have soared from $50 million in 1986 to more than $3.8 billion last October.

The last out-of-state prisoners returned home from the CCA prison Dec. 12. But North Carolina is in no hurry to return the favor by housing prisoners from other states. The state passed a law last year forbidding any private prison from importing inmates to North Carolina until officials can establish standards.

The ban was prompted by a proposal by none other than CCA, which wanted to open a private prison in Warren County and import inmates from Washington, D.C. Residents rallied to oppose the prison, comparing it to a toxic waste dump that was located in the heavily black county. Faced with an organized community, CCA withdrew its proposal at a meeting of the county commissioners in July as local residents cheered and shouted, "Power to the people!"

vate prisons often contains hidden costs. North Carolina officials plan to spend $40,000 a year monitoring USCC to make sure they abide by the contract—an expense not included in the company rates. "That will be our cost," says Phillips. "I know the legislature is going to ignore those costs when I put them out there—but they are costs."

The low rates offered by USCC also fail to include costs that will be passed on to the public if prisoners escape. "If there is a prison break, the private people do not have the manpower to go after those escapees," says state Sen. Frank Ballance. "They're going to call on the public police force. The public will pay the bill, but the private owners will pocket the profit that comes from operating that facility."



To ease overcrowding, North Carolina led the nation in shipping inmates to out-of-state prisons. PHOTO BY JENNY LABALME

U.S. Corrections has had its share of escapes over the years. In 1993, Michael Allen Kruse "broke out" of the Lee Adjustment Center, a minimum-security prison the company operated in Beattyville, Ky. The facility had no fence. Before he was apprehended, Kruse shot and killed a 51-year-old jeweler named Bill Goins.

During a seven-week period the following year, eight prisoners escaped from the Otter Creek Correctional Center in Wheelwright, Ky. USCC was still constructing a 19-foot chain-link fence surrounding the facility when the escapes occurred. "When you've got inmates and they watch a fence being constructed for months, it's going to give them a tendency to, shall we say, travel before the thing is complete," Sheriff Hunt Thompson told reporters at the time.

That same year, Michael Lemon walked away from the River City Corrections Center in Louisville, where he was being held on a misdemeanor charge. A judge later overturned his conviction for escape, noting that the private jail had no legal authority to detain him. All he had done, in essence, was flee a private corporation—no more a crime in the eyes of the law than an employee who skips work to go fishing.

With private prisons, the threat to public safety is often built into the facilities from the start. "It's easier for private firms to innovate," says Russell Boraas, who oversees private prisons in Virginia. As he inspects a medium-security facility being built by a private company just across the North Carolina line in Lawrenceville, Boraas notes that the prison has no guard towers—an "innovation" that saves the firm $2.5 million in construction costs and eliminates 25 full-time positions.

"Think about it," Boraas says. "A state corrections director who eliminates guard towers will lose his job if a prisoner escapes and molests a little old lady. The president of the company won't lose his job, as long as he's making a profit."

As in most industries, the quickest way to make a profit is by cutting personnel. Labor accounts for roughly 70 percent of all prison and state officials are enthusiastic getting more from fewer employees. "The number of personnel is less with private firms than it is with the state," says Rep. George Holmes, who sat on the panel that selected USCC. "That's a big savings if you can cut down on the number of people."

In North Carolina, USCC will staff each prison with 162 employees—nearly a third below the level at state-run lockups. The company also offers lower starting salaries and fewer benefits than the state.

"The benefits were terrible," says Joel Lucero, who worked as a nurse at the USCC prison in San Diego. "It would have been cheaper for us to go out and buy medical insurance ourselves. We complained about it, but the company didn't seem to care."

Another way to save money on personnel is to leave positions unfilled when they come open. In Kentucky, an investigation of USCC found that the firm had failed to hire a counselor at one prison for 17 months.

All businesses try to cut corners, of course—but when the business is prisons, downsizing can be dangerous. Some North Carolina officials worry that understaffing and low pay will lead to unrest and violence.

"I'm not too damn sure that's a smart thing to be doing," says Sen. Hugh Webster, a Republican from Yanceyville who opposed privatizating prisons. "The way to have a good staff and good employees who work hard is to treat them fairly. I got a saying: You shit any group of people long enough, they're going to shit you back. If you mistreat these prison guards, payday will come around."

Despite the penny pinching, U.S. Corrections and other private prison companies have a dubious record when it comes to saving tax dollars. A state audit of the first private prison in Florida revealed that USCC spent $42.30 a day on each prisoner at the Gadsden Correctional Institution, compared to a state cost of $39.75. Yet its five-year contract guarantees the company annual increases of 6 percent, while increases at state prisons average only 1 percent.

"A state corrections director who eliminates guard towers will lose his job if a prisoner escapes and molests a little old lady. The president of the company won't lose his job, as long as he's making a profit."

At the same time, the report found glaring deficiencies in the operation of the 740-bed prison for women. The company was not paying competitive salaries. Nearly half of all guards were uncertified. Turnover was "rampant," and staff shortages required most officers to work 12-hour shifts.

The company also skimped on activities for prisoners, fueling conditions that can lead to violence. Inspectors found that most inmates had nothing to do, with enrollment in rehabilitation programs "substantially below contractual levels." USCC said it had assigned 298 inmates as dormitory orderlies, but inspectors found that only 48 actually had jobs.

"Cheaper is not always better," says Danny Thompson, assistant director for auxiliary services with the N.C. Department of Correction. "You get what you pay for. Anytime you do something cheaper, you're losing something. If you want an effective program to rehabilitate inmates, it's going to cost. Private enterprise is simply not going to spend the money to really try to make a difference in people's lives."

Such treatment of prisoners, while disturbing, does not prove that private prisons are worse than public ones. After all, states like North Carolina have never been known for their considerate attitude toward the people under their watch. But it does raise concerns that private companies like USCC may be promising more than they can deliver in order to win state contracts worth millions.

USCC certainly fell short last April, when the company won a contract to operate two medium-security prisons in Georgia. Its bid was less than $37 per prisoner per day, a whopping 33 percent below the state average. But when company officials boarded a plane for Louisville after signing the contract in Atlanta, they took a closer look at their own numbers. After working through the weekend, they concluded they had underbid by 40 percent—making their actual costs nearly the same as the state's. Calling it "the worst day in the company's history," USCC returned its $4 million advance and asked to be released from the contract.

Observers in Georgia warn that the USCC bid in North Carolina may be equally unrealistic. "They are lowballing you," says Tyrone Freeman of the Georgia State Employees Union. "They're definitely going to cut corners in your state. They'll brag about all the jobs they'll provide, but they won't talk about the low wages or the high turnover or the safety issues. Their profits drain the communities of North Carolina and go straight to Louisville, Ky."

Because it is privately owned, USCC does not release its finances, but the company is growing rapidly. Since 1995 it has expanded

into Texas and Florida, and its contract in North Carolina will boost its prison population by roughly 25 percent.

To its credit, USCC has tried to share its increasing wealth. In 1994, founder and former chairman of the board J. Clifford Todd was sentenced to 15 months in prison for mail fraud after he pleaded guilty to giving a local official in Kentucky nearly $200,000 in bribes to get a prison contract.

USCC has also been generous with elected officials in North Carolina. According to campaign finance records provided by the non-profit research group Democracy South based in Chapel Hill, company president Robert McQueen, his wife Mary Jane and founder Milton Thompson contributed a total of $16,000 to Gov. Jim Hunt during his 1996 re-election campaign. All but $5,000 of the money was kicked in just a week before the vote—past the deadline when such gifts are made public.

"They're crooked as a dog's hind leg," says Bill Zink, a former prison guard who has served as the mayor of the West Virginia town of Valley Grove for 20 years. When USCC proposed opening a prison in the town last spring, residents sprang into action. Zink and his cousin Emma Lou Carle set up a card table outside a supermarket and went door-to-door, gathering 2,600 signatures on petitions opposing the prison. Gary Kestner, a local school bus driver, researched the company on the Internet and obtained court records detailing how USCC does business. Armed with the same information available to North Carolina officials, citizens convinced their county commissioners to vote against the proposed prison.

"These guys are bad news," says Kestner. "They are without a doubt at the bottom of the barrel. If they are building in your state, I guarantee you it won't be long before prisoners are escaping."

Officials in North Carolina insist they will monitor the company closely to ensure it protects the public. Knowing that private firms like USCC are out to make a buck, the state Department of Correction is trying to negotiate a contract that covers all the details, from disclosing maintenance costs to setting penalties for violations.

"We've tried to think of everything going in," says Lynn Phillips, the assistant secretary for construction. "But we haven't done this before, and clearly we're going to have missed some things."

At the same time, the state is making things easier for USCC by screening out the most troublesome prisoners, as well as those with expensive health problems. The practice—known as "picking jackets"—essentially helps private companies run prisons cheaper than the state by sending them the cheapest inmates to guard.

"How come they do it cheaper than the state?" asks Phillips. "Well, part of the reason is they don't have to deal with those kinds of inmates who cost us a lot of money. We'll be a little more selective in who we send them. Typically, they're going to end up with a little better inmate than you'll find in a state facility."

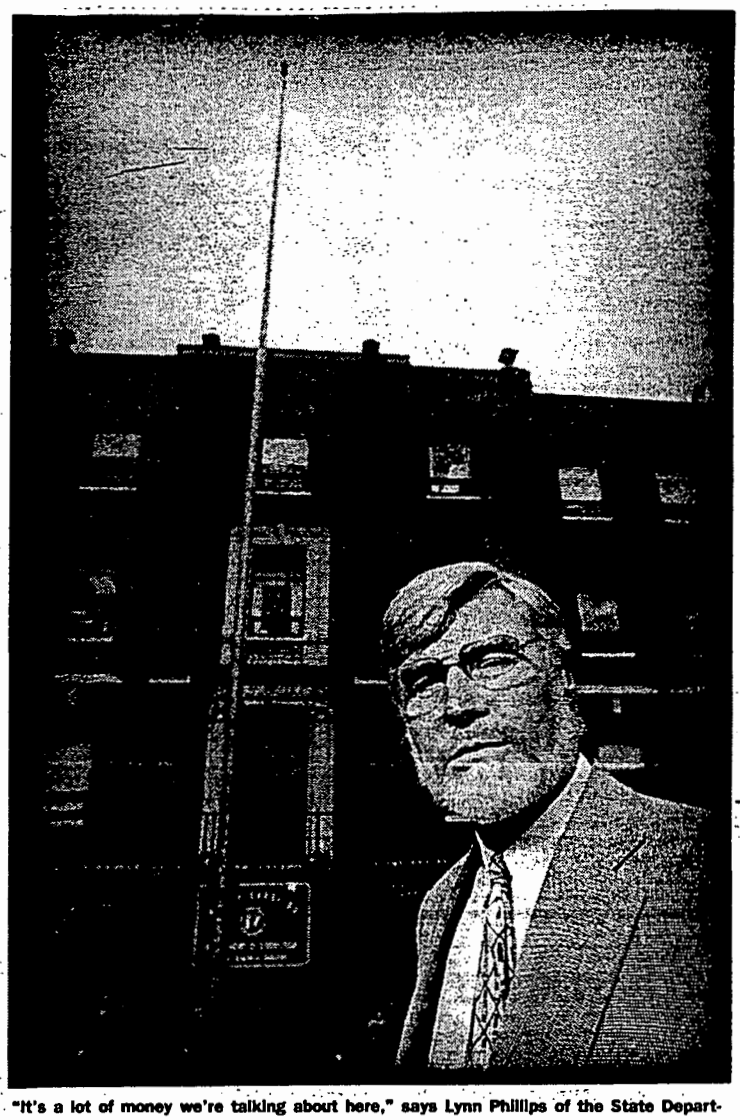
Since the company will guard only the most cooperative prisoners, some lawmakers worry that USCC might try to keep inmates locked up longer to boost profits. Inmates lose accumulated credit for "good time" when they are disciplined by guards, enabling private companies to make money simply by cracking the whip. A study by the New Mexico Corrections Department shows that inmates at a women's prison run by a private firm lost good time at a rate nearly nine times higher than their male counterparts at a state-run lockup. And every day a prisoner loses is a day of extra income for the company—and an extra expense for taxpayers.

At its heart, privatizing prisons is really about privatizing tax dollars, about transforming public money into private profits.

"They are going to find a way to keep those beds occupied," says Sen. Frank Ballance. "It seems to me that if you put a profit motive in it, you're going to have people staying in jail longer than they should."

As such concerns suggest, private prisons could actually wind up costing the public treasury more in the long run. For-profit companies like USCC actually have a financial incentive to keep "savings" for taxpayers to a minimum. After all, any savings the company hands over to the government cut directly into the bottom line, just like wages or the cost of guard towers. At its heart, privatizing prisons is really about privatizing tax dollars, about transforming public money into private profits.

North Carolina spent $837 million on prisons last year, and correction officials plan to ask for another $250 million this year to build more prisons. "It's a lot of money we're talking about here," says Phillips, the assistant secretary. "It only takes a little of that to go a long way for a private company. And you better believe they'll do whatever it takes to get a piece of that business." ■



"It's a lot of money we're talking about here," says Lynn Phillips of the State Department of Correction. PHOTO BY M.J. SHARP

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Appropriations Subcommittee on Justice & Public Safety 1/22/98

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NAME	FIRM OR AGENCY AND ADDRESS
Roslyn Sawtt	NC Coalition Against Domestic Violence
Chuck Crann	Offin of State Planning
Tracy Little	NC Parole Commission
PETE MARTIN	DEPT. HEALTH & HUMAN RESOURCES
FLO STEIN	" " "
Jim Stewart	NC CCPS
LAD RUBERT	CJPC
Beryl L. Wade	JOV
[illegible]	DOC
Charles K. Stewart	DOC
Larry H Williams	DOC

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 1/22/98

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Whitney Haig	DHHS - Budget & Analysis
Fred Aikens	DOC

HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Tuesday February 17, 1998 10:00 a.m.
Room 612, Legislative Office Building

I. CALL TO ORDER

Chairmen: Senator Wib Gulley, Presiding

Representative Gregg Thompson
Representative Larry Justus
Representative Joe Kiser

II. PRESENTATIONS

Morning

- Report on Feasibility of Expanding Private Prisons

  Lynn Phillips
  Assistant Secretary, Department of Correction

- Response to Department of Correction Private Prison Report

  Dave Donahue
  US Corrections Corporation

Afternoon

- Annual Report on Implementation of Fair Treatment for Victims and Witnesses Act

  Pegg Dorer
  Conference of District Attorneys

- Follow-up: Review of Current Funding of Programs for Victims

  Andy Willis
  Fiscal Research Division

III. OTHER BUSINESS

IV. ADJOURNMENT

SENATE AND HOUSE JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
February 17, 1998

The Senate and House Joint Appropriations Subcommittee on Justice and Public Safety met at 10:00 am on Tuesday, February 17, 1998 in Room 612 of the Legislative Office Building. Representatives Justus, Thompson, Kiser, Smith, McCrary, Hardy, Kinney, Redwine, Sexton, Crawford, Easterling and four Senators were present. Senator Gulley, Co-Chairman, presided.

First, Senator Gulley asked Mr. Lynn Phillips, Assistant Secretary with the Department of Correction, to present a report on the feasibility of expanding the two private prisons (see Handout #1). Mr. Phillips told the committee that United States Corrections Corporation (USCC) proposed putting two inmates in each cell, instead of the current plan for one inmate per cell. Although the key requirements for a facility will still be met with an expanded facility, Mr. Phillips said there was some concern by the Department of Corrections (DOC) with regard to the food services. Based on the Sentencing Commission's population projections (Handout #2), there will be a bed deficit of 1,259 through the end of this calendar year. However, Mr. Phillips reminded the Subcommittee that Mr. Dan Steineke with DOC offered a plan at the January Subcommittee meeting to handle this deficit for the year. **Representative Thompson asked Mr. Phillips for a detailed document showing where the beds would come from and an evaluation of how a Federal Judge would look at the plan.** Representative Thompson also asked Mr. Phillips if DOC will be asking for additional money during Short Session to handle the addition inmates. Mr. Phillips replied no they would not.

Representative Justus asked how many beds Mr. Phillips thought would be needed if DOC was required to operate at Standard Operating Capacity (SOC). He replied 2,000. Mr. Phillips further stated that the reason for building new facilities was because different prison populations required different types of facilities. The Subcommittee cannot look at raw capacity needs, but specific needs at specific facilities. **Representative Hardy asked for the past population projections from the Sentencing Commission and the methodology of how they figure the capacity.** Senator Blust asked if the population projections included any increased penalties that the General Assembly may make. Senator Gulley responded that the Sentencing Commission does not include that. Senator

Blust expressed caution about the needed bed figures. **Representative Kiser asked to see the statistics on how the probation and parole revocations effected bed capacity**.

Representative Redwine asked if the private bed facility was minimum security. Mr. Phillips replied yes. Representative Redwine then stated that if close custody beds would be needed more in the future due to structured sentencing that he felt the Subcommittee should be considering more close custody facilities rather than minimum security facility expansion. Mr. Phillips responded that that logic was correct. Representative Kiser asked if the private bed facility was closer to close custody than minimum custody, and could they be used for close custody. Mr. Phillips said that they were closer and they could be used for close custody if DOC had to use them for that purpose.

Mr. Phillips told the Subcommittee that DOC was requesting that the two private facilities be allowed to open at the 500 bed figure and not be expanded. DOC would like to evaluate the need for expansion at a later date.

Next, Senator Gulley asked Mr. Dave Donahue with USCC to respond to the DOC report. (Handout # 3 and Handout #4). A discussion about the cost effectiveness of expanding before the facilities opened versus expanding after opening was held by Mr. Donahue and the Subcommittee members. Representative Justus stated that it was reported at the Corrections Oversight meeting in January that it would cost $5 million total to expand both facilities. If expanded, the private prisons would have 924 beds with 112 segregation beds and 70 extra staff at each facility. Mr. Donahue stated that USCC felt it would be better to expand before opening because there would not be an interruption in operations and there would be less problems with the inmates if they started out two to a cell rather than change to that in the future.

Following a question from Representative Redwine regarding the size of the staff at the private facility being less than at the state operated prisons, a discussion was held about the different philosophies by DOC and USCC. It was felt by the Subcommittee members that these two pilot private prisons would provide very useful information regarding staffing needs at the state prisons. The private facilities would be accredited by the American Corrections Association, while none of the state facilities were currently accredited.

Senator Blust asked DOC to give the Subcommittee a breakdown of what the per diem cost included. Senator Blust also asked if the staffing requirements were mandated. Mr. Phillips said some were a result of court settlements. It was then asked if USCC had been sued in the past. Mr. Donahue said they had, but were not under any court degrees.

Mr. Phillips told the Subcommittee that no road squads would come from the private facilities because that would add to staff needs. Representative Justus asked if DOC was being reimbursed by the Department of Transportation (DOT) for the road squads as stated in a special provision from the last session. Mr. Joe Hamilton with DOC said it

was not being done. **Senator Gulley asked for a full report and a response from the DOT Secretary as to why DOC was not being reimbursed..**

The question of medical costs for the inmates at the private prisons was raised. Mr. Jim Mills, Fiscal Analyst, stated that the agreement was that the first $10,000 of medical cost per inmate was paid by USCC. The cost between $10,000 and $40,000 was split between DOC and USCC. Any costs over $40,000 was paid by DOC.

The Subcommittee recessed for lunch at 12:30 PM.

After lunch, Senator Gulley asked Ms. Pegg Doer to give the annual report on Implementation of Fair Treatment for Victims and Witnesses Act (see Handout #5). She distributed a summary of the report also (see Handout #6). Ms. Doer went over the summary report. After this review, Senator Gulley asked Ms. Doer in her opinion how was the program performing. Ms. Doer felt that the public was being educated better and the District Attorneys were responding to victims more positively. In the past, victims did not have a place at the table in Court. Senator Gulley asked that to help with future appropriations it would be helpful to see a report on the division of time between secretarial tasks and victim assistance tasks.

Next, Senator Gulley asked Mr. Andy Willis, Fiscal Analyst, to give the Subcommittee a review of the current funding of programs for victims (see Handout #7). Representative Justus asked where the state agencies would get the money for the positions funded by federal money when and if the federal grants ended. He was afraid that this would blind side the legislature. It was the Governor's Crime Commission policy to fund new programs rather than existing programs, so that may not be a source for the money. Mr. Willis stated that the agencies were to report to the Governmental Operations Committee twice a year on these federal grants.

Representative Redwine stated that it appeared there were a lot of fingers in the $37 million pie for delivering victim services and could there be a combining of some of these programs to get more bang for the buck. Mr. Willis replied that there was not central coordinator, but there was a bill during last session that proposed that the District Attorney's office would do the coordinating. The bill was not passed. Mr. Willis reviewed the Fair Treatment for Victims and Witnesses Act (see Handout #8). **Representative Justus asked for more detail about the money appropriated to the Department of Health and Human Services.** Representative Smith asked what was the state funding for the Indigent Defense Fund. Mr. Charles Perusse, Fiscal Analyst, stated that it was $50 million a year.

There being no further business, the meeting was adjourned at 3:00 PM.

Senator Wib Gulley, Co-Chair

Carol Resar, Committee Clerk

Handout #1

Department of Correction
Private Prison Expansion
FINAL REPORT
December 31, 1997

Under the Special Provision entitled "Private Prison Expansion/Moratorium on Private Prisons for Out-of-State Inmates," Section 19.17, Paragraph A requires that *the Department of Correction, in consultation with the United States Corrections Corporation, determine the feasibility of expanding each of the two 500-bed private confinement facilities presently under construction to 1,000 bed facilities and the cost savings of that expansion over the construction of new facilities. The Department is required to report its findings to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections Oversight Committee by December 30, 1997.*

INTRODUCTION

The Department of Correction is providing the following information as its final report evaluating the feasibility of expanding each of the 500-cell private facilities currently under construction in North Carolina. Because of the scope and complexity of the requested

report, it was necessary for the Department to issue previously an Interim Report to the Committee. The Interim Report was based on a Draft Feasibility Study from U. S. Corrections Corporation. Consistent with the special provision, the Department of Correction has consulted extensively with the U. S. Corrections Corporation. The consultation included meetings between Department of Correction staff and the U. S. Corrections Corporation staff prior to their issuance of a Draft Feasibility Study as well as extensive follow-up meetings with Division of Prisons management staff and the U. S. Corrections Corporation staff regarding specific areas of concern in the Draft Feasibility Study. The Department of Correction received the U. S. Corrections Corporation's final report on the feasibility of expanding each of their facilities on December 24, 1997.

Since receipt of the USCC Final Report, numerous staff within the Division of Prisons have concentrated efforts on reviewing the information and further evaluating the feasibility proposal developed by USCC. In addition, a follow-up meeting between USCC and the Department of Correction was conducted on December 30, 1997 to clarify various information contained in the Final Report. While an

extended period of time to review the USCC proposal would have been helpful, the Department has performed sufficient diligence to reliably offer the following information as its report to the required committees. The Department's organization of information regarding the feasibility is presented in logical sequence rather than priority order.

The critical areas of concern evaluated by the Department to determine the feasibility of expanding the private facilities are as follows:

I: ASSESSMENT OF NEED

The Department of Correction has undertaken a general assessment of need for this additional prison capacity represented by the expansion proposal from the U. S. Corrections Corporation. Previous prison capacity demand forecast would call to question the need for this capacity at the time proposed by the U. S. Corrections Corporation. However, the Sentencing Commission is in the process of updating their population projections and capacity requirements

which may alter agency conclusions in this specific area. While not having specific information regarding need for general capacity increases, the Department has concluded that it is feasible to gain additional capacity through the double-celling of portions of the respective institutions.

Even though it may be feasible, it should be noted that additional capacity will be added within the Division of Prisons in the immediate future because of the opening of the Tyrrell Prison Work Farm, the purchase and installation of 20 minimum security modular housing units, and the construction of two medium security institutions (Albemarle and Avery/Mitchell Correctional Institutions). All of these facilities represent an additional 2,468 beds at standard operating capacity. Operation of these facilities at an expanded operating capacity will yield additional beds. All of this capacity will be operational no later than early Fall 1999. As noted previously, the Department will await Sentencing Commission forecast to determine if additional capacity is required within the time frame as represented by the projected operating schedule of these respective facilities.

The wording from the special provision would imply that the projected capacity increase would be utilized perhaps as an offset to future capital projects from the Department of Correction as opposed to a general capacity increase strategy. The Department has assessed carefully the feasibility of utilizing this projected capacity as a method to reduce the financial impact of future capital requests from the agency. The Department currently is planning capital projects which include three close-security single-cell institutions, additional cellhouses at Central Prison and Warren Correctional Institution, and a medium security dormitory at the North Carolina Correctional Institution for Women. The most significant portion of this capital request is for the three close-security institutions. The safe and secure operation of a close-security facility requires single-cell occupancy for inmates. The availability of these celled institutions are critical to the Department's long-term management plan for a more violent and difficult to manage offender population pursuant to structured sentencing guidelines. The requirement in the original RFP that these institutions be single-celled anticipated the projected future worsening of the inmate population with regard to management requirements. Because of the manner of the expansion proposed by

the U. S. Corrections Corporation that will be discussed in subsequent sections, the Department strongly believes that the additional capacity gained from expanding each of these private facilities would not offset the Department's capital request for close security institutions. The expansions at Central Prison and at the North Carolina Correctional Institution for Women are projects which address specific problems at each of those respective institutions. Proposed capacity increases at the respective private prisons would not offset the need to advance either of those capital projects. The cellhouse expansion at Warren Correctional Institution further addresses the need for single cells in the Division of Prisons. A cellhouse expansion at this institution has just been completed and the additional cellhouse proposed in the Department's capital planning program would complete construction at that facility. The need for additional single-cell housing capacity in the Division of Prisons as well as addressing specific housing requirements at Central Prison and Women's Prison preclude the use of the proposed capacity increases as a method of offsetting future capital requirements currently being planned.

In addition to considering the need for a general capacity increase, as

well as evaluating the impact on future capital request provided by the proposed increase at the private prisons, the Department has considered other benefits that might be achieved by this additional capacity. Several existing operational challenges within the Division of Prisons could be aided by the availability of additional medium security capacity.

A. Jail Backlog Reduction

Currently, there are approximately 700 - 800 inmates that are being maintained in local jails awaiting transfer to Division of Prisons reception and diagnostic centers. Oftentimes, this delay in transfer is created because of lack of inmate movement from the prison housing the diagnostic center to other prisons after inmates are properly classified. Having additional medium security capacity could remediate this problem to some extent. Because of transfer scheduling and bus routes operated by the Division of Prisons, it is typical that a backlog of 200-300

inmates always would be existing. However, a significant reduction could be made with the use of capacity represented by the proposal from the U. S. Corrections Corporation.

B. Reduced Operating Capacity at Selected DOP Correctional Institutions

The Division of Prisons currently operates a significant portion of its correctional facilities at an expanded operating capacity. This expanded operating capacity is created by exceeding the design capacity of medium and minimum security dormitories, double-celling portions of single-cell institutions, and utilizing dayrooms for additional housing units. It is anticipated that operating savings could be achieved as well as capital cost avoided if selected institutions could reduce their expanded operating capacity. Because of the capacity levels at various facilities, it will be

necessary to expand food service and dining facilities. In addition, staffing increases were funded for the double-celling of portions of close security institutions and this staff could be reduced if the respective facilities were returned to single-cell housing. Some staff savings could be achieved by reduced inmate populations at selected institutions. Population reductions at selected correctional institutions would expand life expectancy of the respective facility, as well as improved overall security operations.

C. Improve the Security Distribution of Capacity

Of the available capacity within the Division of Prisons, minimum security dormitory housing currently accounts for 40%. The Division's classification system is designed to ensure that to the extent feasible only inmates suitably classified for minimum security units are assigned to this

available capacity. As population pressures increase, the ability of classification authorities to effectively comply with this objective becomes more difficult. The resulting dilemma is the requirement to balance the population over the capacity available which sometimes may require the promotion of a portion of the medium felon population to minimum custody. As this dilemma occurs within the Division of Prisons, the balancing of population management with risk management and the attendant public safety concerns become challenging. By increasing the percentage of medium security housing available within the Division of Prisons, it diminishes the need for fully occupying the entire available capacity of minimum security housing. Having available capacity in minimum security allows for a more conservative approach to the promotion of felons to minimum custody as well as their promotion through the various levels of minimum custody. As future capital requests of the Department are

implemented, the percentage of the overall capacity represented by minimum security housing gradually will be reduced. This gradual reduction is in response to changing inmate characteristics and the attendant public safety concerns created by the worsening of the inmate population.

D. Improved Efficiency

The Department has undertaken numerous initiatives in order to improve its operational efficiency. A significant number of small inefficient medium and minimum security facilities have been closed. As further efforts to implement GPAC recommendations are undertaken, or in response to required budget reductions, additional prison facilities may be required to be closed. As these facilities are closed and capacity requirements continue, the availability of capacity as suggested by the U. S. Corrections Corporation could be utilized.

In consideration of how the cost proposals by the U. S. Corrections Corporation for this additional capacity would compare to current operating costs at respective small inefficient facilities, significant savings could be generated in the Division of Prisons' operating budget.

E. Delete Modular Construction

Of the capacity additions previously described, all are in progress with the exception of the purchase and installation of the minimum security modular housing units. It is feasible to consider substituting the USCC expanded capacity for capacity to be gained from minimum security housing modulars which would allow the avoidance of the capital requests necessary to purchase and install the modulars currently being planned. Substituting medium security space for minimum security space further improves the issue of capacity security

distribution described in Paragraph C.

II: PHYSICAL PLANT ASSESSMENT

The U. S. Corrections Corporation has identified placing two inmates in each of their single cells as the method of increasing the capacity of each of their institutions. The facility has been designed with a cell large enough to safely accommodate two inmates in a double-celling arrangement. Each cell has been equipped for installation of the second bunk. In response to increasing capacity through the use of double-celling, the U. S. Corrections Corporation has proposed additional increases in the size of the physical plant. An additional industry/program building totaling 14,400 gross square feet will be constructed as well as expansion of an additional 3,000 gross square feet of the existing inmate indoor activity building. In addition to these physical plant additions, the U. S. Corrections Corporation has proposed modifying an existing cellblock in order to address disciplinary segregation needs for the expanded population. The proposed cellblock modification would provide adequate segregation space for the proposed increase. The Department of Correction's

Engineering Section has assessed the remaining physical plant requirements when compared to existing Division of Prisons facilities in order to evaluate the feasibility of loading the respective institutions as proposed by the U. S. Corrections Corporation. Those evaluations suggest that medical and food service space is undersized and would have to be managed carefully through scheduling in lieu of additional resources in order to address ongoing inmate needs in these respective critical areas.

USCC has proposed a complex schedule in order to minimize the impact of not expanding medical and food service space. The Department questions the reliability of the institution to implement the daily operating schedule as suggested in the final report from USCC. For example, the report includes a feeding schedule which would have inmates eating lunch at 9:30 a.m. The establishment and maintenance of a reliable daily operating schedule is essential for sound security operations as well as insuring that inmates are participating in work and correctional programs consistent with the requirements of the RFP. The Department has noted to USCC that further consideration of the schedule complexity needs to be

addressed.

III: ASSESSMENT OF SITE INFRASTRUCTURE

The Department has undertaken independent evaluation of assertions in USCC's report that adequate power, water, and wastewater capacity would be available for the increased population at each of the respective sites. Supportive comments have been received from county officials for each site regarding the availability of adequate infrastructure.

IV: INMATE CLASSIFICATION CRITERIA

The Department has examined the classification criteria for inmates who would be assigned to these respective facilities by Division of Prisons classification authorities. It appears that the inmate classification type would lend itself to a double-celling housing situation. The current plan of the Division of Prisons is to assign tractable medium custody offenders to each of these institutions who are likely to be willing to work and participate in programs. Significant general health and mental health problem inmates will be

screened and restricted from transfer to these facilities. These classification efforts are likely to yield an inmate population that will minimize, to the extent possible, assaultive behavior toward other inmates or staff.

Even though these classification actions will be implemented, each of the U. S. Corrections Corporation facilities must address unanticipated medical, mental health, and behavioral problems of the assigned inmate population. While segregation space appears to be adequate for the enforcement of rules, the availability of medical space continues to pose operational concerns for the Department.

USCC has provided a copy of a representative cell assignment and cell change operational policy. It is their contention that the management of this policy by classification and institutional management authorities will provide a basis for the appropriate assignment of inmates to respective cells. Assurances have been given to the Department that the careful implementation of this policy by institutional management will minimize racial issues, as well as the plan to address cell changes requested by inmates. USCC has been

provided information with regard to the changing dynamics of the Division's medium custody population. As the Structured Sentencing Law changes the make-up of the inmate population, it is anticipated that the stock population of medium custody offenders will be less tractable in the future than it is now. This changing characteristic of the inmate population will complicate a double-cell housing configuration because of continuing responsibilities for inmate safety.

V: OPERATIONAL FEASIBILITY

The Department of Correction has reviewed carefully the U. S. Corrections Corporation's critical operating components necessary to achieve the proposed expansion. The two most critical components are institutional staffing and the inmate activities plan. The Department believes that the staffing proposal as submitted by the U. S. Corrections Corporation is inadequate to accommodate the proposed expansion. Security staffing for the proposed level of capacity at each location is a serious concern. Staffing level in control rooms, as well as offices in the respective housing units and security staffing in critical work and treatment areas, appears inadequate. In

addition, medical staffing falls short of the anticipated need for medical personnel by prison health authorities. Levels of security staffing are linked directly to the extended operating day required to provide work and training opportunities for the increased inmate population. Staffing levels on all shifts, but particularly second and third, appear to be inadequate to provide the standards of inmate supervision expected by prisons management. At the suggested levels of security staffing, the Department has experienced difficulty with regard to inmate management in other private facilities, specifically in Texas and Tennessee.

In the Limestone Detention Facility in Texas, there was 160 staff for an inmate population of 576. In the West Tennessee Detention Facility in Tennessee, there was 179 staff for 633 inmates. Both of these facilities had major disturbances that resulted in significant property damage to the institution. These disturbances were by inmates who would be representative of the typical type of inmate to be assigned to the respective private facilities in North Carolina.

At the proposed staffing levels, inmates will have greater opportunities

to be involved in inappropriate activity and to negatively influence the behavior of the assigned inmate population. The ability of the institution to respond to an emergency on second and third shift is severely limited. Based on the schedule, significant inmate activity will occur on each of these respective shifts.

Inmates will be out of their cells moving to institutional jobs such as food service as well as a third shift industry plant. Operational security requires that inmate movement during evening hours be closely supervised which requires adequate staff.

The inmate activities plan appears to over estimate the availability of inmate jobs and/or education/training opportunities. There is inadequate documentation in order for the Department to comfortably anticipate the availability of the prescribed work and training opportunities. Failure to provide an adequate number of work and training opportunities for the assigned inmates is noncompliant with the original Department RFP. There is no documentation regarding the availability of an additional industry that would employ the shifts as prescribed and the community college programs are contingent upon

the availability of funds. It is unclear as to the source of the necessary funding for these programs. Follow up meetings pertaining to the unreliability of the prescribed inmate activities plan failed to improve the Department's comfort level with regard to the ability of USCC to fulfill this RFP obligation. In addition, much of the inmate activities plan is embodied in the previously noted complex operating schedule which will be difficult to implement and sustain.

VI: COST BENEFIT ANALYSIS

One requirement of the feasibility study by the Department of Correction is to evaluate the cost savings of this expansion over the construction of new facilities. Where feasible, it has been the Department's experience that it is less costly to expand existing facilities than to construct new institutions. It seems apparent that it is less expensive to increase the capacity of each of these respective institutions than to build additional cellhouses or construct a new facility of equal size. However, since this capacity increase will not offset future capital requirements from the Department of Correction, the value of this increase with regard to savings for additional

construction appears to be limited. A capital cost avoidance could be realized by the Department only if capacity demand forecast for medium security space exceeded what is currently available or being anticipated as a part of the agency's future capital project list. In their final report, USCC has displayed a number which they describe as savings. It appears to be projected operation savings. However, the Department takes issue with displaying this number as a operating cost savings. In actuality, the Department's continuation budget would increase in order to implement the proposed capacity. The total increase in the continuation budget of the Division of Prisons for the additional capacity proposed by USCC would amount to approximately $12 million annually. In a previous section outlining the assessment for the need for this additional capacity, the Department has identified several methods by which the Division of Prisons' operating budget could be reduced. Significant operating reductions would be necessary in order to fund the cost of this additional capacity. Beyond the previously mentioned potential areas of operating budget reductions, the Department is unable to conclude that operational savings could be realized through the double-celling of these institutions. If there is no compelling need to create this additional

capacity at the time as proposed by USCC in order to rapidly create additional capacity, or avoid additional capital cost, or reduce overall operating cost of the Division of Prisons, the Department believes it is prudent to allow these facilities to become operational at their design capacity. Providing time for new correctional staff to gain valuable prison operating experience necessary for the safe and secure management of inmates consistent with Department of Correction policies and procedures is very important. The Department has an obligation to the respective communities housing these facilities to ensure that to the extent feasible, sound correctional practices are implemented to minimize any risk to public safety or the welfare of inmates under our jurisdiction. At this point, the Department cannot see any compelling need to expand risk taking in this critical area.

VII: ASSESSMENT OF RISK

The Department has been afforded a challenging public policy initiative. In its efforts to address critical needs as well as make government more efficient, prior gestures of privatization have been implemented. The use of out-of-state facilities, although government

owned, were privately managed, and the Department has implemented a pilot study of privatizing medical services for two of its major institutions. Both of these gestures have not been without difficulty. Even though complications have occurred, the Department has been thoughtful and successful in its management of these privatization efforts. The Department would like to continue along these lines in order to provide a fertile field for successful partnership with the U. S. Corrections Corporation regarding the operation of these two correctional facilities. As the Department anticipates a larger inmate population at these facilities, the anticipation of attendant operational complexity and greater risks increases commensurately. The agency believes that privatization as an issue of public policy needs to be carefully and gradually implemented. Based upon the pilot nature of these initiatives, the Department believes that the Legislature has concurred with this approach. Allowing each of these facilities to open at an expanded level deviates from that preferred course. In order to minimize operational risk taking, as well as to fulfill our ongoing public safety responsibilities, the Department believes that each of these facilities should be opened at their design capacity. This will provide a basis for solidifying operations as well as gaining valuable

experience for staff and the management of inmates consistent with Department of Correction policies and procedures.

VIII: CONCLUSION

The Department of Correction has evaluated carefully the feasibility of expanding each of the 500-cell private facilities under construction to a capacity of just under 1,000. The issue of timing is very important with regard to judging the feasibility of this proposed expansion. The Department believes that it is feasible to expand each of these facilities to a level beyond their capacity. The level to which that expansion could be accommodated is clearly contingent upon security staffing, work and training opportunities for inmates, the physical plant, and the timing of this expansion based upon the outcome to be achieved within the agency. Also, the Department's belief regarding this expansion assumes the legal authority to expand the scope of an agreement not yet executed between the agency and USCC. This issue has not be reviewed by the Attorney General's Office. Because of the number of variables impacting the feasibility of the expansion of each of these facilities to 1,000 beds each, it would

not be prudent to advance this initiative. It is critical to the agency that these facilities come online and develop a sound operational history prior to increasing the capacity. Institutional management will be challenged in the recruitment, retention, training, and operational preparedness for staff assigned to these respective institutions. As the volume of staff and inmates are increased in these facilities, this challenge becomes even greater. The Department does not wish to see the U. S. Corrections Corporation challenged prematurely by the imposition of this population increase. At some point in the future, the Department would be more willing to work with the U. S. Corrections Corporation to expand the capacity of these facilities assuming that operational integrity and confidence has been established and that there is a legitimate need to create this additional capacity at these facilities. The Department is recommending that these facilities be allowed to open as scheduled at the current projected design capacity.

NORTH CAROLINA PRISON POPULATION VERSUS BED CAPACITY*

TIME PERIOD	INMATE POPULATION PROJECTIONS 12/96	DOC EXPANDED CAPACITY** 7/8/97	PRISON BEDS OVER/ UNDER	INMATE POPULATION PROJECTIONS 1/98	DOC EXPANDED CAPACITY 1/98***	PRISON BEDS OVER/ UNDER
6/30/1998	**31,762**	**33,522**	**+1,760**	**33,021**	**31,762**	**-1,259**
6/30/1999	**30,371**	**35,488**	**+5,117**	**31,177**	**34,204**	**+3,027**
6/30/2000	30,060	35,488	+5,428	30,475	34,972	**+4,497**
6/30/2001	30,610	35,488	+4,878	30,743	34,972	**+4,229**
6/30/2002	31,259	35,488	+4,229	31,228	34,972	**+3,744**
6/30/2003	32,051	35,488	+3,437	31,828	34,972	**+3,144**
6/30/2004	32,847	35,488	+2,641	32,469	34,972	**+2,503**
6/30/2005	33,741	35,488	+1,747	33,199	34,972	**+1,773**
6/30/2006	34,630	35,488	+858	33,937	34,972	**+1,035**
6/30/2007	-	-	-	34,617	34,972	**+355**

*Population projections are by Sentencing and Policy Advisory Commission.

**Expanded Operating Capacity (EOC) -- where reasonable or allowed by court order, DOC will house more prisoners than the standard capacity of 100%. Beds must be funded and constructed or under construction to be included in official capacity figures.

***Expanded capacity as of 1/13/98 does not include IMPACT beds (420 beds) which are now assigned to Probation and Parole (were included in 7/98 capacity). EOC also does not include beds contracted with County Jails or any beds funded for planning only (total of 2,232 beds have been funded for planning but not construction).

FRD 1/16/98

Handout # 2

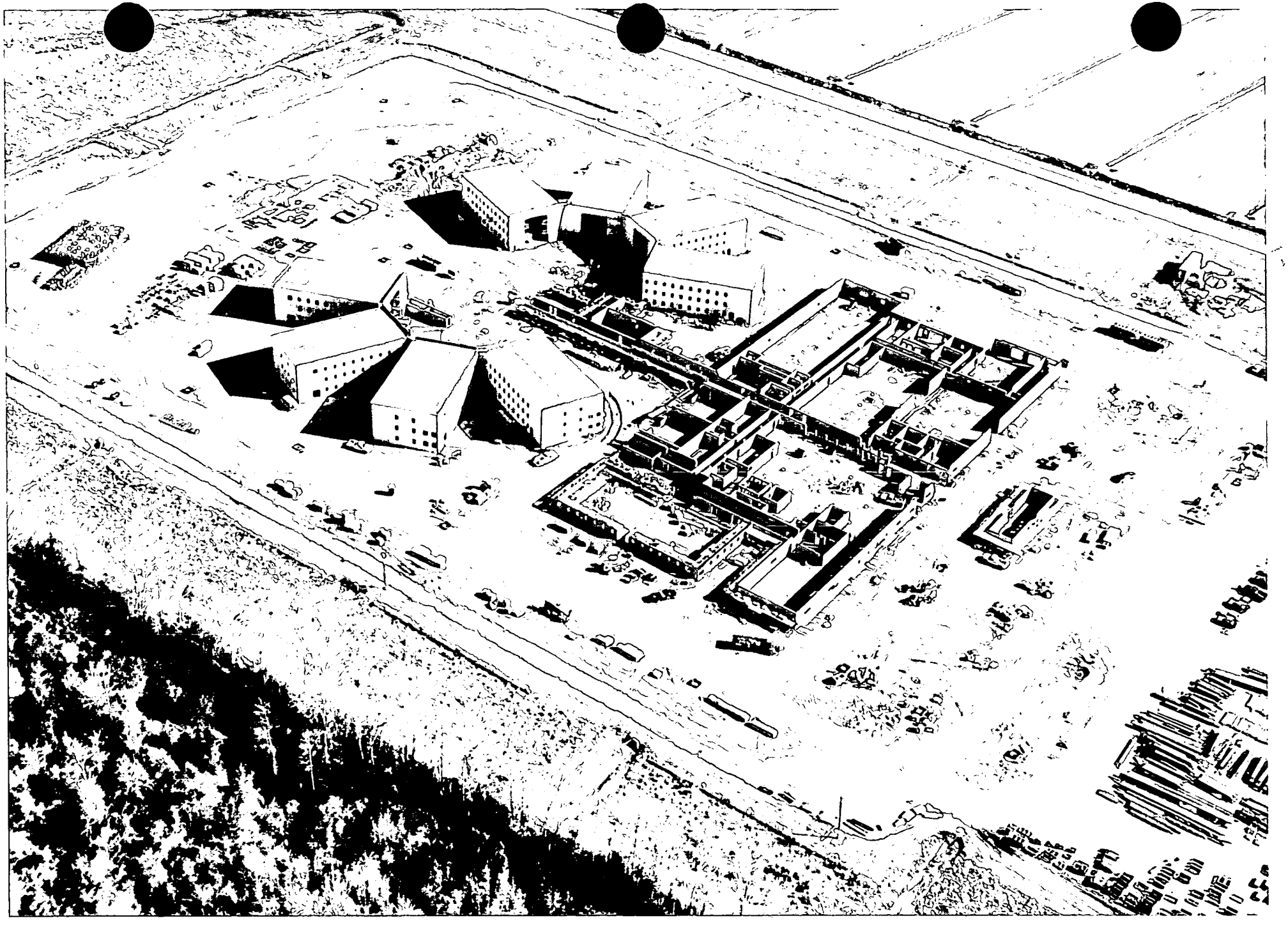
Pamlico Correctional Institution

Current Status

★ Construction 50% complete.

★ Receive inmates by July 20,1998.

★ Superintendent Willie J. Thompson with nearly 30 years experience in Federal Bureau of Prisons.



Pamlico Site— 12/31/97

Mountain View Correctional Facility

Current Status

★ Construction 40% complete.

★ Receive inmates by September 28, 1998.

★ Superintendent Charles H. Stewart with 25 years experience in Federal Bureau of Prisons.

Avery County Site — 11-30-97

NCDOC & USCC Employee Benefits Compared

NCDOC	USCC
Health & Dental Insurance	
13 different plans. Single Plan- NC pays $144.60/month. Employees can buy additional coverage- some with HMO ranging from $14.00 to $65.00 extra. Family Plan- $216.18/month employee cost. $10.00 office visit co-payment. Dental Plan - $23.28/month Single Plan - $70.37/month Family Plan.	Single Plan — $24.00/ month employee cost Family Plan — $110.00/month employee cost. $10.00 office visit co-payment. $10.00 prescription co-payment. Dental Plan- $0.00/ month employee cost Health and eligible life insurance premiums are deducted prior to tax and social security computations.
Vacation	
Less than 2 years =11 3/4 Days 2 to less than 5 years = 13 3/4 days 5 to less than 10 years =16 3/4 Days 10 to less than 15 years =19 3/4 Days 15 to less than 20 years = 22 3/4 Days 20 years or more = 25 3/4 Days	One Year = 5 Days 2 to 4 Years = 10 Days 5 to 9 Years =12 Days 10 to 14 Years = 15 Days 15 to 20 Years = 18 Days
Holidays	
11 paid Holidays	10 paid Holidays
Sick & Bereavement Leave	
96 hours annually for sick leave. Sick time used for death of immediate family member. No limit on accumulated sick leave. Vacation leave in excess of 240 hours at the end of the 28 day work period which includes Dec 31st is converted to sick leave.	40 hours annually for sick leave. 16 to 24 hours annually for bereavement leave.
Shift Premium	
Shift Premium of 10% for grades 69 or less who must work evening or night shifts on a regular, recurring basis.	Not available
Death Benefits	
After one year of employment, one years salary. ($25,000 minimum to $50,000 maximum benefit)	Life insurance policy of $25,000.
Retirement Plan	
Employees pay 6% of their salary. NC contributes 8.3% of all members salaries to pay for the plan. Unused sick leave can be converted to creditable service at the rate of one month of service for each 20 days or fraction limited to 12 days for each year of membership service in the retirement system. Sick time may be used to complete 20 years of service after age 50, 25 years of service after age 60, and 30 years of service, regardless of age. NC will pay for accumulated vacation up to 240 hours.	USCC contributes amount equal to 3% of employee's salary annually without employee match. USCC matches employee contributions up to an additional 3% dollar for dollar. USCC will pay accumulated vacation up to 160 hours.
Longevity Pay	
For permanent full-time and permanent part time service. 10 to less than 15 years =1.50% 15 to less than 20 years =2.25% 20 to less than 25 years =3.25% 25 years or more = 4.50%	5 Years $500.00 10 Years $1,000.00
Legal Insurance	
Staff can purchase legal insurance at $9.50/month.	Not Available

NCDOC & USCC Employee Benefits Compared

NCDOC	USCC
Educational Assistance Program	
Eligible employees may be reimbursed academic cost charged by the eligible sources attended: UNC - 100% academic cost each fiscal year for a maximum of 20 semester hours - not to exceed 4 courses. North Carolina Community\Technical Colleges - 100% of academic cost for all courses per quarter up to a Maximum of 4 quarters per fiscal year. All other eligible sources- same as UNC.	$250.00 per semester.
Worker's Compensation	
Provided to statutory requirements.	Provided to statutory requirements.
Employee Assistance Program	
Provides employees and their immediate families with no cost, confidential assessment, consulting and referral services for issues and problems that may adversely affect job performance and conduct. Employee covers cost for outside professional resources, if not covered by health insurance.	Same as NCDOC.
Credit Union	
Low cost banking and credit services provided.	Developing similar services. Should be available on or before facility start up.
Wellness Program	
Not available.	USCC pays $100 each for annual physical & routine tests, i.e. mammogram, pap smear, prostate exam. Up to $25 and 1 day off /year for maintaining healthy life style. Up to $500 incentive for medical billing errors discovered by employee.
Supplemental Benefits	
Supplemental Retirement Plans @ employee cost. - 401K plan. - Public Employees Benefit Service	Not Available.
Purchase U.S. Savings Bonds by payroll deduction.	Not Available.
Supplemental Insurance Policies @ employee cost. - Term & Universal Life - Cancer - Accidental Injury - Disability	Supplemental Insurance Policies @ employee cost. - Term & Whole Life - Disability

NCDOC & USCC Hiring Rates Compared

Position	NC Pay Grade	NCDOC	USCC
Captain	68	$27,557	$30,875
Unit Manager	67	$26,446	$29,250
Lieutenant	66	$25,335	$28,310
Assistant Unit Manager	65	$24,308	$23,750
Sergeant	64	$23,361	$25,000
Correctional Officer*	62	$21,565	$19,900

* USCC benefits, including paid leave, medical insurance, dental insurance, life insurance, wellness program, education assistance, and retirement is equal to an additional 29.6% of correctional officers' salaries.

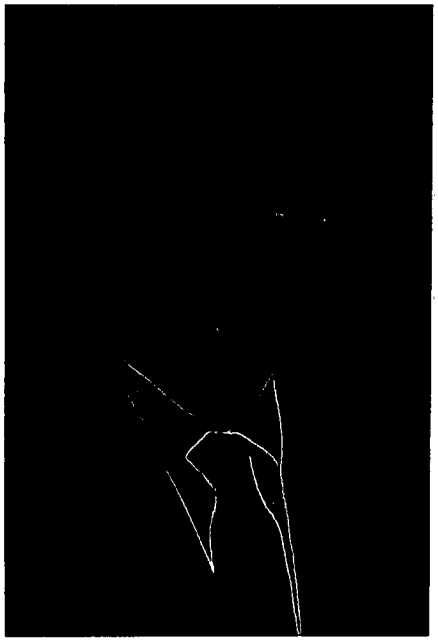
Willie J. Thompson

Superintendent - Pamlico County Facility

Willie Thompson has nearly 30 years service in corrections. Mr. Thompson began as a Correctional Officer at Federal Detention Headquarters, New York in 1970, and progressed through the ranks, achieving his first warden-level posting in 1983 at Federal Prison Camp - Lewisburg, Pennsylvania. Before accepting a position with USCC, he was Warden at the Federal Correctional Institution in Morgantown.

Mr. Thompson holds the Bachelor's Degree in Criminal Justice from St. Leo College in Florida, is working toward an MA in Criminal Justice Administration at Chapman College in California, and has completed hundreds of hours of specialized and executive corrections management training through the Bureau of Prisons.

He is a member of the National Association of Blacks in Criminal Justice and ACA, and sits on several boards at West Virginia University.



Charles H. Stewart

Superintendent - Avery County Facility

Before accepting a position with USCC, Charles Stewart was Warden at the Federal Correctional Institution - Danbury. Mr. Stewart was with the Federal Bureau of Prisons for nearly 25 years, serving at six different institutions and working with distinction in drug abuse treatment. He has been Associate Warden of Programs at two institutions and was Associate Warden of Health Services at the only national medical referral center for female inmates.

He holds the BA in Psychology from Bellarmine College, the Masters in Social Work from University of Louisville, and an MA in Sociology from University of Kentucky, and has written on substance abuse treatment in nationally recognized publications.

Mr. Stewart is a member of ACA, National Association of Social Workers, and the Academy of Certified Social Workers.

Lynn Phillips, Assistant Secretary /Construction
North Carolina Department of Correction
P.O. Box 29540
Raleigh, North Carolina 27626

December 23, 1997

Dear Mr. Phillips:

USCC is pleased to present this proposal to expand the design capacity from 548 (500 general population, 48 segregation, and 4 medical beds) to 1040 (924 general population, 112 segregation and 4 medical beds) for each of the facilities we are currently constructing and will operate in Pamlico County and Avery County. We estimate that the expansion will save the State of North Carolina $4,260,908 annually, but will also allow USCC to manage the facility securely and efficiently.

In preparation for your presentation to the General Assembly, USCC will provide any additional clarification you may need. I or other members of the USCC team would be happy to attend the presentation with you if you think it would be helpful. If you have any questions regarding our proposal, please call me.

Sincerely,

J. David Donahue
Senior Vice President and Chief Operating Officer

Table of Contents

Proposal to Expand Two Medium Security Prisons

Section **Page**

Transmittal Letter
Table of Contents i
Proposal Summary 1
Design, Construction & Start-Up 3
Staffing Plan 8
Correctional Programs 15
Costs 21

Attachments

1. Letters of Community Support & Confirmation of Water and Sewer Capacity
2. Revised Site Plans and Typical Floor Plans
3. Letter from Kellwell Food Management Confirming Feasibility of Expansion
4. Letters from Community Colleges Confirming Feasibility of Expansion
5. Plan of Food Service Area showing Inmate Job Capacity for Typical Shift

Proposal Overview

Introduction

North Carolina Senate Bill 352, Section 19.17 (a), states the following:

> *The Department Of Correction, in consultation with the United States Corrections Corporation, shall determine the feasibility of expanding each of the two 500-bed private confinement facilities presently under construction to 1000-bed facilities and the cost savings of that expansion over the construction of new facilities.*

In response to this legislative mandate, USCC proposes to expand the inmate capacity from 500 general population beds with 48 segregation beds to 924 general population beds with 112 segregation beds for each of the facilities it is currently constructing and will operate in Pamlico County and in Avery County.

Original Design Allows Double Bunking

USCC's original, general population cell and housing unit design allow for double occupancy in compliance with North Carolina Department of Correction (NCDOC) and American Correctional Association (ACA) standards. USCC's design provides eight (8) separate, secure housing wings with 66 cells in each wing. USCC proposes to double bunk the cells in seven (7) of these wings for a total of 924 general population beds. The eighth wing, with 64 single bunked cells, would house inmates in administrative segregation. The original, special management unit, with 48 beds in single bunked cells, would house **only** inmates in disciplinary segregation. Four medical beds in single bunked cells are also provided in the medical area. This housing configuration would then provide a **total design capacity of 1040 beds** at each of the facilities.

USCC will also design and construct approximately 14,400 gross square feet of additional space for education and/or industries and 3000 gross square feet of additional space for indoor recreation. With this extra program space, appropriate staffing increases, monitored inmate movement and efficient scheduling, our facility design can safely and securely provide services, programs and support for this additional population.

Compliance with Standards

Our proposal will comply with all applicable standards, requirements and limitations of the original North Carolina RFP # 505590 and USCC's original proposal.

Expansion Schedule

If the agreement for the expansion is reached by the first quarter of 1998, the proposed expansion can be accomplished at both facilities by the fourth quarter of 1998.

Revisions to Original Proposal

USCC's expansion proposal will require revisions to our original staffing plan, inmate activities plan and operational cost. It will also require additional program/industries and indoor recreation space and will therefore require an adjustment to the lease cost. The following table summarizes, and the rest of the proposal articulates these revisions.

Summary of Proposal Revisions for Expansion

Proposal Section	Revision
Design & Construction	• 462 double bunk cells = 924 general population beds • 64 single bunk cells = 64 administrative segregation beds • 48 single bunk cells = 48 disciplinary segregation beds • 4 single bunk cells = 4 medical beds •add approximately 14,400 GSF industries/program space •add approximately 3000 GSF indoor recreation space
Staffing	•Total FTE staffing for total capacity of 1040 beds 232.2
Inmate Activities	•Plan for 924 FTE assignments = 100.0% of inmate population •739.2 FTE assignments = 80.0% contractual minimum
Schedule	•No change from original opening dates for either facility •Receive inmates @ 75/ week
Operating Cost	•Avery County Facility = $36.14 per diem for first 500 inmates & $35.74 per diem for next 434 inmates •Pamlico County Facility = $35.95 per diem for first 500 inmates & $35.74 per diem for next 434 inmates
Lease Cost	•Avery County Facility = $15.17 per diem for first 500 inmates & $1.74 per diem for next 434 inmates •Pamlico County Facility = $14.60 per diem for first 500 inmates & $1.74 per diem for next 434 inmates
Annual Savings	**•$4,260,908** = $2,281/inmate/year X 1868* inmates

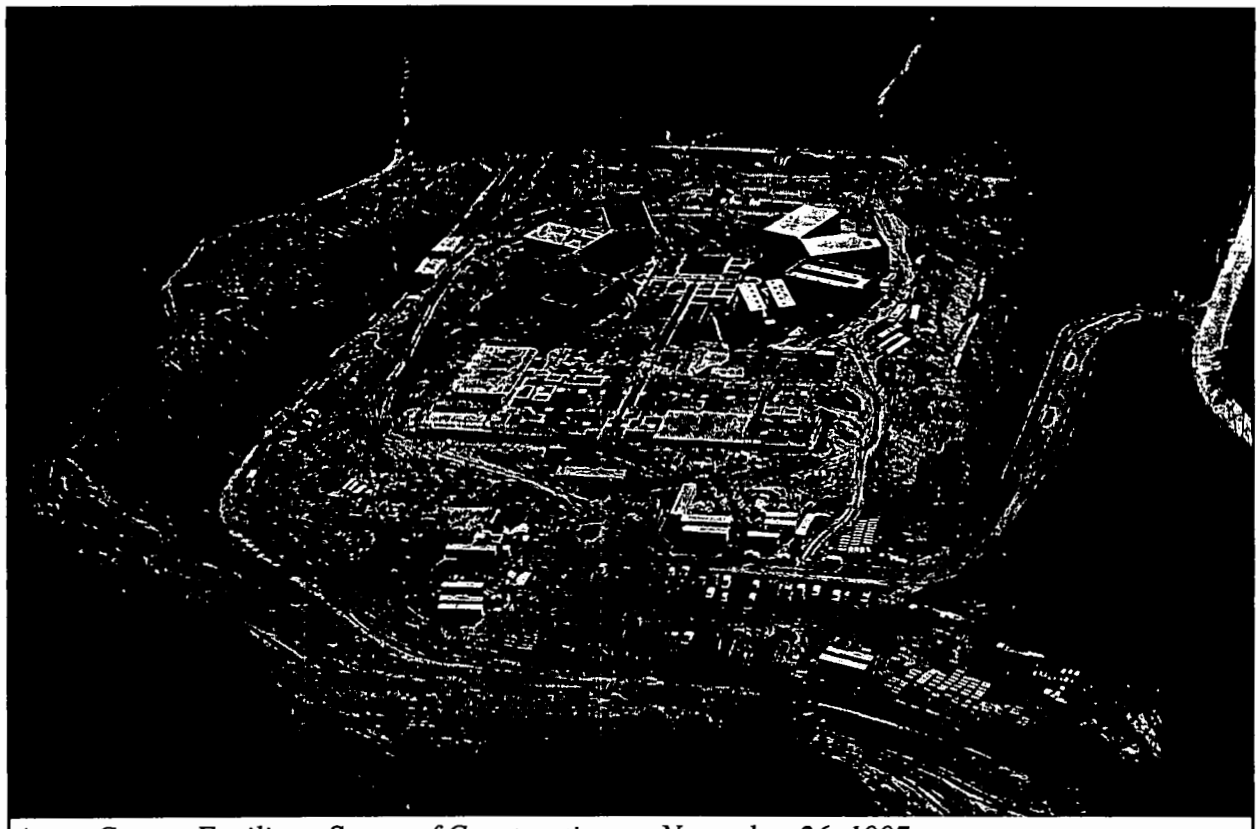
***Assumes 95% occupancy for 924 general population beds + 50% occupancy for 112 segregation beds = 934 beds / facility.**

Design, Construction & Start-Up

Original Design Developed for Expansion

USCC's original facility design was developed to easily and economically expand to 924 general population beds with a total design capacity of 1040 beds . With a gross area of 80 square feet (SF), USCC's cells already allow for double occupancy in compliance with North Carolina Department of Correction (NCDOC) and American Correctional Association (ACA) standards.

USCC will also design and construct approximately 14,400 gross square feet of additional space for programs/industries and 3000 gross square feet of additional space for indoor recreation. With this extra program space, appropriate staffing increases, monitored inmate movement and efficient scheduling, our facility design can safely and securely provide services, programs and support for this additional population.



Avery County Facility – Status of Construction on November 26, 1997

Housing

USCC's design provides eight (8) separate, secure housing wings with 66 cells in each wing. USCC proposes to double bunk the cells in seven (7) of these wings for a total of 924 general population beds. In each of these 7 general population wings, we will provide additional showers to meet ACA requirements. The eighth wing, with 64 single bunked cells, would house inmates in administrative segregation. The original, special management unit, with 48 beds in single bunked cells, would house **only** inmates in disciplinary segregation. Four medical beds in single bunked cells are also provided in the medical area. This housing configuration would then provide a **total of 1040 beds** at each of the facilities.

Administrative Segregation. To provide additional adminstrative segregation beds, USCC will upgrade the construction of the cellhousing wing nearest to the disciplinary segregation housing as follows:

- Food pass-throughs will be installed in the cell doors.
- A secure, outdoor recreation with individual yard modules similar to that in disciplinary segregation will be constructed.
- A remote control CCTV camera will be installed to observe the outdoor recreation.
- Locking shower doors with view windows will be installed on all showers.

Please refer to *Attachment # 2 – Revised Site Plans and Typical Floor Plans* for additional information regarding these upgrades.

Infrastructure

The on-site infrastructure for both facilities, including site and building utilities, has been designed to accommodate 924 general population and 112 special management inmates with only very minor changes.(i.e., upgrading blower motors for HVAC system).

The off -site infrastructure at both sites, including water and sewer, can either currently accommodate or is being upgraded to accommodate 924 general population and 112 special management inmates. Please refer to *Attachment # 1 — Letters of Community Support & Confirmation of Water and Sewer Capacity.*

Education & Training Space

The additional education opportunities can be provided by scheduling these programs in four (4), three hour shifts, five (5) days per week using the original design and some additional construction. Training and work opportunities will be scheduled in three (3), eight hour shifts, seven (7) days per week. The only additional construction will be approximately 14,400 GSF of Program/ Industries space and 3,000 GSF of Indoor Recreation space. *Please refer to page 19 for an*

Inmate Activities Schedule showing adequate capacity to accommodate the necessary inmate program assignments.

Program/ Industries. The building will be a pre-engineered steel structure with a reinforced concrete slab on grade floor, a standing seam metal roof and painted metal steel wall panels with vinyl-faced insulation. The building will be heated using gas fired unit heaters and ventilated with side or end wall fans. The building will be designed to accommodate P.I.E. certified, corrections industry programs or vocational education programs sufficient to provide full time job training to an equivalent number of inmates.

Indoor Recreation. USCC proposes to expand the Indoor Recreation area of its existing design by an additional 3000 GSF. This expansion will be constructed using the same materials and methods specified in the existing construction documents including exterior masonry cavity walls and steel reinforced concrete foundation and floor system. The roof system is a single ply, EPDM membrane over rigid insulation over metal deck over metal joists. Please refer to *Attachment # 2- Revised Site Plans and Typical Floor Plans* for schematic site plans of each site and typical floor plans of the proposed additions/expansions.

Services & Support Space

Medical Space. USCC's original design provides a full service, medical clinic to provide health, dental and optometric services to the population. We assume an inmate population profile as designated in the original Request for Proposal and described in Secretary Mack Jarvis' *Private Prison Expansion — Interim Report* of December 2, 1997 as follows:

> *The current plan of the Division of Prisons is to assign tractable medium custody offenders to each of these institutions who are willing to work and participate in programs. Significant general health and mental health problem inmates will be screened and restricted from transfer to these facilities.*

With this general type of inmate medical profile, USCC can provide the required medical services **with** additional staff and an increased medical service schedule and **without** additional medical space.

Food Preparation. We can provide the additional food service using the original food preparation design by adding additional staff and equipment including an icemaker, convection oven and tilting skillet. A detailed review of the facility design indicates sufficient space for this additional equipment, as well as, the extra staff and inmate work stations. The frequency of deliveries may also be increased. Monthly

preventive maintenance inspections will be made upon the food service equipment to insure reliability.

At USCC's Gadsden Correctional Institution in Florida, our food service subcontractor, Kellwell Food Management, currently serves over 800 medium security inmates in approximately one (1) hour with a comparable food preparation space layout. This food service operation received 100% ACA accreditation in March 1997. Please refer to *Attachment # 3 — Letter from Kellwell Food Management Confirming Feasibility of Expansion.*

Warehouse. Using space efficient shelving and storage systems, along with a "just-in-time" inventory purchasing/delivery system, the existing warehouse space will provide sufficient space for storage of supplies and equipment for the expanded population. If USCC needs additional storage space, we will lease or rent storage space in the local communities.

Parking

Our original design provides a minimum of 180 parking spaces for staff and visitors. The maximum staff parking requirement would be during shift change between first and second shift. Allowing 130 (86 first shift staff x 1.5 change-over factor) spaces for staff would still provide 50 parking spaces for visitors. During the rest of a 24 hour day, a **minimum** of 94 spaces for visitors would be available. With efficient scheduling of inmate visitation, the existing parking lots can accommodate these expansion requirements.

Local Traffic

The remoteness of the sites in Pamlico and Avery Counties makes it unlikely that significant safety issues will be created by the increased traffic volume created by expanding the facility . USCC's design will comply with all state and local requirements, including the North Carolina Department of State Transportation, regarding transportation and vehicular safety.

Community Support Resources

In partnership with the NCDOC, the North Carolina State Police Bureau of Investigation, and local agencies — including local sheriffs departments, fire departments, emergency medical services and utility companies — USCC has drafted an Emergency Preparedness Plan for each of the facilities. These entities confirm their ability to provide support and emergency services for the facilities with expanded populations.

Expansion Schedule

Design and Construction. If the agreement for the expansion is reached by the first quarter of 1998, the proposed expansion can be accomplished at both facilities by the fourth quarter of 1998.

Operational Start-Up. USCC proposes an inmate delivery schedule of seventy-five (75) inmates per week to allow a gradual, well controlled, secure facility start-up.

Staffing Plan

Staffing Revisions

The following table show projected staffing levels in summary for the expansion to 924 beds. The expansion would require a total of 232.20 Full Time Equivalent (FTE) staff positions, as follows:

Summary of Proposed Staffing Levels

Staff Category	FTE Positions
Management /Administration	12.00
Inmate Security/Supervision	84.40
Unit Supervision	61.40
Inmate Services	22.60
Inmate Work/Training Programs	36.00
Health Services	15.80
Total Full Time Equivalent (FTE) Positions	**232.20**

Please refer to pages 11-14, for a breakdown by staffing category, position and shift of our staffing plan for the expansion.

Change of Scope

The NCDOC has requested additional staffing in the areas of inmate transportation and medical data entry. Recently, inmate transport duties have been shifted from county sheriffs to DOC by administrative court order. We will add 2 transportation officers to our original staffing for 500 beds. Another 2 transportation officers will be required for the expansion to fulfill the additional transportation needs. Also, the NCDOC has requested the addition of a medical data entry clerk to our original health services staffing, because of the demands of their new computerized medical records system. A single, full time medical data entry clerk will cover this requirement for the original 500 beds and for the expansion. **Since neither of these needs were accounted for in original North Carolina RFP, these staff are added at NCDOC expense for both the original 500 bed proposal and the expansion proposal.**

Security & Staffing

General Security Staffing. There are 105 total staff assigned to the first shift, 58 total staff assigned to the second shift. However, on **both** shifts, 22 staff — including correctional counselors — cover cellhousing units. On the third shift, all inmates, except the small percentage on work assignment, will be locked down in their cells There are 25 total staff on the third shift. These total staff numbers indicate individual staff members **not** FTE positions as shown in the above summary.

Scheduled Movement. All inmate movement within the facility is monitored and will follow the institutional schedule. The program day begins at 7:00 AM and ends at 9:30 PM. The duty day begins at 6:30 AM and ends at 11:00 PM. There are no program activities except for correctional industries after that hour. The greatest staff movement in and out of the facility will occur at the change of first and second shift.

Cross-training. Correctional counselors, teachers, recreation and maintenance staff are "cross-trained" as correctional officers. They will receive Academy and OJT training similar to security officers and will be prepared to respond effectively in emergencies.

Emergency Response Capability

First Shift. On first shift (6:30 AM -- 3:00 PM), besides the 22 unit staff, there are 1 captain, 3 lieutenants, and 23 uniform officers. Most of these staff except for the central control, gatehouse control and perimeter patrol can initially respond to an incident in the facility. In addition, 12 services staff, 13 medical staff, and 20 program staff are also available.

Second Shift. On second shift (2:30 PM -- 11:00 PM), in addition to the 22 staff available in each unit, there are 1 captain, 1 lieutenant, and 18 uniform staff. Most of these staff except for the central control, gatehouse control and perimeter patrol can initially respond to an incident in the facility. In addition 16 program staff, and 2 medical staff are also available.

Third Shift. On third shift (10:30 PM -- 7:00 AM), as stated previously, all inmates, except the small percentage on work assignment, will be locked down in their cells. This greatly reduces the possibility of an incident on this shift. However, besides the 6 unit staff, there are 1 captain, 1 lieutenant, 3 sergeants and 8 uniformed officers. All of these staff except for the central control, gatehouse control and perimeter patrol can initially respond to an incident in the facility. In addition, 5 services staff and 1 medical staff are also available.

Mutual Support Between USCC and NCDOC Facilities. USCC's own emergency squads will respond to notice of an incident within twenty minutes. Furthermore, regional NCDOC emergency teams will also support the USCC facilities. Conversely, USCC emergency teams will be trained in the same curriculum as NCDOC teams and will respond to regional needs the same as any NCDOC team. In addition, USCC will provide a hostage negotiation team for regional support and NCDOC's regional sniper teams will support the USCC facilities.

Emergency Preparedness Plan. In partnership with the NCDOC, the North Carolina State Police Bureau of Investigation, and local agencies — including local sheriffs departments, fire departments, emergency medical services and utility companies — USCC has drafted an Emergency Preparedness Plan for each of the facilities. These entities confirm their ability to provide support and emergency services for the facilities with expanded populations.

Program Staff Employment Feasibility

In partnership with the local community colleges, USCC can hire and retain sufficient qualified program staff at both facilities to provide inmate employment and training opportunities for the proposed expansion in compliance with the RFP requirements.

Please refer to *Attachment #4 — Letters from Community Colleges Confirming Feasibility of Expansion.* Also refer to the *Correctional Programs* section for our Inmate Activities schedule for the proposed expansion.

Summary of Proposed Staffing Levels

Staff Category	FTE Positions
Management /Administration	12.00
Inmate Security/Supervision	84.40
Unit Supervision	61.40
Inmate Services	22.60
Inmate Work/Training Programs	36.00
Health Services	15.80
Total Full Time Equivalent (FTE) Positions	**232.20**

Management/Administration

Position Description	First Shift	Second Shift	Third Shift	Relief Factor	Total Positions
Superintendent IV	1	0	0	1.0	1.00
Assistant Superintendent Programs	1	0	0	1.0	1.00
Compliance/Accreditation Manager	1	0	0	1.0	1.00
Receptionist/Telephone Operator	1	0	0	1.0	1.00
Administrator Officer (Business Manager) III	1	0	0	1.0	1.00
Personnel Assistant II	1	0	0	1.0	1.00
Accountant Clerk II	2	0	0	1.0	2.00
Secretary I	3	0	0	1.0	3.00
Executive Secretary (Secretary IV)	1	0	0	1.0	1.00
				TOTAL	**12.00**

Inmate Security/Supervision

Position Description	First Shift	Second Shift	Third Shift	Relief Factor	Total Positions
Assistant Superintendent for Operations	1	0	0	1.0	1.00
Shift Captain	1	1	1	1.2	3.60
Shift Lieutenant	1	1	1	1.0	3.00
Administrative Lieutenant	1	0	0	1.0	1.00
Training Lieutenant	1	0	0	1.0	1.00
Perimeter Patrol	1	1	1	1.7	5.10
Transportation Officer *	5	3	0	1.0	8.00
Intake/I.D./Property	1	0	0	1.2	1.20
Gatehouse Control	1	1	1	1.7	5.10
Central Control	2	1	1	1.7	6.80
Visitation/Unit Housing Floor Officer **	3	0	0	1.5	4.50
Unit Housing Sergeant	2	2	2	1.7	10.20
Fire Safety/Sanitation Sergeant	1	0	0	1.0	1.00
Security Sergeant	1	1	1	1.5	4.50
Segregation Control Officer	1	1	1	1.7	5.10
Segregation Floor Officer	2	2	2	1.7	10.20
Laundry Officer	1	0	0	1.0	1.00
Warehouse/Medical Officer	1	1	1	1.7	5.10
Vocational Officer	2	1	0	1.0	3.00
Program Officer	0	1	0	1.0	1.00
Prison Industries Officer	1	1	1	1.0	3.00
				TOTAL	**84.40**

* *4 additional transportation officers added at NCDOC cost due to additional inmate transport duties shifted from county sheriffs to DOC by administrative court order. This requirement not accounted for in original North Carolina RFP.*

** *Visitation/Unit Housing Floor Officer available 3 days/week for unit floor assignment.*

Unit Supervision

Position Description	First Shift	Second Shift	Third Shift	Relief Factor	Total Positions
Unit A Manager	1	0	0	1.0	1.00
Unit A Assistant Manager	0	1	0	1.0	1.00
Unit A Correctional Counselors	5	5	0	1.0	10.00
Unit A Cellhouse Control Officer	1	1	1	1.7	5.10
Unit A Cellhouse Floor Officer	3	3	2	1.7	13.60
Unit B Manager/ Substance Abuse Program Manager	1	0	0	1.0	1.00
Unit B Assistant Manager	0	1	0	1.0	1.00
Unit B Correctional Counselor/Substance Abuse	5	5	0	1.0	10.00
Unit B Cellhouse Control Officer	1	1	1	1.7	5.10
Unit B Cellhouse Floor Officer	3	3	2	1.7	13.60
				TOTAL	**61.40**

Inmate Services

Position Description	First Shift	Second Shift	Third Shift	Relief Factor	Total Positions
Records Clerk	1	0	0	1.0	1.00
Mail Room Clerk	2	0	0	1.0	2.00
Maintenance Supervisor	1	0	0	1.0	1.00
Maintenance Worker	3	0	0	1.0	3.00
Food Service Supervisor*	1	0	0	1.0	1.00
Assistant Food Service Supervisor*	0	0	1	1.0	1.00
Food Service Worker*	4	0	4	1.7	13.60
				TOTAL	**22.60**

** Contract Staff*

Inmate Work/Training Programs

Position Description	First Shift	Second Shift	Third Shift	Relief Factor	Total Positions
Program Director III	1	0	0	1.0	1.00
Recreation Program Assistant	2	2	0	1.0	4.00
Chaplain	1	1	0	1.0	2.00
Academic/Vocational Principal*	1	1	0	1.0	2.00
Academic Instructor*	10.0	8.0	0	1.0	18.00
Vocational Instructor *	4	4	0	1.0	8.00
Librarian	1	0	0	1.0	1.00
				TOTAL	36.00

* *Includes educational/vocational training staff provided by the North Carolina Community College System (based upon levels of education programming shown in Inmate Activity Plan on pp.14-17). The community colleges are committed to providing adequate staff to meet the required accreditation and quality standards of our proposed programming. The actual number of teachers may vary to meet the necessary performance outcomes.*

Health Services

Position Description	First Shift	Second Shift	Third Shift	Relief Factor	Total Positions
Nursing R.N. Supervisor	1	0	0	1.0	1.00
Physician*	1	0	0	0.6	0.60
Registered Nurse (R.N.)	1	1	1	1.7	5.10
Practical Nurse (L.P.N.)	1	1	0	1.7	3.40
Psychiatrist*	1	0	0	0.2	0.20
Psychologist*	1	0	0	0.5	0.50
Dentist*	1	0	0	1.0	1.00
Dental Hygienist*	1	0	0	0.4	0.40
Pharmacist*	1	0	0	0.5	0.50
Optometrist*	1	0	0	0.1	0.10
Medical Records Clerk	1	0	0	1.0	1.00
Certified Dental Assistant	1	0	0	1.0	1.00
Data Entry Clerk**	1	0	0	1.0	1.00
				TOTAL	15.80

* *Contract Staff*

** *Data Entry Clerk position not required in original North Carolina RFP. Position added at NCDOC request and at NCDOC cost.*

Correctional Programs

Inmate Activities Plan

USCC's Inmate Activities Plan is designed to keep inmates occupied on a full-time basis. Inmates will be assigned full-time (eight hours per day for work assignments and six hours per day for education assignments) to one of five (5), or half-time to two (2) of five, major types of activities:

- Institutional Work Programs
- Private Sector Correctional Industries
- Vocational Training
- Academic Education
- Substance Abuse Treatment

It is essential to keep inmates occupied with meaningful activities and work opportunities that approximate the normal work required of most citizens. In addition to their eight hours per day job assignments, inmates will participate in a variety of activities, such as substance abuse education, counseling, and life skills training, as designated by their Individual Development Plans. Inmates activity assignments will be determined by their Individual Development Plans, developed with the Correctional Counselors.

80.0% Minimum Inmate Participation

The original RFP required a minimum of 80% of the inmate population to participate in programs. For the proposed general inmate population of 924, USCC must and will provide at least 739.2 full time equivalent (FTE) assignments to meet this minimum requirement.

Plan for 100% Participation

USCC proposes a Inmate Activities Plan with full time equivalent job and/or training opportunities for 924 inmates. The table on the following page shows a feasible distribution of these assignments by specific activity. Of course, the actual distribution may vary. For example, we may provide more substance abuse treatment assignments and fewer correctional industry assignments.

Feasible Distribution of Inmate Activity Assignments

Activity	FTE* Assignments	Education and Work Opportunities for Inmates
Food Services	80.0	•Transferable work experience •Development of good work habits •Competency in various skills levels of food preparation and service
Laundry	35.0	•Transferable work experience •Development of good work habits •Competency in various laundry services skills
Maintenance	24.0	•Transferable work experience •Development of good work habits •Competency in various skills levels of facility maintenance, including plumbing, carpentry, painting, electrical, and landscaping
Janitors, Grounds Workers, Aides, Warehouse Workers, Canteen Workers, other Operations Workers	130.0	•Transferable Work Experience •Development of Good Work Habits •Competency in various levels of skills
Correctional Industries	195.0	•Transferable work experience •Development of good work habits •Competency in marketable skills
Academic Adult Education (Half-time assignments for 420 inmates)	210.0	•Adult Basic Education •English as a Second Language •Basic Skills •Adult High School Diploma •General Education Development (GED)
College Program (Half-time assignments for 56 inmates)	28.0	•Associate Degree Programs (Technical) •Associate Degree Programs (College Transfer)
Vocational Education (Half-time assignments for 180 inmates)	90.0	•Employment Readiness •Occupational Extension Courses •Certificate Programs
Substance Abuse Treatment	132.0	•Comprehensive Substance Abuse Treatment •Sober lifestyle which will enhance the likelihood of obtaining and retaining long-term employment
Total FTE*Assignments	**924.0**	
80% Minimum FTE	**739.2**	

* *FTE = Full Time Equivalent*

Program Schedule

Shifts. Shifts will be arranged to best fit institutional need. Generally administrative and support staff work 8:00 am to 4:30 pm, uniformed 7:00 am to 3:30 pm/3:00 pm to 11:30 pm/11:00 to 7:30 am. However certain posts may work specific schedules (i.e. correctional officer or medical 6:00 am to 2:30 pm). Shifts may be utilized for effective program scheduling.

Operating Schedule: This schedule will allow four (4) program rotations of 3 hours each per day along with three eight (8) hour inmate work shifts. Correctional industry jobs will be offered five (5) days per week in three (3) eight hour shifts.

Food Service. Meals are scheduled to meet program/work needs and comply with ACA standards. In this example:

- Breakfast – 5:45 am to 7:30 am
- Lunch – 11:00 am to 12:30 pm
- Dinner – 5:00 pm to 6:30 pm

Inmate food service workers will work 4:30 am to 12:30 noon and 12:30 noon to 8:30 pm shifts. Please refer to *Attachment # 5 – Plan of Food Service Area showing Inmate Job Capacity for Typical Shift.*

Inmate Counts. Informal counts will occur in this example at 10:45 am, 3:00 pm and 6:45 pm. In cell counts occur at 10:30 pm, 11:30 pm, 12:30 am, 2:00 am, 3:30 am, and 5:15 am.

Adequate Program Space Capacity.. USCC's design contains adequate program space to provide **up to 944** FTE inmate work/training assignments within the 5 day schedule for education assignments and the 7 day schedule for work assignments. *Please refer to the table on page 19 which shows a feasible Inmate Activity Schedule for the facilities.*

Leisure Activities. Space for leisure activities will be available in two outdoor recreation areas located near each Cellhouse. Leisure activities will also be scheduled in several indoor locations, including:

- An enlarged Indoor Recreation area
- Dayrooms in each Cellhouse wing
- Classrooms (for use by volunteers giving presentations)
- Chapel (for music or variety programs)

Classification

USCC's Vice President of Operations, Vice President of Correctional Services, and both of our North Carolina facility administrators are

experienced in the use of classification systems for inmates housed in multiple occupancy cells. As a company, USCC has successfully classified and managed ethnically diverse inmate populations at all of its existing facilities in Kentucky, Florida and Texas. Our system includes a review of inmates' records, including social history, incarceration history, criminal history and behavioral history while incarcerated. This review is used to determine the inmates initial cell placement. Limited cell changes, **based primarily upon institutional space needs** and secondarily upon inmate preferences, are allowed. The housing unit manager controls all cell placement after initial classification. Using our proven classification system in close cooperation with the NCDOC, we will maintain a safe, secure and ethnically balanced facility.

Inmate Activity Schedule

General population cellhousing is divided into Unit 1 and Unit 2. Unit 1 is divided into Housing Wings A, B, C, and D. Unit 2 is divided into Housing Wings E, F, G, and H.

Activity Location	Activity Type	Inmate Capacity of Activity Location & Source of Inmates By Shift							
Education Opportunities		**7:30am - 10:30am Shift**		**11:45am - 2:45pm Shift**		**3:00 pm - 6:00pm Shift**		**7:00pm - 10:00pm Shift**	
		Source	**½ FTE**	**Source**	**½ FTE**	**Source**	**½ FTE**	**Source**	**½ FTE**
Classrooms #1 & #5	❶	A/B	30	A/B	30	A/B	30	A/B	30
Classrooms #2 & #6	❶	C/D	30	C/D	30	C/D	30	C/D	30
Classrooms #3 & #7	❶	E/F	30	E/F	30	E/F	30	E/F	30
Classrooms #4 & #8	❶	G/H	30	G/H	30	G/H	30	G/H	30
Group Room #1	❷	Unit1	30	Unit1	30	Unit1	30	Unit1	30
Group Room #2	❷	Unit 2	30	Unit 2	30	Unit 2	30	Unit 2	30
Vocational Shop #1	❸	Unit 1	15	Unit 1	15	Unit 2	15	Unit 2	15
Vocational Shop #2	❸	Unit 1	15	Unit 1	15	Unit 2	15	Unit 2	15
Vocational Shop #3	❸	Unit 1	15	Unit 1	15	Unit 2	15	Unit 2	15
Vocational Shop #4	❸	Unit 1	15	Unit 1	15	Unit 2	15	Unit 2	15
1/2 FTE Capacity Subtotal By			**240**		**240**		**240**		**240**
FTE Education Opportunities Total Capacity (240 half time assignments X 4 shifts / 2)									**480**
Work Opportunities		**6:30am - 2:30pm Shift**		**2:45pm - 10:45pm Shift**		**11:00 pm - 7:00am Shift**			
		Source	**FTE**	**Source**	**FTE**	**Source**	**FTE**		
Correctional Industries		Units 1 & 2	75	Units 1 & 2	75	Units 1 & 2	45		
Institutional Jobs	❹	Units 1 & 2	166	Units 1 & 2	95	Units 1 & 2	8		
FTE Capacity Subtotal By Shift			**241**		**170**		**53**		
FTE Work Opportunities Total Capacity (241 + 166 + 53)									**464**
FTE Education & Work Opportunities Total Capacity (924 required for 100% participation)									**944**

❶ Adult Basic Education, GED & College Classes.

❷ Substance Abuse Treatment, Violence Management, Parenting, etc. Dayrooms will also be used for large group SA meetings.

❸ Vocational Education Programs include carpentry, electrical, masonry, etc.

❹ Institutional jobs will include food service, laundry, maintenance, janitors, grounds workers, aides, warehouse, canteen workers, etc. Inmate food service workers will work 4 am - 12 noon and 12 noon to 8 pm shifts. Refer to the table on the following page for a detailed breakdown of inmate job assignments by position and shift.

Institutional Job Assignments

Job Type / Job Name	First Shift	Second Shift	Third Shift
Food Service Worker			
Cooks	4	4	0
Diet Cook	1	1	0
Baker	3	3	0
Cook Helper	5	5	0
Line Server	6	6	0
Dining Room Attendant	6	6	0
Sanitation	6	6	0
Dishwasher	5	5	0
Secretary	1	1	0
Stock Clerk	2	2	0
Butcher	2	2	0
Laundry Worker			
Laborers	33	0	0
Clothing Repairman	2	0	0
Maintenance Worker			
General Maintenance (all trades)	18	0	0
Maintenance Clerk	1	0	0
Maintenance Orderly	1	0	0
Janitors			
Cellhouse	12	12	8
Inmate Dining Room	0	9	0
Education	1	1	0
Medical	1	1	0
Administration	1	0	0
Main Corridor	2	0	0
Grounds Maintenance Worker	14	0	0
Educational Aide	10	10	0
Vocational Shop Aide	4	4	0
Canteen Worker	3	0	0
Barber	3	2	0
Warehouse Worker	4	0	0
Library Aide	2	2	0
Chaplain Clerk	3	3	0
Recreation Aide	6	6	0
Substance Abuse Treatment Aide	4	4	0
Total Jobs Assignments / Shift	**166**	**95**	**8**

Costs

Technical Revisions Require Cost Adjustments

The expansion to 924 general population beds and 112 segregation beds require revisions to our original staffing plan, inmate activities plan and therefore, to our operational cost. It will also require the design and construction of additional program/ industries and indoor recreation space and therefore, an adjustment to the lease cost.

Guaranteed Occupancy

The original RFP guaranteed a 95% inmate occupancy level. USCC expansion costs assume 95% occupancy of 924 general population beds + 50% occupancy of 112 segregation beds in each facility = 934 beds for each facility.

Annual Savings

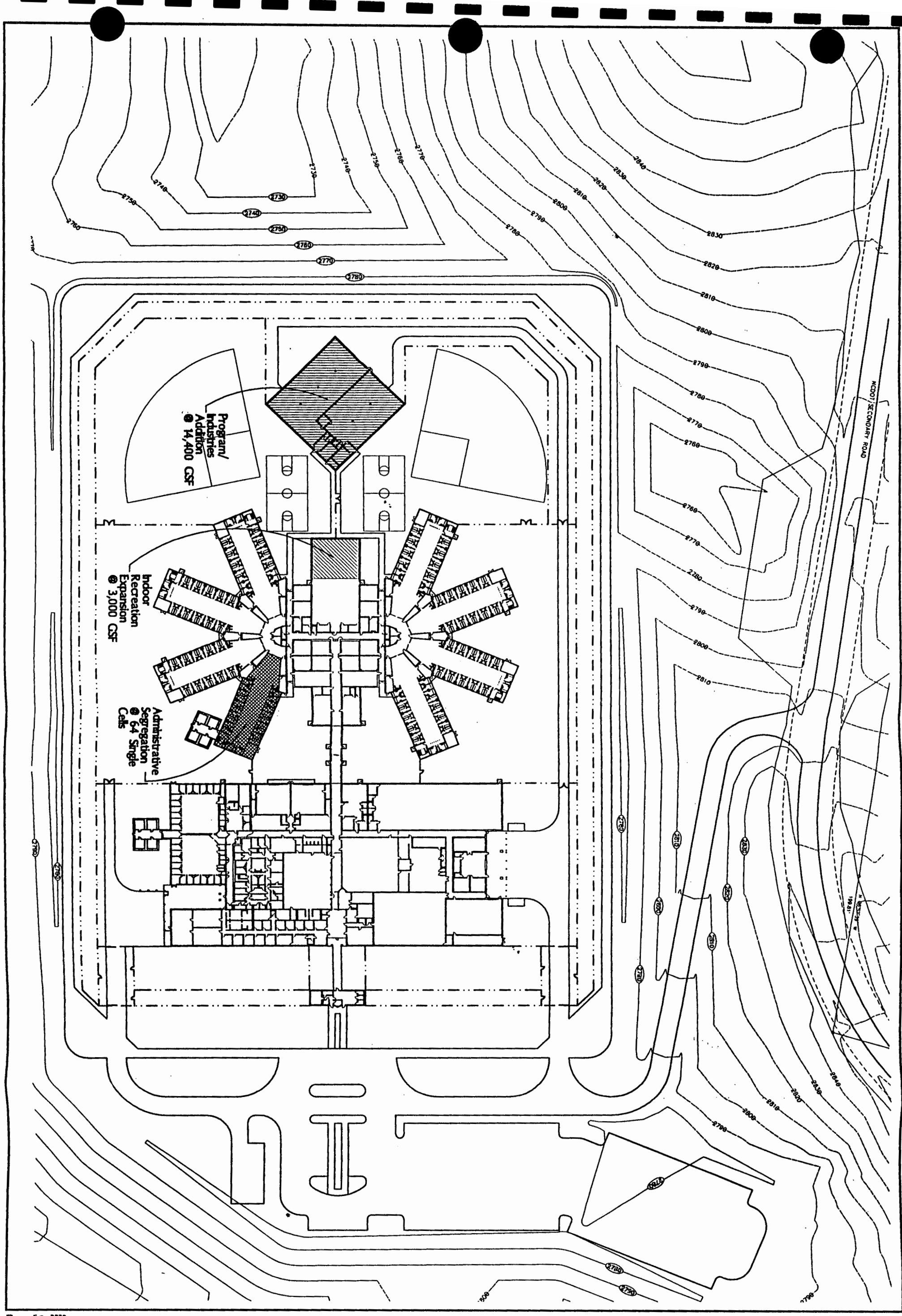
USCC estimates that the expansion will save the State approximately $2,281 per inmate per year or 12% compared to our original total annual cost per inmate. Total annual savings for 1868 beds (934 beds/facility X 2 facilities) would be $4,260,908.

Please refer to the table on the following page for detailed breakdown of costs with a comparison to costs for our original proposal.

Cost Breakdown for Expansion w/ Comparison to Original Costs

Proposal	Operating Costs		Lease Costs		Total Costs	
	Per Diem	Annual Total	Per Diem	Annual Total	Per Diem	Annual Total
Original Proposal- 500 general population beds and 48 segregation beds each facility						
Avery County	$36.14	$6,595,550	$15.17	$2,768,700	$51.31	$9,364,250
Pamlico County	$35.95	$6,560,875	$14.60	$2,664,300	$50.55	$9,225,175
					Total Annual Cost to State	$18,589,425
					Total Annual Cost per Inmate	$18,589
Expansion Proposal - 924 general population beds and 112 segregation beds each facility						
Avery County						
First 500 Beds	$36.14	$6,595,550	$15.17	$2,768,700	$51.31	$9,364,250
Next 434 Beds	$35.74	$5,661,573	$1.74	$275,000	$36.47	$5,936,573
Pamlico County						
First 500 Beds	$35.95	$6,560,875	$14.60	$2,664,300	$50.55	$9,225,175
Next 434 Beds	$35.74	$5,661,573	$1.74	$275,000	$36.47	$5,936,573
					Total Annual Cost to State	$30,462,571
					Total Annual Cost per Inmate	$16,308
					Reduction in Total Cost per Inmate ($18,589 — $16,308 or 12%)	$2,281
					Annual Savings to State ($2,281 X 1868 inmates)	$4,260,908

F:\PROJECT\PROPOSAL\NC\NC500\EXPAND\PROPOSAL



Revised Site Plan – Avery County

North Carolina 500 Bed Facility

Under the Operation of

U.S.C.C.

for

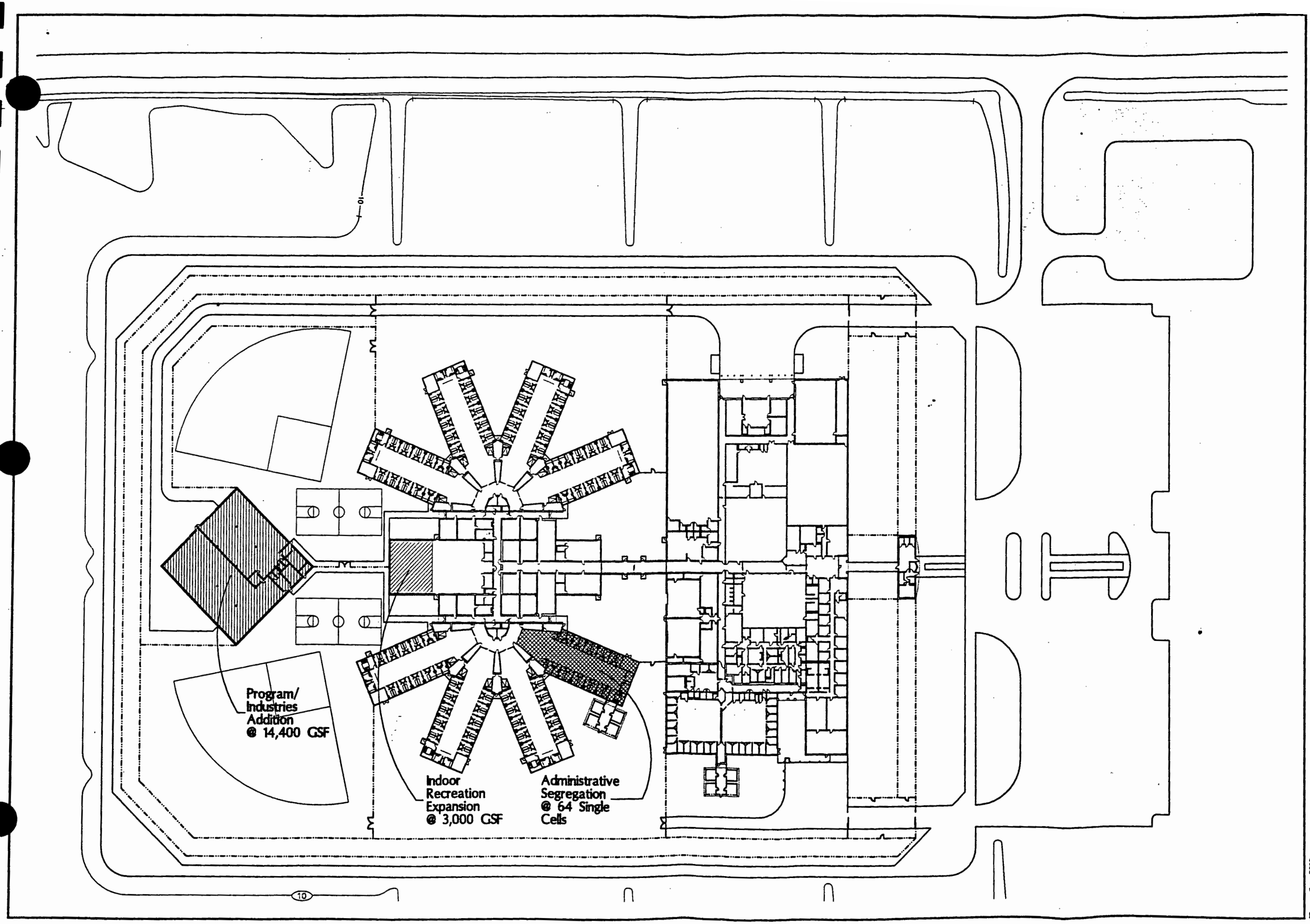
Department of Correction State of North Carolina

Milton D. Thompson, Jr. Architect

205 Capitol Heights Dr.
Frankfort
Kentucky

Tel 502-634-6509
Fax 502-635-6002

Date 12/23/97



Milton D.
Thompson, Jr.
Architect

205 Capitol Heights Dr.
Frankfort
Kentucky

Tel 502-634-8509
Fax 502-635-6002

Revised Site Plan – Pamlico County
North Carolina 500 Bed Facility
Under the Operation of
U.S.C.C.
For the
Department of Correction State of North Carolina

Date 12/23/97

Milton D.
Thompson, Jr.
Architect

205 Capitol Heights Dr.
Frankfort
Kentucky

Tel 502-634-8509
Fax 502-635-6002

Program / Industry Space

Program / Industry Space

Toilet

Office

Janitor

Shakedown Room

Classroom

Yard Office

Classroom

Shakedown Room

Indoor Recreation Expansion

Locking Doors with Windows at Showers

Food Slot in each Cell door

Correctional Counselors Office

Interview Room

Remote Control CCTV

Administrative Segregation @ 64 Single Cells

Outdoor Recreation

Showers Reworked To 3 Heads Each Location

Typical Floor Plans – Correctional Industries Addition & Indoor Recreation Expansion

North Carolina 500 Bed Facility
Used as Prototype at
U.S.C.C.
Department of Correction State of North Carolina

Date 12/23/97

TOWN OF
SPRUCE PINE
P. O. BOX 189
SPRUCE PINE
NORTH CAROLINA 28777
704-765-3000
FAX 704-765-8141

MAYOR
PHILLIP D. FRYE

MAYOR PRO TEM
RICHARD CANIPE

ALDERMEN
BRENDA PITMAN
GREGG HENLINE

TOWN MANAGER
ROBERT C. WISEMAN

CHIEF OF POLICE
COY D. HOLLIFIELD

RECEIVED
OCT 27 1997

October 23, 1997

J. David Donahue
2500 Seventh Street Road
Louisville, KY 40208

RE: Utilities to USCC Facility- Avery County

Dear Dave:

It is my understanding that consideration is being given to expanding the proposed inmate population at your Avery County facility. The Town of Spruce Pine can assure you of adequate water and wastewater services to accommodate one thousand inmates.
In addition, the Town will support you in any way possible in your endeavor. The Town will have a 2.0 MGD waste water plant on line in late summer of 1998 and has a state of the art 1.6 MGD water treatment plant in operation currently. These treatment facilities are more than adequate to meet any expansion in your foreseeable future.

Sincerely,

Robert Wiseman

Robert C. Wiseman
Town Manager

County Of Avery
Office of the County Manager
Post Office Box 640
Newland, North Carolina 28657

RECEIVED
OCT 31 1997

October 28,1997

J. David Donahue
Senior Vice President and Chief Operating Officer
U.S. Corrections Corporation
2500 Seventh Street Road
Louisville, Kentucky 40208

Dear Mr. Donahue:

Let this letter serve as an endorsement and support for the expansion of the medium security prison that USCC is constructing in Avery County.

I have discussed the expansion of the facilities in Avery County with the Commissioners and it was an unanimous and affirmative agreement to support the expansion from 500 ~ 1000 beds of the medium security prison currently under construction by United States Corrections Corporation of Louisville, Kentucky.

Futhermore, it is our position that the residents of Avery County will wholeheartedly support the expansion. This expansion will not only provide the State and Department of Corrections with needed additional prison beds, but will also greatly enhance the project's economic benefits to the County of Avery in the form of additional jobs, and the purchase of additional goods and services.

If the County of Avery can be of any service to you or United States Corrections Corporation do not hesitate to call on us.

Sincerely,

Donald R. Baker

Donald R. Baker,
Avery County Manager

MITCHELL COUNTY

P.O. BOX 409, BAKERSVILLE, NC 28705 704-688-2139

RECEIVED
NOV 03 1997

October 29, 1997

Mr. J. David Donahue
Senior Vice President
US Corrections Corporation
2500 Seventh Street Road
Louisville, Kentucky 40208

RE: Senate Bill 352, Section 19.17

Dear Mr. Donahue:

This correspondence is to advise of the support and endorsement of the above referenced legislation. An expansion of the inmate capacity of your facility located partially in Mitchell County will greatly enhance the project's economic benefits to Mitchell County in the form of additional jobs, salaries and the purchase of additional supplies and services.

We respectfully request that you convey the endorsement and community support from the residents and Board of Commissioners of Mitchell County to the North Carolina Department of Corrections for the additional 500 inmate capacity of your facility.

You are welcome to contact us for any future needs or information you may have relevant to this subject.

Sincerely,

Michael Robinson
County Manager

BOARD OF COMMISSIONERS

LINDA FODREY, CHAIRMAN
AT LARGE

PHILLIP PRESCOTT, JR.
AT LARGE

COUNTY MANAGER
CLERK TO THE BOARD
MARTIN BEACH

COUNTY ATTORNEY
JAMES R. SUGG

COUNTY OF PAMLICO
POST OFFICE BOX 776
BAYBORO, NORTH CAROLINA 28515
(919) 745-3133/745-5195
FAX (919) 745-5514

BOARD OF COMMISSIONERS

ROY BRINSON, SR.
TOWNSHIP #1

WARREN BRUCE
TOWNSHIP #2

JOHNNIE TRIPP
TOWNSHIP #3

CARL OLLISON
TOWNSHIP #4

DOUG BRINSON
TOWNSHIP #5

October 23, 1997

Mr. David Donahue
Executive Vice President
USCC
2500 Seventh Street Road
Louisville, Kentucky 40208

RECEIVED
OCT 27 1997

Dear David,

The purpose of this letter is to encourage USCC to make application to become a 1000 bed facility. We had our engineer design our water and sewer expansion to accommodate a 1000 bed facility. The upgrading of our utilities should be completed by the time your facility opens next summer. The Board of County Commissioners welcome any expansion that will add more jobs to the community.

If we can be of any assistance, please call.

Sincerely,

Martin H. Beach
County Manager

PRISON4.WPD

AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

BOARD OF COMMISSIONERS

LINDA FODREY, CHAIRMAN
AT LARGE

PHILLIP PRESCOTT, JR.
AT LARGE

COUNTY MANAGER
CLERK TO THE BOARD
MARTIN BEACH

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TOWNSHIP #3

CARL OLLISON
TOWNSHIP #4

DOUG BRINSON
TOWNSHIP #5

October 23, 1997

Mr. David Donahue
Executive Vice President
USCC
2500 Seventh Street Road
Louisville, Kentucky 40208

Dear David,

The purpose of this letter is to encourage U. S. Corrections Corporation (USCC) to make application to become a 1000 bed facility. The residents of Pamlico County strongly support and endorse the expansion from 500 to 1000 beds of the medium security prison currently under construction in our county by USCC of Louisville, Kentucky. This expansion not only will provide the State and Department of Correction with needed additional prison beds, but will also greatly enhance the project's economic benefits to the county. The Board of County Commissioners welcome any expansion that will add more jobs to the community.

We had our engineer design our water and sewer expansion to accommodate a 1000 bed facility. The upgrading of our utilities should be completed by the time your facility opens next summer. If we can be of any assistance, please call.

Sincerely,

Martin H. Beach
County Manager

MAYLAND

Community College

Excellence Within Reach

RECEIVED
DEC 19 1997

December 16, 1997

Bob Spillman
Director of Education
USS Corrections Corporation
2500 Seventh Street Road
Louisville, Kentucky 40208

Dear Bob:

For the past two years, the staff of Mayland Community College has been working with U. S. Corrections Corporation in planning inmate training programs in the correctional facility being constructed in our community. We have reviewed the inmate activity plan for expanding this facility to 1000 beds and are prepared to offer inmate training programs at the following levels of inmate participation, including he initial, anticipated population of 500.

	Instructors	Instructional FTE
Adult Education (literacy through GED)	14	394
Vocational Education	5	169
College Program	2	53
		616

The eight classrooms, two large group rooms, and four vocational shops within the extended day schedule developed by USCC, will provide classroom space that is adequate to accommodate these programs. Based on the inquiries I have had to date and our experience in recruiting staff in this area, I do not anticipate any problems in hiring and retaining staff for this program.

Contingent upon the availability of start-up and on-going state funding, Mayland Community College will provide these programs. Our funding for these and other new programs offered within our service area is on a reimbursable basis. Therefore, the entire first year cost must be available up front as a start-up cost. Our budget is not large enough for us to accommodate those costs within it.

In addition, USCC and the Department of Corrections will have to identify a source of those funds in advance of our agreeing to offer the programs. It is these start-up costs which were not funded for in the initial obligation to provide programs for the first 500 inmates. We are working now with DOC officials to determine what start-up costs may be identified for the first increment. We will not know the source or amount of funds or the level of programs we can offer within those funds for some time. Before we

obligate for an additional 500 inmates, this matter needs resolution. Additionally, we are prepared to offer a training program for staff employed by USCC to operate this facility.

We welcome this opportunity to serve our community and be a part of this opportunity for job and economic development in the Mayland Community College service area.

Sincerely,

Thomas E. Williams

Thomas E. Williams
President

cc: Rick Garrett

PAMLICO
COMMUNITY COLLEGE
EXPAND YOUR HORIZONS...

P.O. BOX 185 • HIGHWAY 306 SOUTH • GRANTSBORO, N.C. 28529-0185

TELEPHONE: (919) 249-1851

December 12, 1997

Mr. Robert E. Spillman
Vice President Program Services
U. S. Corrections Corporation
2500 Seventh Street Road
Louisville, Kentucky 40208

Dear Mr. Spillman:

I am pleased to hear that USCC may be on the verge of increasing its Pamlico County Correctional facility from five hundred to one thousand inmates. This increase would result in an even greater economic advantage for the local citizens.

Earlier today you inquired as to this college's ability to recruit sufficient faculty if the inmate population was doubled. I do not foresee faculty recruitment as a problem for three reasons. First, we have a number of retired individuals residing in the area who are qualified and interested in part-time instruction of the inmates. Second, the towns of Morehead City, New Bern and Washington are fairly close to Pamlico County. We have received inquiries from qualified individuals who reside in each of the three towns. Third, several faculty on the Pamlico Community College main campus have already requested assignments in the correctional facility.

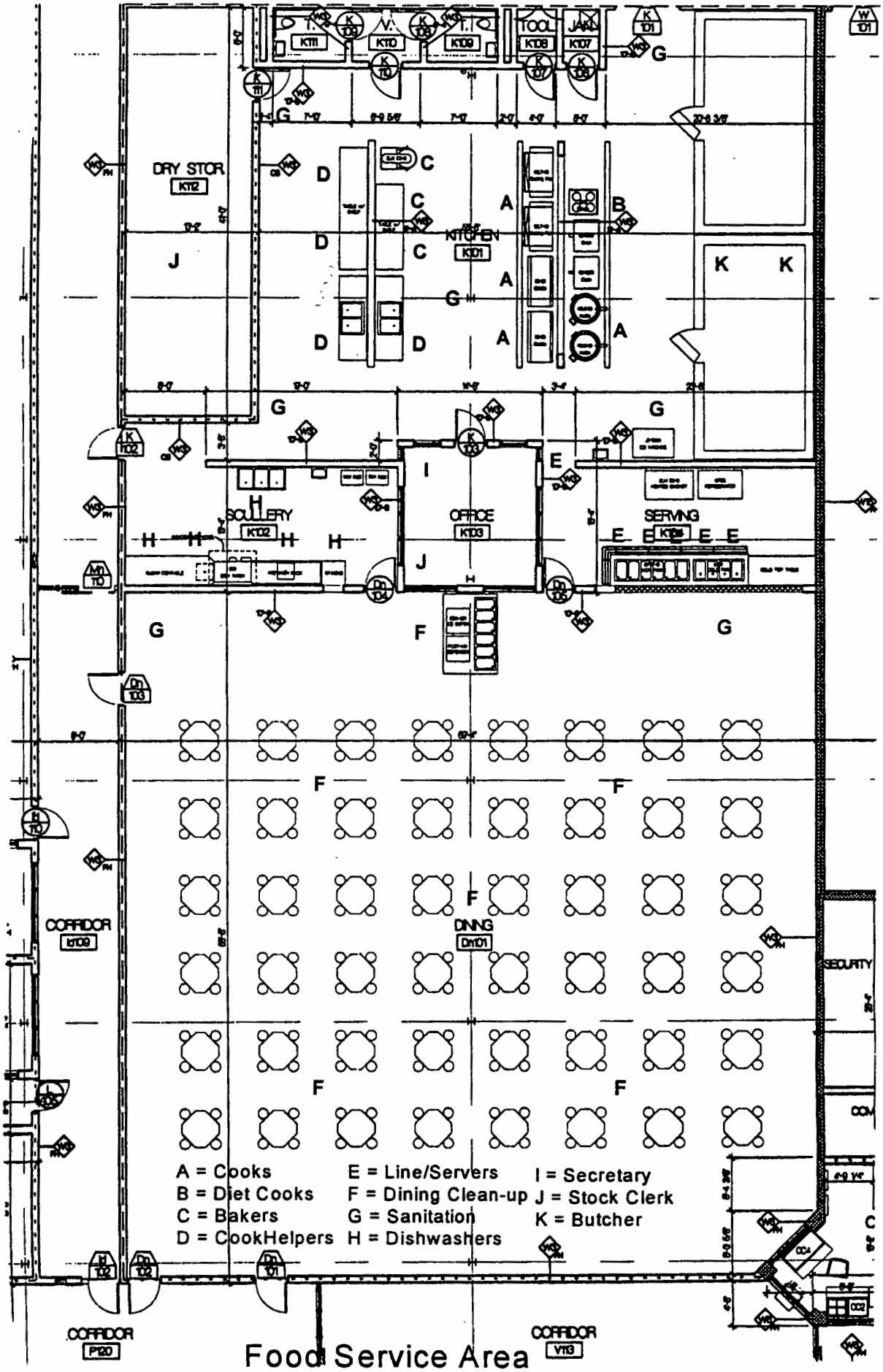
Provided adequate funding is provided for instructional costs, this institution feels that an excellent educational program can be implemented in the Pamlico County Correctional Facility. If I can provide additional information, please do not hesitate to let me know.

Sincerely,

E. Douglas Kearney, Jr.

Dr. E. Douglas Kearney, Jr.
President

PC: Joan Delamar
Ramona Game
Larry Prescott



Food Service Area

Showing Inmate Job Capacity for Typical Shift

USCC

Savings through Privatization

PRESS RELEASE

For Release: July 9, 1997
Contact: Raoul Cunningham
Phone Number: (502) 635-5444

USCC EXECUTES $70 MILLION CREDIT AGREEMENT

Louisville, Ky, July 9,1997 — USCC announced the completion of a $70 million financing facility arranged by a banking syndicate led by Credit Suisse First Boston. The new credit facility provides USCC term loan borrowings, a revolving credit commitment, and a letter of credit facility.

USCC's President and CEO, Robert B. McQueen, stated "this financing agreement with Suisse Boston and other major financial corporations in the country allows USCC to continue to be a leader in the private prison industry." McQueen said the financial arrangement will permit USCC to complete and expand a number of correctional institutions under contract.

USCC, the oldest and third largest company in the private prison industry, designs, finances, builds and manages prisons and other correctional institutions for government agencies. The company owns and operates six correctional centers in Kentucky, Ohio, Florida, and Texas and is building North Carolina's first two private prisons, which it will also operate.

2500 Seventh Street Road
Louisville, Kentucky 40208
Phone: 502.635.5444
Fax: 502.635.6002

An Employee-Owned Corporation

USCC

Savings through Privatization

PRESS RELEASE

For Release: June 3, 1997
Contact: Raoul Cunningham
Phone Number: (502) 635-5444

USCC GIVES EMPLOYEES $5.4 MILLION

Louisville, Kentucky — On Friday May 30, USCC of Louisville, Kentucky presented more than $5.4 million in cash and stock certificates to 644 eligible employees enrolled in the private prison company's retirement plan.

The disbursement of $1.8 million in stock and $3.6 million in net cash proceeds from USCC's Employee Stock Ownership Plan (ESOP) was the result of the company's recent decision to terminate the ESOP and develop a new retirement plan for its employees. The ESOP was established in 1994.

The average amount of cash received by each employee was $10,410.82 after taxes.

Martha Lovett, a personnel clerk at Diboll Correctional Center in Texas, was one of the grateful cash recipients. "These checks have been a blessing," she said. "It has made the dreams of a car, truck, house, college, bills paid, etc., possible when the situation was impossible."

On April 1, USCC established a 401-K plan that allows employees to contribute 1 percent to 15 percent of their annual salary. The company will automatically contribute 3 percent of every employee's annual salary, and will provide an additional contribution of up to 3 percent for all employees who choose to participate in the retirement plan.

USCC, the oldest and third largest company in the private prison industry, designs, finances, builds and manages prisons and other correctional facilities for government agencies. The company owns and operates six correctional facilities in Kentucky, Florida and Texas and is building North Carolina's first two private prisons, which it also will operate.

2500 Seventh Street Road
Louisville, Kentucky 40208
Phone: 502.635.5444
Fax: 502.635.6002

An Employee-Owned Corporation

USCC

Savings through Privatization

PRESS RELEASE

For Release: January 27, 1997
Contact: Raoul Cunningham
Phone Number: (502) 635-5444

USCC RAISES $60 MILLION IN PRIVATE GROWTH CAPITAL

Louisville, Ky.— USCC announced today that it has raised $60 million of new private growth capital through an investment agreement with J.H. Whitney & Co. and Chase Capital Partnerships, two of the nation's largest venture capital firms.

USCC, a leader in the private prison industry, will use this capital to fund its rapidly growing operations, including the construction of North Carolina's first private prisons. USCC was awarded the contract to design, build and operate the two 500-bed facilities last July.

USCC designs, finances, builds and manages prisons and other correctional institutions for government agencies. The employee-owned company is the largest privately-owned corrections company and the third largest among all companies in the privatized corrections industry. USCC has more than 5,250 beds under contract in Kentucky, Florida, Texas, Ohio, and North Carolina.

J.H. Whitney & Co., founded in 1946, is the country's first venture capital firm and remains one of the largest and most active, providing growth capital to leading enterprises. Chase Capital Partners is an affiliate of Chase Manhattan Bank, the nation's largest bank, and has over $3.5 billion invested in private companies.

A spokesperson for the new minority investors commented, "The quality of USCC's management, facilities and operations has made it one of the best run private prison companies in the U.S. We are excited to provide USCC with the capital to meet its expansion needs."

2500 Seventh Street Road
Louisville, Kentucky 40208
Phone: 502.635.5444
Fax: 502.635.6002

An Employee-Owned Corporation

Milton Thompson

Chairman

Milton Thompson co-founded USCC in 1983 and has served as its Chairman of the Board of Directors since March 1994. Mr. Thompson was the company's Secretary and Treasurer for 11 years. In more than a quarter-century of private practice, he programmed, designed and supervised the building of some of government's largest and most complex projects. A widely recognized expert in fast tracking construction projects, Mr. Thompson oversees USCC's design/build teams, and manages our RFP bidding process and overall contract execution. He is a graduate of the University of Kentucky and the Massachusetts Institute of Technology, and is both an engineer and a registered architect.

Robert B. McQueen

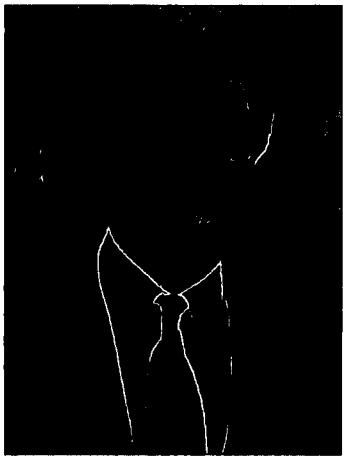
President & Chief Executive Officer

Robert McQueen has been associated with USCC since 1985. He directed financing and procurement for the first private prison in the United States — USCC's Marion Adjustment Center. Using his knowledge of government and financing, Mr. McQueen pioneered the early development of the private prison industry. A graduate of Eastern Kentucky University and the University of Louisville College of Law, he joined USCC after holding top positions with U.S. Senator Walter Huddleston, the Law Firm of Barnett & Alagia and the National Bank of Cynthiana, Kentucky. Mr. McQueen was formerly USCC's Vice President for Government Relations.

J. David Donahue

Senior Vice President & Chief Operating Officer

J. David Donahue oversees company operations and represents the company in contract negotiations. Mr. Donahue has more than 16 years experience in correctional management, including seven years with the U.S. Department of Justice, Bureau of Prisons. He frequently assesses and audits facilities and correctional systems nationwide, specializing in medium and maximum security adult and juvenile facilities. He holds the Bachelor Degree in Criminology from Eastern Kentucky University, and he attended graduate school at the University of Kentucky.



Douglas A. Vetter

Chief Financial Officer

Douglas Vetter oversees all aspects of USCC's financial operations. He brings over 25 years of financial and general management experience to the company. Mr. Vetter has extensive experience in system design and implementation, cost reduction and productivity, quality and safety programs, as well as, raising equity and debt. Prior to joining USCC, he managed a $105 million subsidiary of Owens Corning Corporation. He has also held CFO, controller, and senior operating positions in the distilled spirits, convenience store and restaurant industries, along with a term at an international public accounting firm. Mr. Vetter is a Certified Public Accountant and holds a Bachelor of Science in accounting from the University of Kentucky,

Donald G. Sapienza

Vice President of Correctional Services

Donald Sapienza implements USCC correctional services contracts. After joining the company in 1993, he served as Warden of Otter Creek Correctional Center. He previously worked for the Commonwealth of Kentucky for 22 years serving as Deputy Warden of a 1450-bed medium security facility, as Hospital Supervisor for a 50-bed hospital and as Hospital Administrator for a 900-bed medium security facility. He is a member and past president of the Kentucky Council on Crime Delinquency and is a graduate of Murray State University.

Michael J. O'Dea

Vice President for Facility Operations

Michael O'Dea supervises the day-to-day operations of USCC facilities. He has 25 years experience in correctional management. Beginning his career as a correctional officer, he eventually became Warden for two Kentucky Department of Corrections facilities. Mr. O'Dea is an auditor for the American Correctional Association and received the Warden of the Year Award for 1996. He holds a Master of Arts Degree in Sociology/Criminology from Morehead State University and a Bachelor of Arts Degree in Psychology from the University of Kentucky.

Robert E. Spillman

Vice President of Program Services

Robert Spillman develops and administers inmate programs including rehabilitation, education, vocational training, recreation and work. He has national experience in government and education. He is a certified high school teacher, principal and superintendent, and has held top-level positions in Kentucky's Cabinet for Human Resources, Department of Education, Finance Cabinet, and Office of the Governor. He was a consultant to the U.S. Department of Labor and was Executive Vice President and Director of Program Development for the National Center for Family Literacy. He holds a Bachelor of Science Degree from Murray State University and a Master of Science Degree from the University of Kentucky.

Beth Rogers

Vice President of Business Administration

Beth Rogers oversees the financial management of USCC's facilities. She formulates budgets for the facilities and works with the facilities to contain costs, ensures consistency between field business offices and the corporate accounting division, and develops personnel and non-personnel budgets for new projects at the corporate office. Ms. Rogers has more than 20 years experience working in both the domestic and foreign markets, and served as General Manager of an engravers company and as Divisional Merchandise Manager of a national retail corporation.

Raoul Cunningham

Vice President of Public Affairs

Raoul Cunningham is responsible for the company's human resources and relations with the public and the news media. Prior to joining USCC in 1994, Mr. Cunningham worked in government for 20 years as Deputy Commissioner for Kentucky's Department of Personnel, Senior Assistant for Legislation to a U.S. Senator and press secretary to the Kentucky Speaker of the House. He has also held pivotal roles in political campaigns and voter registration drives. Mr. Cunningham has a Bachelor of Arts Degree in Political Science from Howard University.

Robert A. Babbage, Jr.

Vice President of Marketing and Development

Bob Babbage actively seeks new business opportunities and develops government and community relations for USCC. Mr. Babbage has extensive experience in marketing and politics. He served as Kentucky's elected Secretary of State and Auditor of Public Accounts and is the former Chairman of the Kentucky Democratic Party. He was Managing Partner of InterSouth, Inc., small business and related financial services investments. Mr. Babbage has Master's Degrees in both International Business and Social Ethics. He is active in many civic organizations, including the Lexington Dream Factory, Leadership Kentucky, and the United Way.

Earl H. "Bud" Parmer

Vice President of Development - Southern Region

Earl Parmer aggressively pursues USCC's expansion in the Southern Region of the United States. He worked for the Florida Department of Corrections as Site Acquisition Administrator and Privatization Coordinator and has more than 25 years experience working with state, city and county governments. He served as both a city and county manager in the State of Florida. Mr. Parmer has worked in the fields of marketing and broadcast journalism and is one of the founders of the Florida Institute of Government. He attended Auburn University as a Business Administration major and completed the University of South Florida's Public Management Graduate Program.

Bradley Yount

Vice President of Design and Construction

Bradley Yount is a registered architect with more than 30 years experience in designing and building institutional facilities for governments. He is in charge of programming, designing and building USCC's prison and jail facilities. Mr. Yount creates contract-winning facility designs for the company. He holds a Bachelor of Science in Civil Engineering from the University of Kentucky and a Bachelor of Architecture Degree from the University of Pennsylvania.

Gary W. Freeland

Director of Financial Planning and Analysis

Gary Freeland prepares the annual budget and its periodic updates for USCC Corporate and for each of our facilities. He also creates financial documentation concerning the feasibilities of new facilities during the proposal process, prepares financial covenants and assures that the Company is in compliance with its financial agreements, and analyzes operating results and profit enhancement initiatives. Mr. Freeland has more than 20 years' experience in account management, financial analysis, forecasting, and information systems for such companies as Interlake Material Handling and Celanese. He holds an MBA from Webster University and a BA in Accounting from the University of Charleston (WV).

Beverly Heiney

Director of Personnel

Beverly Heiney administers the company's Health and Workers Compensation Insurance, Family and Medical Leave, and other USCC personnel programs and benefits. She also recruits and trains correctional personnel. Ms. Heiney is a past Associate Director of the 350-inmate River City Correctional Facility. She has a Bachelor Degree in Psychology and a Master of Education Degree in Counseling and Personnel Services from the University of Louisville.

Steve Vice

Director of Technical Support

Steve Vice designs, edits, and manages the production of proposal documents for the design, construction, finance and operation of USCC's correctional facilities. He has directly managed our competitive-bid process in the states of Virginia, Florida, Texas, North Carolina, Michigan and Idaho, and while he was a Staff Architect with USCC, he helped design USCC's prototype prison facilities. Mr. Vice has a Bachelor of Architecture Degree from the University of Kentucky and a Bachelor of Arts Degree from Centre College.

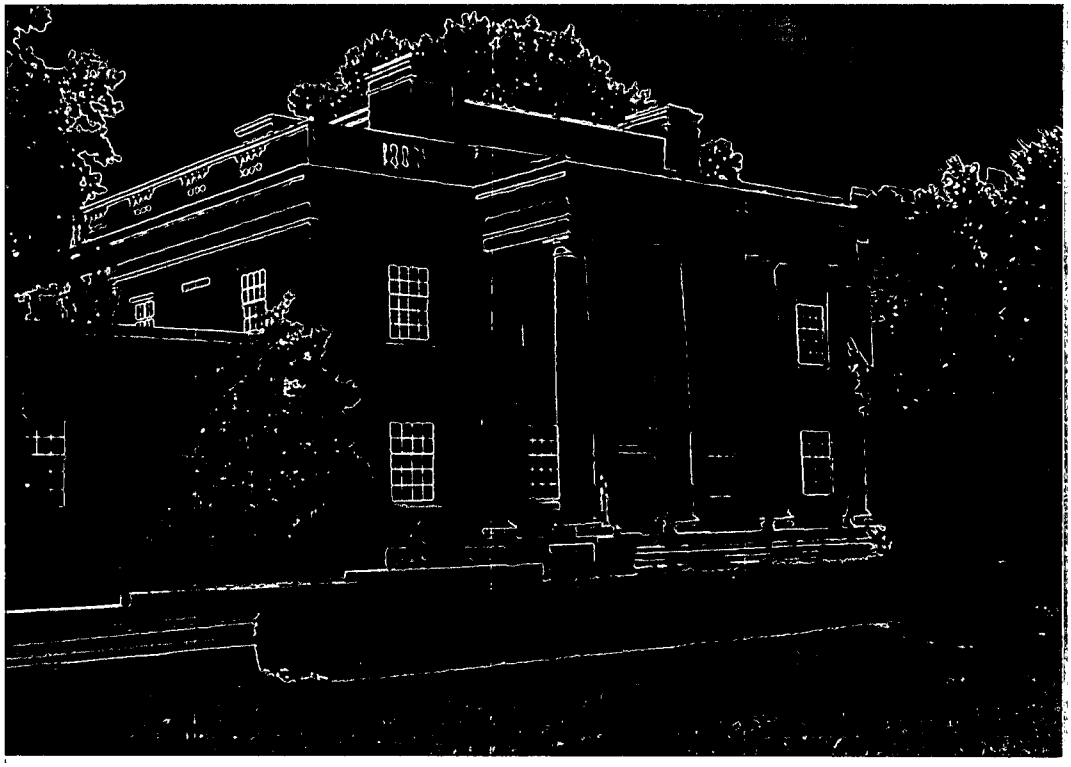
Lyda H Merritt

Controller

Lyda Merritt manages USCC's accounting and financial reporting functions, including accounts payable and receivable, payroll, financial statements, and annual audits. She also oversees insurance coverage accounts, and handles tax issues at the federal, state, and local levels. Ms. Merritt is also responsible for cash management accounts between our corporate office and the facilities. Prior to joining USCC, Ms. Merritt worked in the health care industry. She has been a certified CPA since 1995 and a certified CMA since 1990.

Pioneers in Privatization

A little more than ten years ago we designed, built and began operating the nation's first private state prison. Today USCC occupies a distinct position in privatization. Few companies can match our diversity of experience, nor can they offer our comprehensive performance, our innovation, and our commitment to doing the job better:



Founded in 1983, USCC has its corporate headquarters in Louisville.

★ We offer comprehensive services. We design, build, finance and operate our own facilities. We manage minimum and medium security facilities.

★ We have established a broad base of operations, with facilities in Kentucky, Ohio, Florida, Texas, and — currently under construction — in North Carolina.

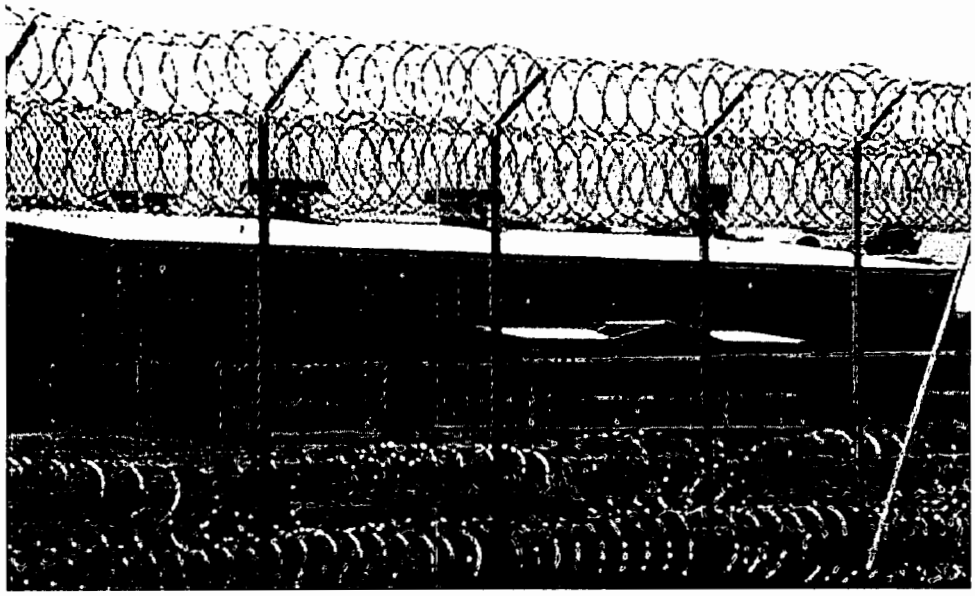
★ We built the nation's first private state prison — Marion Adjustment Center in rural St. Mary, Kentucky. We built and operate Florida's first private prison. And because we won both ends of the recent North Carolina bid, we will build and operate that state's first *two* private prisons.

★ We maintain a corporate-wide ACA average of 99.75 percent compliance at our facilities.

Savings through Privatization

Privatization with USCC means substantial savings of both time and money. Because we are private, USCC can provide quick response to program needs, can help government avoid issuance of debt, can help stabilize the number of public employees, and — most of all — we can be innovative in design and materials.

In 1994, the Kentucky state auditor's office conducted a comparison of USCC's private facilities versus State-operated minimum-security prisons. The comparison showed that the Commonwealth saved ***at least 17 percent*** by going with USCC.



USCC builds and operates secure, efficient facilities at substantial savings.

We have an industry-wide reputation for completing our projects on time and within budget. Here are some other examples of savings we can provide:

★ We minimize litigation exposure. USCC has not had any inmate or prisoner judgements or settlements against the company in the last five years. Our litigation costs for 12 years total only $26,000 — *including* filing fees, postage, and expert-witness fees — and in that time USCC has paid out a total of only $6,500 in legal settlements.

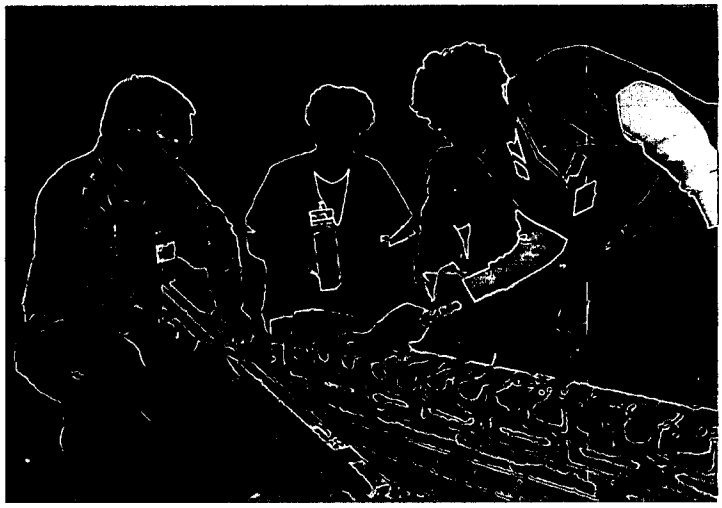
★ We built the 500-bed Lee Adjustment Center for *less than half* of what Kentucky would have budgeted for a comparable facility. We opened Texas' Diboll Correctional Center just 420 days after signing the contract. And, according to a study done by the State of Florida, we built and currently operate Gadsden Correctional Institution for 14% less than comparable state facilities.

A Path to Higher Ground

USCC offers a full range of inmate programs, all of which focus on providing inmates a path to higher ground — reducing recidivism and returning offenders to the community as productive, law-abiding citizens.

Academic and Vocational Programs

We believe quality inmate programs are effective in promoting rehabilitation. Effective programs that meet the needs of the inmate population make for safe, secure management of the inmates while they are in our facilities, and our academic and vocational programs provide the skills inmates need to live successfully when they return to today's society.



USSC inmates learn hands-on masonry skills.

Academic courses are available to all inmates. The courses are competency-based and age appropriate, and classes range from basic learning skills — reading comprehension, natural science and arithmetic — to GED certification. Some of our facilities offer College level courses. Vocational Training is tailored to each facility's inmate population and location. Offerings at our facilities include computer lab, arts, crafts, leather shop and air conditioning maintenance. Hands-on training courses in trades — such as masonry, carpentry, electrical maintenance and plumbing — are also provided at several of our facilities.

Life Skills and Counseling

Life Skills Management emphasizes skills traditionally lacking in an inmate community, such as how to get and keep a job. Counseling Treatment Programs, designed to solve specific personal problems and develop increased self-understanding, are scheduled as individuals and in groups.

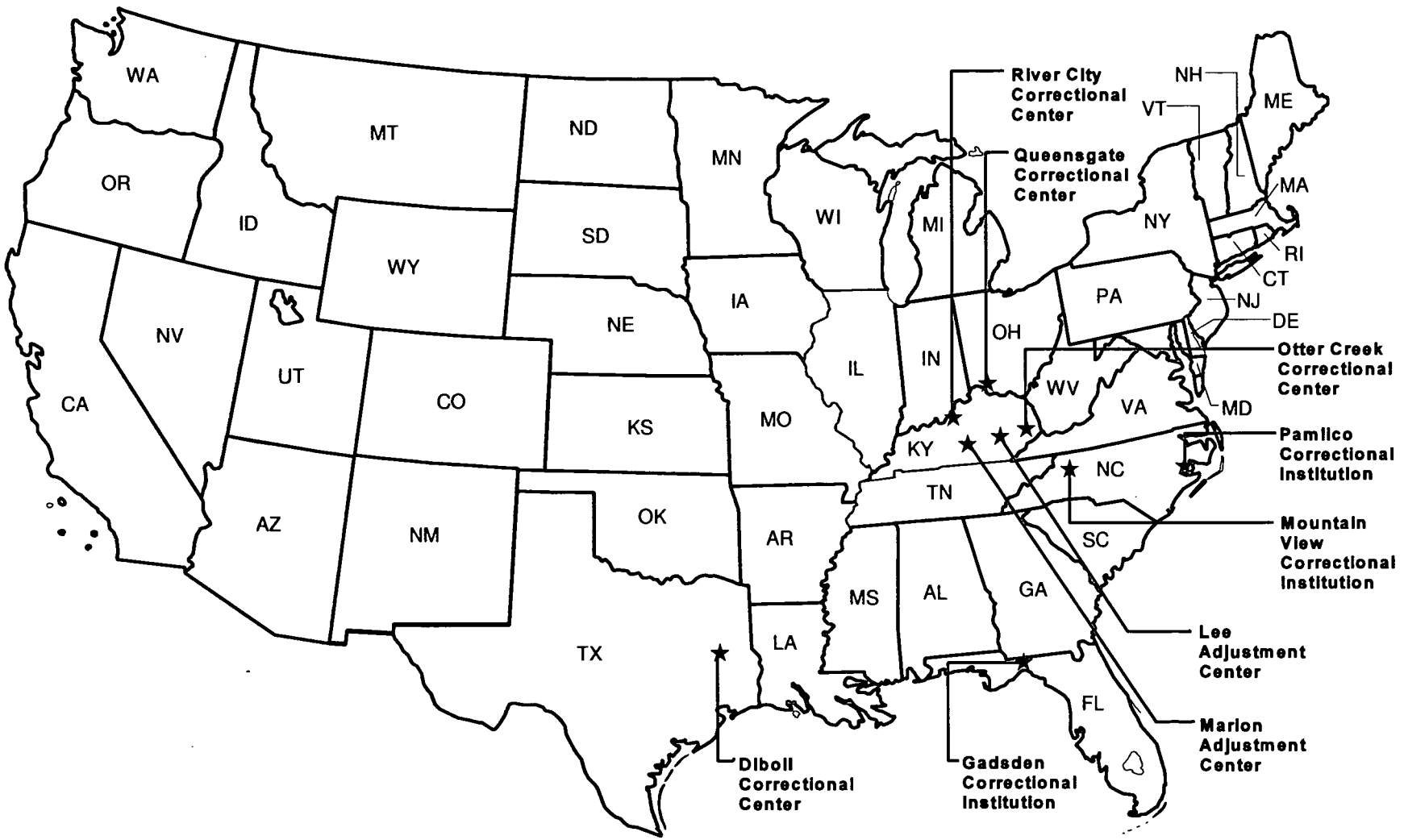
Substance Abuse Treatment

USCC programs specialize in treatment for inmates who exhibit behavioral, emotional, or attitudinal problems with alcohol, drug abuse, and/or domestic violence. Special group sessions, and Alcoholics Anonymous and Narcotics Anonymous meetings are conducted at all of our facilities.

Religious Services

USCC religious programs are operated to afford all inmates the opportunity to exercise their constitutional right to religious freedom.

Current Contracts



On Time, On Budget

This table summarizes USCC's experience in corrections, including the North Carolina contract for *two* 500-bed medium security facilities that we won in July 1996. USCC has more than 5350 beds under contract. Profiles of the facilities follow, including a set of contract references.

Project Description	Date Opened	ACA Accreditation Record
Marion Adjustment Center, St. Mary, KY • St Mary Unit - 300 Bed, Minimum Security. • Bluegrass Unit - 300 Bed, Minimum Security. • USCC Design/Build/Finance/Operate.	January 1986 October 1988	June 1992 - 100% compliance all Standards. June 1995 - 100% compliance all Standards.
River City Correctional Center, Louisville, KY • 363 Bed, Minimum Security & Work Release. • USCC Design/Renovate/Operate.	January 1990	Not evaluated by ACA. Certified annually by the Kentucky jail authority.
Lee Adjustment Center, Beattyville, KY • 500 Bed, Minimum Security Facility. • USCC Design/Build/Finance/Operate.	August 1990	January 1997 - 100 % Compliance on all Standards.
Queensgate Correctional Center, Cincinnati, OH • 850 Bed, Full Service Jail. • USCC Design/Renovate/Maintain.	June 1992	Operated by Hamilton County Sheriff's Department. USCC maintains the facility.
Otter Creek Correctional Center, Wheelwright, KY • 400 Bed, Restricted Minimum Security Facility. • USCC Design/Build/Finance/Operate.	November 1993	April 1996 - 100 % Compliance on mandatory standards; 99.76% on all other standards
Gadsden Correctional Institution, Gretna, FL • 1152 Bed, Medium Security Facility. • USCC Design/Build/Finance/Operate.	March 1995	March 1997 - 100% Compliance on mandatory standards; 99.8% on all other standards.
Diboll Correctional Center, Diboll, TX • 500 Bed, Medium Security Facility. • USCC Design/Build/Finance/Operate.	June 1995	March 1997 - 100 % Compliance on mandatory standards; 99.5% on all other standards.
North Carolina projects - • ***Two*** 500 Bed, Medium Security Facilities. • Pamlico County and Avery County sites. • USCC Design/Build/Finance/Operate.	Pamlico - June 1998 Avery - August 1998	USCC will achieve accreditation at each facility within 24 months of opening.

Marion Adjustment Center

Marion Adjustment Center. A 600-bed Minimum Security Prison for men at St. Mary, Kentucky. Opened January 1986 and expanded October 1988. Warden — Michael W. Huff (502) 692-9622.

Project Time

St. Mary's Unit: 30 days from contract execution to opening.
Bluegrass Unit: 180 days from contract execution to opening.

Facility Outline

St. Mary's Unit: 120,000 sq ft / Bluegrass Unit: 48,000 sq ft

Initial contract was for four years. In 1993, the state of Kentucky consolidated all USCC contracts in a single ten-year contract.

$ 29.60 per diem, facility and operations costs.

Total Staff: 108

ACA Accreditation

June 1992: 100 percent compliance on all standards.
June 1995: 100 percent compliance on all standards.

Contract Reference

Doug Sapp, Commissioner, Kentucky DOC
(502) 564-4726

Local Reference

David Hourigan, Marion County Judge-Executive
(502) 692-3451

River City Correctional Center

River City Correctional Center. A renovation of a downtown warehouse to a 363 bed, Minimum Security Work Release Center in Louisville, Kentucky.
Director — Barry Brady (502) 587-6505.

Project Time

90 days from contract execution to opening.

Facility Outline

Enclosed Building Area 80,000 sq ft.

Initial contract was for three years with two one-year options.

$ 27.50 per diem, facility and operations costs.

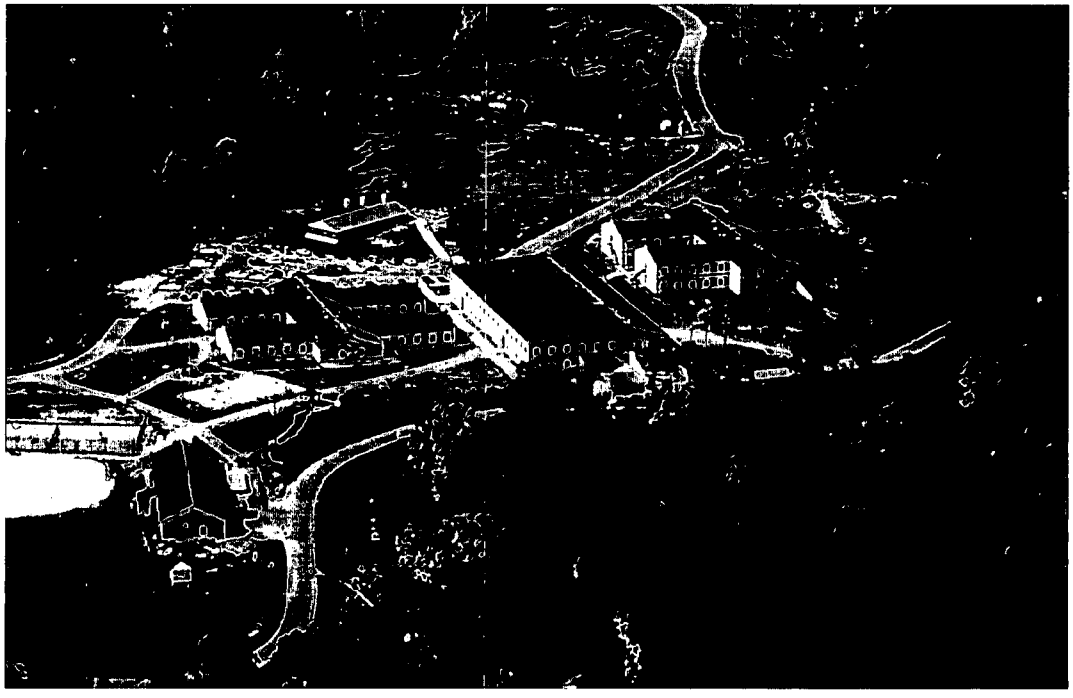
Substance abuse and violence management program. Accreditation pending.

Total Staff: 79

Contract Reference

Joe Payne, Jefferson County Deputy Chief of Corrections
(502) 574-2167

Lee Adjustment Center



Lee Adjustment Center. A 500-bed Minimum Security Prison for men at Beattyville, Kentucky. Opened January 1990. Warden — Harvey Fields (606) 464-2866.

Project Time	128 days from contract execution to opening.
Facility Outline	105,000 sq ft Initial contract was for three years. In 1993, the state of Kentucky consolidated all USCC contracts in a single ten-year contract. $ 29.60 per diem, facility and operations costs. Total Staff: 111
ACA Accreditation	September 1996: 100 percent compliance on all standards.
Contract Reference	Doug Sapp, Commissioner, Kentucky DOC (502) 564-4726
Local Reference	E.T. Kash, Jr., Lee County Judge-Executive (606) 464-4100

Queensgate Correctional Center

Queensgate Correctional Center. A renovation of a downtown warehouse to an 850-bed full service jail in Cincinnati, Ohio. USCC leases the facility to the Hamilton County Sheriff's Department. Opened June 1992.

Project Time

12 months from contract execution to opening.

Facility Outline

Enclosed Building Area 137,000 sq ft.

Initial contract signed in 1991 provided a medium-security facility, including furnishings and equipment, and maintenance. Current contract runs through 2000.

Dormitory Housing.
Medical Treatment Unit.
Education and Drug Treatment Areas.
Food Service and Dining Hall.

Contract Reference

Robert Cronin, Deputy Director of Corrections
(513) 763-5153

Local Reference

Simon L. Leis, Jr., Hamilton County Sheriff
(513) 632-8822

Otter Creek Correctional Center

Otter Creek Correctional Center. A 400-bed Restricted Minimum Security Prison at Wheelwright, Kentucky. Opened November 1993. Warden — William M. Wolford (606) 452-9700.

Project Time

180 days from contract execution to opening.

Facility Outline

Enclosed Building Area 90,000 sq ft.

Initial contract was for three years. In 1993, the state of Kentucky consolidated the contracts in a single ten-year contract.

$29.60 per diem, facility and operations costs.

Total Staff: 100.5

ACA Accreditation

April 1996: 100% compliance on mandatory standards.
99.5% compliance on all other standards.

Contract Reference

Doug Sapp, Commissioner, Kentucky DOC
(502) 564-4726

Local Reference

Ben Hale, Floyd County Judge Executive
(606) 886-9193

Gadsden Correctional Institution

Gadsden Correctional Institution. A 1152-bed Medium Security Prison for women near Gretna, Florida. Opened March 1995. Warden — O. Jane Grizzard (904) 875-9701.

Project Time

390 days from contract execution to opening.

Facility Outline

Enclosed Building Area 185,000 sq ft.

Initial contract is for three years with two one-year options to renew.

$44.31 per diem, facility and operation costs.

Total Staff: 238

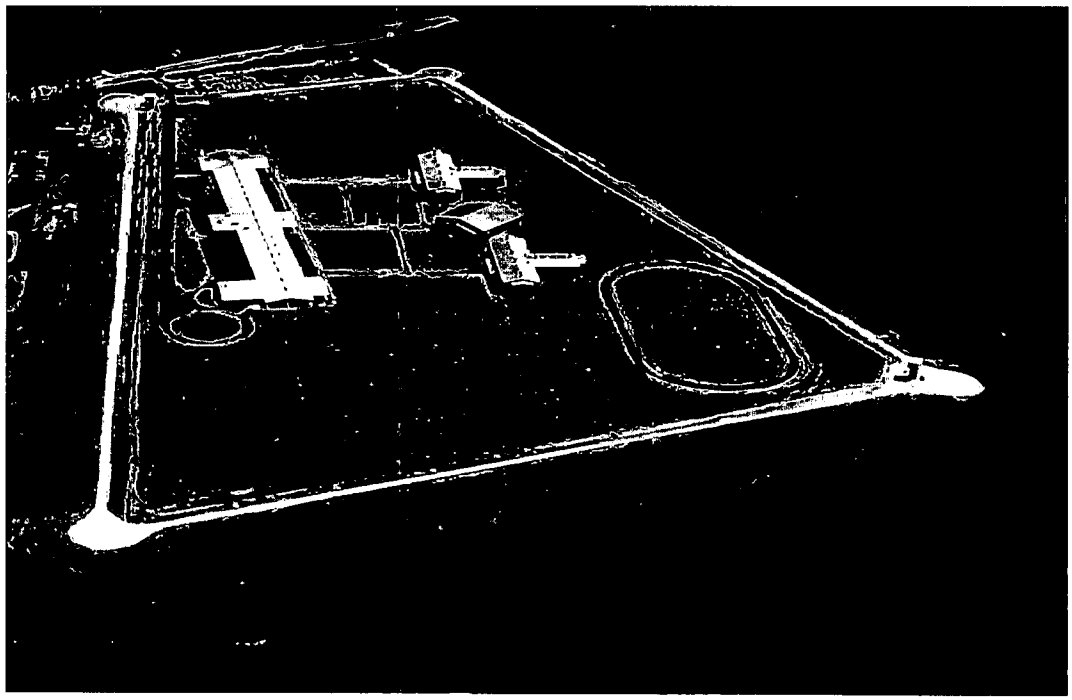
ACA Accreditation

March 1997: 100% compliance on mandatory standards
99.8% compliance on all other standards.

Contract Reference

Pat Thomas, Florida State Senate
(904) 487-5004

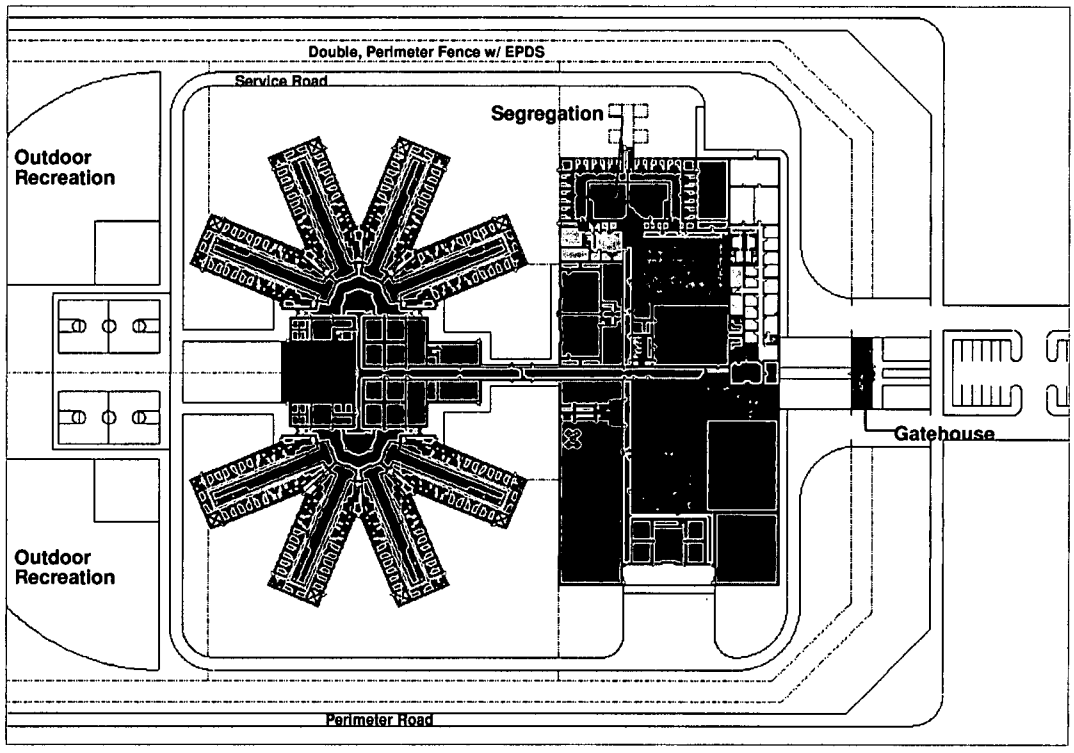
Diboll Correctional Center



Diboll Correctional Center. A 500-bed Medium Security Prison for men near Diboll, Texas. Opened June 1995. Warden — Virgil Jordan (409) 829-2295.

Project Time	420 days from contract execution to opening.
Facility Outline	145,000 sq ft.
	Initial contract is for three years with two one-year options to renew.
	$33.65 per diem, facility and operations costs.
	Total Staff: 138
ACA Accreditation	March 1997: 100% compliance on mandatory standards. 99.5% compliance on all other standards.
Contract Reference	Terri Wilson, Administrator for Pre-Release Centers (409) 294-2949
Local Reference	James B. Simms, Mayor, City of Diboll (409) 829-4757

North Carolina Facilities



In July 1996 USCC won the contract to build two 500-bed Medium Security Facilities for the state of North Carolina in Pamlico County and Avery County. This diagram shows an outline floor plan for the facilities.

Project Time

Pamlico County Site - 390 days from contract execution to opening.
Avery County Site - 480 days from contract execution to opening.

Facility Outline

232,000 sq ft.

Ten-year lease with two 10-year options.

Pamlico County Site: $ 35.94 facility and operations costs.
Avery County Site: $ 36.14 facility and operations costs.

Total Staff: 162 at each facility.

ACA Accreditation

USCC will achieve accreditation within 24 months of opening.

Contract References

Mack Jarvis, Secretary - North Carolina DOC
(919) 733-4926

Lynn Phillips, Asst Secretary/Construction - North Carolina DOC
((19) 733-4926

Handout #5

REPORT

TO THE JOINT LEGISLATIVE COMMISSION

ON GOVERNMENTAL OPERATIONS

ON

THE IMPLEMENTATION AND EFFECTIVENESS OF

THE FAIR TREATMENT FOR VICTIMS AND WITNESSES ACT

from the N.C. Conference of District Attorneys

and

the Administrative Office of the Courts

February 1, 1998

North Carolina Conference of District Attorneys

The purpose of the N.C. Conference of District Attorneys is to assist in improving the administration of justice in North Carolina by coordinating the prosecution efforts of the various District Attorneys, by assisting them in the administration of their offices, and by exercising the powers and performing the duties provided for in Subchapter VII, Chapter 7A, North Carolina General Statutes.

Under Chapter 7A-348 and pursuant to the provisions of North Carolina General Statute 7A-413, the Conference of District Attorneys shall assist in establishing uniform statewide training for the victim and witness assistants; assist in implementation and supervision of this program; and with the Director of the Administrative Office of the Courts, report annually to the Joint Legislative Commission on Governmental Operation on the implementation and effectiveness of this act, beginning on or before February 1, 1987.

CONTENTS

I INTRODUCTION 1-2

II. PROGRAM IMPLEMENTATION 3-10

Staffing and Scope of Services **3-6**
- Specialty Area Victim Assistance Programs
- Training and Public Speaking

Program Publications **6-7**
- Manual
- *VWA Newsletter*

Training **7-9**

Reporting and Monitoring **9-10**

III. PROGRAM EFFECTIVENESS 11-16

Scope of Services **11**
Contacts with Victims and Witnesses **11-13**
Notification Services **13-14**
Victim Impact Statements **14-15**
Notification of Outcome **15**
Coordinating Efforts of Other Agencies **16**

IV. FOCUS ON THE FUTURE 17

V. CONCLUSION 18

APPENDIX 19

Victim-Witness/Legal Assistant Positions for FY 1997-98 **20**
1997 Victim/Witness Assistants Seminar Agenda **21-22**
Developing An Effective Victim Services Program **23-24**
1997 Victim and Witness Contacts **25**
Victim Impact Statements Distributed/Received, 1996 **26-27**

I. INTRODUCTION

The early 1980's saw an increase in public attention focusing on crime victims' rights. A lack of knowledge about the criminal justice system and the system's apparent unresponsiveness left many victims feeling isolated and neglected.

In 1986 the North Carolina General Assembly responded to the needs of crime victims by enacting the *Fair Treatment for Victims and Witnesses Act* (N.C.G.S. 15A-825), defining the standards of fair treatment for victims and witnesses in the criminal justice system. To coordinate efforts with law enforcement and the judicial system in providing the enumerated services, Victim/Witness Assistants were established in each District Attorney's Office.

In 1996, North Carolina voiced its support of a Victims' Rights Constitutional Amendment. The 1997 Legislative Session produced an enabling legislation bill, but House Bill 665 failed to pass the vote. Until such legislation is passed, the *Fair Treatment for Victims and Witnesses Act* remains the basis for services afforded to victims in North Carolina.

In compliance with the *Act*, the N.C. Conference of District Attorneys has certain training and supervisory responsibilities with regard to the program. The Conference, with the Administrative Office of the Courts (AOC), is required to report annually to the Joint Legislative Commission on Governmental Operations on the implementation and effectiveness of the program (N.C.G.S. 7A-348).

Consistent with previous reports submitted to the Joint Legislative Commission on Governmental Operations, the 1997 Annual Report elaborates on the following:

- Victim/Witness Assistants met the requirements of the *Fair Treatment for Victims and Witnesses Act* consistently across North Carolina;
- prior to December 1997, the state maintained 75 Victim/Witness Assistants to meet these requirements;
- effective December 1997, the General Assembly allocated 60 new *Assistants for Administrative and Victim and Witness Services* positions and mandated cross-training in victim services and legal services for all support staff in District Attorneys' offices across the state;
- Victim/Witness Assistants only applied the services enumerated in the Act to a limited number of victims of crime because of a lack of personnel and resources;

- several specialty area victim services programs evolved within District Attorneys' Offices;
- Victim/Witness Assistants worked to educate public service organizations and agencies;
- the Conference of District Attorneys published, collected and distributed supplementary materials;
- the Conference of District Attorneys published a quarterly newsletter, the *North Carolina Cornerstone;*
- the Conference of District Attorneys was awarded a Victims' Rights Implementation Training grant through the Governor's Crime Commission;
- an advisory team continues to coordinate the annual statewide training seminar;
- the Conference of District Attorneys conducted one statewide training seminar for Victim/Witness Assistants in 1997; recommends further training;
- the Conference of District Attorneys continues to provide individual victim/witness orientation training programs for newly hired;
- the Conference of District Attorneys provided personal computer training for Victim/Witness Assistants in 1997;
- the Administrative Assistant and the Victim Services State Coordinator within the Conference of District Attorneys monitored the program to help assure ongoing compliance with the *Fair Treatment Act;*
- Victim/Witness Assistants submitted monthly statistical reports to the Conference of District Attorneys and
- coordination with other agencies providing services to victims continues at both state and local levels.

The following report covers the continuing implementation and operation of the Victim/Witness Assistants Program during 1997. As stated above, the new positions, Assistants for Administrative and Victim and Witness Services, were not effective until December. Therefore, these allocations and the position reclassification for all Victim/Witness Assistants and Legal Assistants affect the month of December only.

II. PROGRAM IMPLEMENTATION

Staffing and Scope of Services

As of January 1, 1997 Victim/Witness Assistant positions numbered 75 statewide. Of 39 prosecutorial districts, the **six districts with three Victim/Witness Assistants** included Districts 10, 12, 18, 21, 28, and 29. The **nine districts with one Victim/Witness Assistant** position included Districts 6A, 6B, 9A, 15B, 16A, 17A, 19A, 19B and 19C. The remaining **twenty-four districts each had two positions.**

In December of 1997, 60 Assistants for Administrative and Victim and Witness Services were allocated to District Attorneys' offices across the state. The allocation formula was based primarily on population and secondarily on the Conference of District Attorneys and the Administrative Office of the Courts' efforts to bring prosecutors and support staff closer to a one-to-one ratio. The 60 new positions brought the state to a ratio of one prosecutor for 0.8022 support staff position. One of these positions was allocated to the Conference office to serve as the Victim Service State Coordinator to oversee the implementation of victims' rights in district offices across the state. A copy of the position allocations can be found on page 20 of the **Appendix.**

The following is an outline of support staff changes in district offices:

- *June 30, 1987* — *35 Victim/Witness Assistants for 257 prosecutors*
- *January 1, 1997* — *75 Victim/Witness Assistants for 406 prosecutors*
- *December 1, 1997* — *307* Assistants for Administrative and Victim and Witness services for 460 prosecutors*

** This number represents the 59 new Assistants for Administrative and Victim and Witness Services, and the original 75 Victim/Witness Assistants and 172 Legal Assistants who were reclassified with the new position title. This number does not include the 39 Administrative Assistants and 21 Investigatorial Assistants across the state. Their inclusion brings the total number of support staff in district attorneys' offices to 366 as of January 1998.*

Resource limitations, however, forced Victim/Witness Assistants to continually narrow the scope of services they provide to crime victims. Most districts limited services to victims of violent crimes and property crimes. Both

the scope of mandated services to certain victim groups and the number of victims and witnesses to be serviced continue to increase.

The Fair Treatment Act specifically authorizes District Attorneys to use volunteer personnel in their victim assistance programs. The Conference encourages the use of volunteers. This practice, however, is not widespread. The lack of use of volunteers is due to the extensive time, effort and facilities required to establish and maintain an effective program. District attorneys are also hesitant due to confidentiality issues. The Conference of District Attorneys wrote a Volunteer Advocacy Program grant in 1997 to assist district offices establish volunteer programs in lieu of limited staff and resources, but the grant was not selected for funding.

Specialty Area Victim Assistance Programs

As the Victim/Witness Assistants Program has evolved, victims of certain crimes in particular districts have called for more attention. In response, District Attorneys have designated Victim/Witness Assistants to handle specific crime issues, in a variety of areas. For example:

- *District 3A - Gail Eberly -- Homicide Victim Specialist*: in addition to her work with all felony crime victims, Gail works extensively with surviving family members of homicide victims, involving them in crises counseling groups and providing extra long term attention needed in such cases.

- *District 3A - Michelle Scott -- Child Victim Specialist*: Michelle works exclusively with child abuse victims and their families, from the initiation to disposition of a case. She participates in the district's Multidisciplinary Child Abuse Task Force and coordinates a child abuse investigation techniques seminar for her district's law enforcement, District Attorneys and service agency representatives who work with child victims.

- *District 7 - Lynda Homes -- Child Victim Specialist*: Lynda works exclusively with child abuse victims and their families, from the initiation to disposition of a case. She also participates in the district's Multidisciplinary Child Abuse Task Force, and worked closely with the cities of Rocky Mount and Wilson to create a Children's Justice Center.

- *District 13 - Lynn Jones -- Victims of Domestic Violence Specialist:* in addition to her work with all felony crime victims, Lynn assists victims of domestic violence in completing 50B orders, walks them through the criminal court process, arranges temporary housing at area shelters and coordinates transportation services to temporary housing.

- *District 18 - Joe Davis -- Property Crime Specialist*: Joe work exclusively with property crime victims to ensure expedient return of property and thorough completion of restitution forms and impact statements.

Training and Public Speaking

Increasing numbers of Victim/Witness Assistants volunteered within the community to educate public service organizations and agencies regarding the roles and responsibilities of the Victim/Witness Assistant as a public servant in the District Attorney's Office. In addition, they trained volunteer victim advocates who work with victims of violent crime, addressed high school students and the elderly regarding crime prevention, and coordinated local victim assistance networks made up of representatives from the District Attorney's Office, local law enforcement agencies and various area service and referral organizations. The Conference of District Attorneys encouraged all Victim/Witness Assistants to educate the public and outside organizations and agencies about the services available to crime victims in the prosecutor's office.

Some of the avenues by which Victim/Witness Assistants continue to educate public servants and assist crime victims include the following:

- *District 6B - Melinda Hardy, assisting elected District Attorney David Beard -- Families of Murder Victims Support Group:* implemented by David Beard in 1987, Melinda acts as secretary-treasurer, working closely with the support group president in coordinating meeting agendas and publishing a monthly newsletter.

- *District 11 - Judy Holland -- Crime Prevention for Children and the Elderly:* in an effort to acquaint area churches and civic organizations with services available through the District Attorney's Office, as well as teach crime prevention techniques, Judy addresses children and adults within churches, civic organizations and 4-H groups.

- *District 17A - Gay Welch -- Public Relations/Information:* in an effort to educate county public service agencies and organizations about the services available through the District Attorney's Office, Gay attends monthly and/or quarterly meetings of various groups such as the Community Resource Afternoon of Dialog, Perinal Drug Task Force, senior citizens' groups and the Countywide Government Council.

- *District 21 - Steve Green -- Chaplain Response Team*: Steve has worked closely with elected District Attorney Thomas Keith, Winston-Salem law

enforcement officials and a Forsyth County Sheriff's Department chaplain to coordinate, train and supervise a volunteer *Chaplain Response Team*. Seven ministers have volunteered to work with officers on death notification in murder, suicide and accidental death cases. Volunteers accompany law enforcement officers to the home of a victim to notify surviving family members of the death of a loved one.

- ***District 27A - Joyce Parlier -- MADD Advocate***: in addition to her role as Victim/Witness Assistant, Joyce is a volunteer victim advocate for the Gaston County Chapter of Mothers Against Drunk Drivers (MADD). According to the local chapter president and her elected District Attorney, Michael Lands, Joyce helped create a good relationship between MADD and the prosecutor's office.

Program Publications

Manual

Revised in 1994, the ***North Carolina Victim and Witness Assistants Manual*** is a training tool for the Conference staff when coordinating one-day training programs for new Victim/Witness Assistants. Once trained, the Victim/Witness Assistant uses the publication as a guide for understanding the responsibilities under the *Fair Treatment for Victims and Witnesses Act*. For the veteran employee, this manual can be used as an easy reference tool

Representatives from the **Office for Victims of Crime, U.S. Department of Justice,** praised the 1994 manual for its comprehensive format and usefulness as both a training and resource tool.

A Manual Revision Committee met regularly at the Conference throughout 1997 to update the 1994 version to reflect victims' rights' legislation and improve upon the manual's training and reference capabilities. The improved manual will be distributed in the fall of 1998.

VWA Newsletter

The Conference, with input from Victim/Witness Assistants statewide, published a quarterly newsletter containing announcements, individual victim assistance program activities and information on training seminars and educational publications. Other topical information in this newsletter included:

- *advisory team meeting announcements and updates*

- *annual Conference-sponsored training opportunities, additional statewide training opportunities*
- *Victims' Rights legislation*
- *Conference-sponsored Word, PowerPoint and Excel for Windows training*
- *personnel issues*
- *AOC updates*
- *grant writing and other resource opportunities*
- *victim-related publications available*
- *individual district updates/activities*
- *other state agency or department activities*

This newsletter provided an avenue by which all Victim/Witness Assistants share resources, district news and ideas for program implementation and improvement, thus promoting unity and uniformity within the program. In October of 1997 the Conference of District Attorneys combined the Victim/Witness Assistant newsletter with the *Support Staff News* to create *North Carolina Cornerstone*, a newsletter that addresses all administrative and victim services issues.

Training

Acting as Victim/Witness Assistant Program Supervisor and Training Coordinator, the Administrative Assistant for the Conference of District Attorneys was responsible for identifying training needs, coordinating the annual statewide training seminar, writing and publishing the quarterly newsletter and monitoring the program. With the ratification of the Victims' Rights Constitutional Amendment, additional resources and training are needed to continue adequate program monitoring and training.

The Conference offered one-on-one training and guidance sessions for newly hired Victim/Witness Assistants, as well as for those Assistants interested in restructuring their existing victim assistance programs. Facilitated by the Administrative Assistant, three to five hour training and guidance sessions are provided either on-site or at the Conference office, depending upon the needs of individual districts, and at the request of the District Attorney. In addition, ongoing telephone consultations are conducted on an almost daily basis between the Conference of District Attorneys staff and individual Victim/Witness Assistants. Examples of such consultation sessions include requests for informational brochures for victims and program modification suggestions.

Ongoing **personal computer training** in *Word, PowerPoint* and *Excel for Windows* has been offered through the Conference since March 1996. Funded under a grant by the U.S. Bureau of Justice Assistance with a match by the state

of North Carolina, training under this project improved case management and victim services by encouraging the use of automation in District Attorneys' Offices. The Conference maintained a computer lab open to District Attorneys' staff members daily for training through video-based instruction. Ongoing, individualized computer training for District Attorneys' support staff has never been provided by the AOC; the Conference has taken the lead in providing the opportunity for veteran support staff and prosecutors to fine tune existing computer skills, as well as provide ongoing introductory word processing training for new staff on a statewide level. Though this grant ended in the fall of 1997, the Conference continues to provide this computer training.

In an effort to involve Victim/Witness Assistants in the coordination of their own annual training seminar, the *Victim/Witness Assistants Advisory Team* was developed. Consisting of five Victim/Witness Assistants and the Conference's staff, the team met quarterly to coordinate effective training opportunities.

Since the team's first meeting in the spring of 1994, members have identified specific training needs and assisted the Conference in coordinating intensive problem-solving workshops at annual training programs. Some of the training areas identified by the team include:

- *Implementing Victim Services under Victims' Rights Legislation*
- *Victimization: Cause and Effect, Crisis Intervention*
- *Working Effectively With Victims of Domestic Violence*
- *Working Effectively With Child Abuse Victims and Their Families*
- *Grant Writing*
- *Victim Assistance Orientation Training*
- *Improving Computer Skills*

The Conference facilitated the Annual Victim/Witness Assistants Training Seminar October 15-17, 1997. Approximately 65 Victim/Witness Assistants attended the two-and-one-half day seminar in Raleigh. The training program included participation by nationally recognized experts in the field of victim services, District Attorneys, Victim/Witness Assistants and state and local victim services representatives. The agenda, a copy of which may be found on pages 21-22 of the **Appendix**, included the following workshops and general sessions:

- *Incorporating the Victim/Witness Assistant into Prosecution Services*
- *Pending Victims' Rights Legislation*
- *Victims' Rights Implementation (workshop)*
- *NC Parole Commission Victim Information Packets*
- *Domestic Violence and the District Attorney's Office*

- *A Multidisciplinary Response to Domestic Violence Cases*
- *Victim/Witness Assistant Response to Domestic Violence Cases*
- *Providing Critical Outreach and Quality Services to Crime Victims*
- *Filing Victim Compensation Claims*
- *Stressbusters for Victim/Witness Assistants*

The Conference applied for and was granted federal funding in 1997 for an intense training program for prosecutors and Victim/Witness Assistants in victims' rights implementation during this October seminar. North Carolina prosecutors, Victim/Witness Assistants and nationally recognized experts in the area of victim services collaborated at a workshop/training program that addressed the implementation of victims' rights in their own districts. Each District Attorney and their support staff applied the enabling legislation to their existing district victims' services programs. On pages 23-24 of the Appendix is a copy of some of the work product resulting from this grant.

This grant also funded victim services training for all prosecutors at the November, 1997 District Attorneys' Association Meeting. In addition, the Conference will coordinate regional training programs for Victim/Witness Assistants during the spring of 1998, and coordinate with the AOC to schedule Case Management Training for all Victim/Witness Assistants.

There is a need for ongoing regional training programs for victim services providers, particularly now when impending legislation under the Victims' Rights Constitutional Amendment will drastically increase mandatory services to victims of felony and misdemeanor offenses. It is important for the Conference to anticipate and begin to prepare now for the additional demands enabling legislation under North Carolina's Victims' Rights Constitutional Amendment could create. Additional Assistant positions, training and resources are needed now.

Reporting and Monitoring

In order to track and monitor individual district activity on a regular basis, the Conference reviewed monthly victim and witness contact information submitted by every Victim/Witness Assistant. These monthly statistical reports included the following information:

- *the number of cases opened during the month in which the Victim/Witness Assistant expects to provide services;*
- *the number of victim impact statements distributed;*
- *the number of completed victim impact statements returned;*

- *the number of victims assisted with preparing or filing victims' compensation claims and*
- *the number of contacts with victims and witnesses in person, by telephone and by letter.*

In addition, the form provided space for any comments or explanations the Assistant wishes to make regarding specific cases, victim services, district activities or notification of upcoming maternity leave, sick leave or extended vacations that may significantly disrupt victim and witness services.

In an effort to closely monitor Victim/Witness Assistant activity, the Conference staff continues to visit individual districts. However, because adequate staff is not available to travel statewide on a regular basis, districts are not regularly or consistently monitored. Efforts are made to visit offices where potential program problems exist, where new Assistants have been hired or model programs for the purposes of gathering program organization and operation information to share with Victim/Witness Assistants statewide.

III. PROGRAM EFFECTIVENESS

This section of the report reviews the effectiveness of the Victim/Witness Assistants Program, as shown by the provision of services. This report is based on statistics supplied by the Victim/Witness Assistants and on information obtained by Conference staff during monitoring visits.

Scope of Services

Victim and witness assistance is available in all counties. Victim/Witness Assistants are on a part-time basis in counties that are part of multi-county districts; limited services can be attributed to limited personnel resources. Victim/Witness Assistants responsible for providing services in two or more counties will post and maintain limited office hours in satellite offices, with additional time scheduled in those offices during superior court sessions.

During fiscal year 1996-1997, felony superior court filings numbered **88,349** in North Carolina. In addition to felony cases already pending during this time, each Victim/Witness Assistant was expected serve victims and witnesses in approximately **1,178** additional cases, a 6% increase in caseload since the 1995-1996 fiscal year.

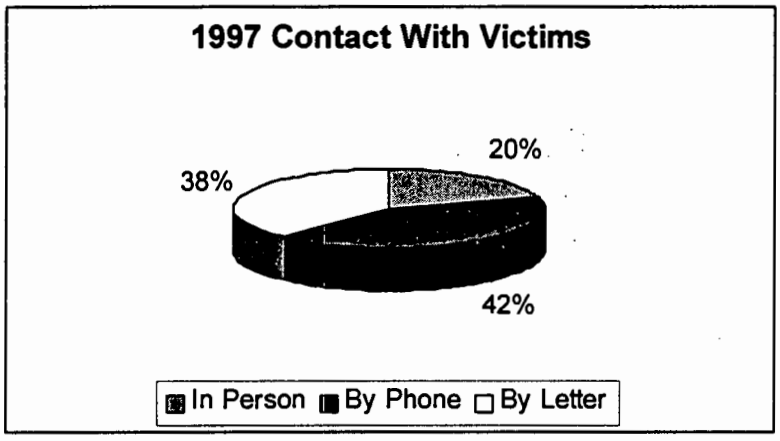
Originally, services under the *Fair Treatment Act* were limited to serious felony cases. The *Act* was amended in 1989 to allow for the extension of services to serious misdemeanors, as determined by the sole discretion of the District Attorney. As evident from the 1997 Legislative Session, public demand for victim services in the area of domestic violence increased. Many districts continued their efforts to address misdemeanor family violence, but because of limited personnel, however, the majority of Victim/Witness Assistants served only limited categories of felony victims.

Contacts with Victims and Witnesses

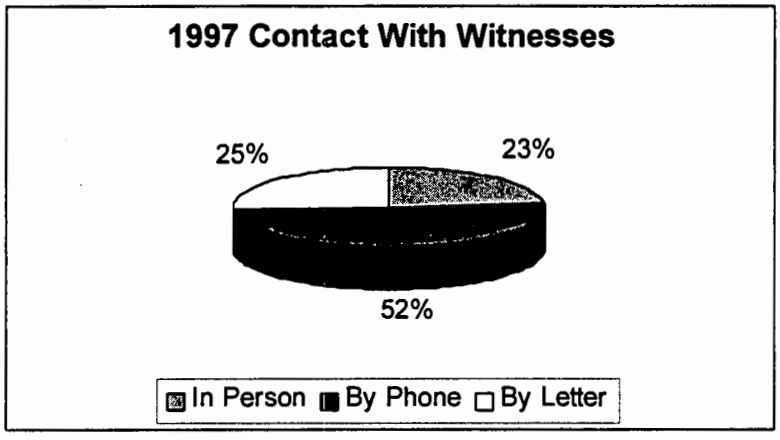
The monthly report form requests that Victim/Witness Assistants record the number of contacts they have made with victims and witnesses. Contacts made in person, by phone and by letter are counted separately and are reported separately for victims and witnesses.

These monthly reports show that:

- Contact with **victims** has increased approximately **119 %** from **86,395** contacts in 1988 to **189,508** in 1997. Contacts with victims during an average month include **6,062 letters, 6,528 phone calls** and **3,203 in-person** contacts.



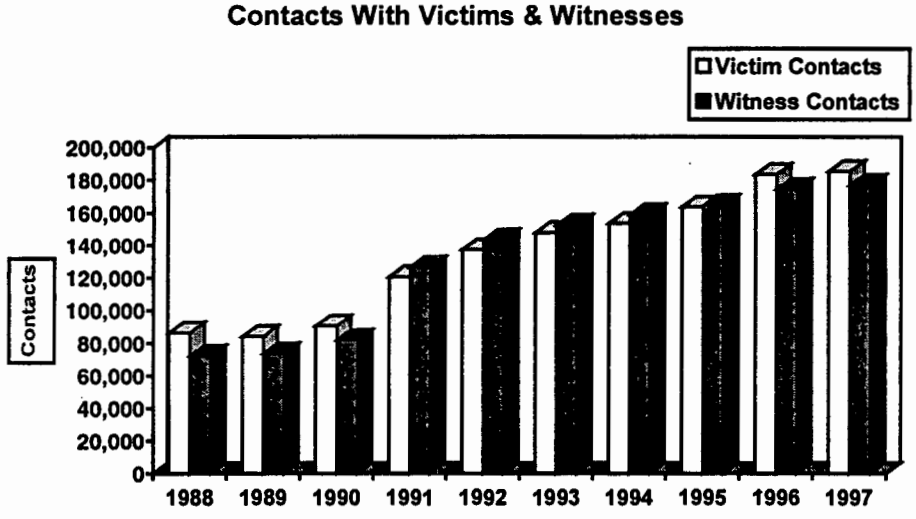
- Contact with **witnesses** has increased **145 %** from **72,255** contacts in 1988 to **176,769** contacts in 1997. Contacts with witnesses during an average month include **3,745 letters, 7,542 phone calls** and **3,444 in-person** contacts.



A chart showing statewide totals for contacts each month is included on page 25 of the **Appendix**. As might be expected, the totals vary from month to month, depending on the number of court sessions and other factors, such as temporary absences due to maternity or extended sick leave. District Attorney offices work

to improve service inconsistencies resulting from limited manpower to make consistent written or phone contact with victims of crime.

The steady increase in victim and witness contacts from 1988 to 1997 is illustrated in the following bar graph.



Notification Services

Many of the services enumerated in the *Fair Treatment Act* involve notification to victims and witnesses. The Victim/Witness Assistant is responsible for much of this notification, including the availability of protection from harm arising out of law enforcement and prosecution efforts, employer intercession services, available compensation, the possibilities of plea bargaining, the right to be present during the entire trial and the fact that civil remedies may be available.

The Conference of District Attorneys recommends that initial contact with victims be made within one to three days after the commission of an offense. Because the program is understaffed, particularly in multi-county districts, initial contact is sometimes not made until an indictment is prepared for consideration by a grand jury. Most Victim/Witness Assistants first contact victims by telephone or in-person in the courtroom, with follow-up contacts made primarily by telephone. Not all Victim/Witness Assistants have access to personal computers on a regular basis, particularly those who work in multiple counties where satellite offices might not be staffed with personnel or equipped with computers. In districts where primary contact is by letter, initial contact letters include an impact statement and explain services available through the District

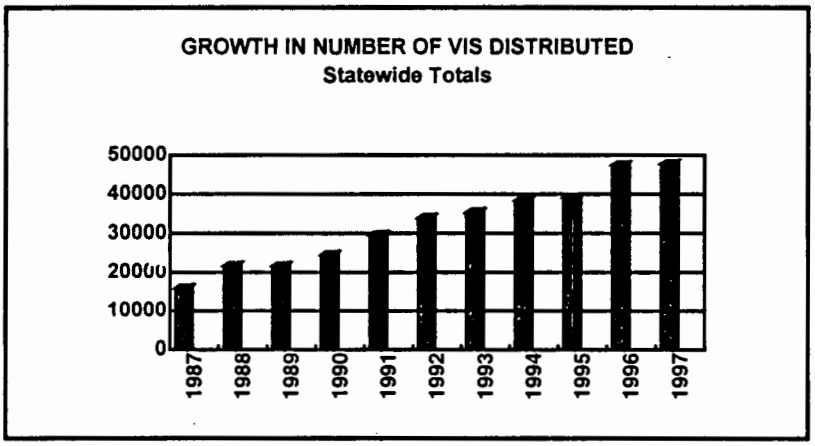
Attorney's Office, particularly standby procedures for court and victims compensation information.

The Conference has developed two one-page brochures that can be reproduced on photocopy machines and given to victims and witnesses. One of the brochures lists the services available and includes suggestions for witnesses. The other brochure gives a brief overview of court procedures. Space is provided to add names and addresses of the District Attorney and Victim/Witness Assistant. Many districts continue to distribute these brochures to all victims, as well as additional victim services brochures available through other state and local service organizations and agencies. In addition, personal computer training is available at the Conference office in brochure development, to enable individual Victim/Witness Assistants to develop their own brochures.

Victim Impact Statements

The statute specifies that each victim is to have a victim impact statement prepared for consideration by the Court. The Conference developed a set of standardized victim impact statement forms endorsed by the N.C. VAN and approved by the Executive Committee of the N.C. Conference of District Attorneys. In 1996, these standardized forms replaced forms designed and used by individual districts.

Statewide, the number of victim impact statements **distributed** in **1997** was **47,825**, an increase of approximately **24%** since **1995**, and **201%** since distribution was first reported in **1987.** This increase reflects the continuing growth in the number of criminal cases in North Carolina involving victims of violent crime, and, more importantly, the level of services provided to these victims.



Completed impact statements that are returned are usually placed in the office case file to be available to the prosecutor in considering disposition of the case. The victim impact statement may also be made available to the Court at the appropriate time. Whether or not this presentation is done generally depends on the judge and the prosecutor. A table showing the number of victim impact statements distributed and returned, as reported by individual districts on a monthly basis, is included on pages 26-27 of the **Appendix**.

As stated previously, the number of victim impact statements **distributed** during 1997 totals **47,825**, and the number of completed impact statements **returned** totals **23,740**, or approximately **50%** of the original number distributed. Based on monthly reports, Victim/Witness Assistants across North Carolina distribute an average of **3,985** victim impact statements per month, and receive only about **1,978** completed impact statements from victims. According to Victim/Witness Assistants statewide, impact statements are not returned to the District Attorney's Office for the following reasons:

- *victims lose the impact statement forms,*
- *victims have given similarly requested information to law enforcement officers and do not believe they need to provide the same information to the prosecutor's office,*
- *victims give restitution information to the prosecutor over the telephone,*
- *victims have relocated and cannot be found,*
- *victims no longer have interest in prosecution and*
- *victims cannot read.*

Impact statements with initial notification letters are mailed or information is obtained by telephone in all violent felony cases. Because the program is significantly understaffed in some districts, personnel resources are not available to contact victims of property crimes and fraudulent crimes.

Notification of Outcome

The *Act* says that a victim is to be given the opportunity, upon request, to be present during the final disposition of the case or to be informed of such disposition. There is a space on the victim impact statement where the victim can indicate whether he or she wants to be notified, so an attempt to contact the victim can be made before a plea is taken. This has not always been feasible, however, because of the volume of cases, problems in locating the victims, failure of the victim to return the victim impact statement or for other reasons. Statistics on notification are not available.

Coordinating Efforts of Other Agencies

The General Assembly made Victim/Witness Assistants responsible for coordinating the efforts of law enforcement and the judicial system in making a reasonable effort to provide services to victims. This duty is emphasized in the Assistants' training and they are encouraged to take the initiative to work with other agencies. The Conference provides each Victim/Witness Assistant with a listing by county of referral agencies at their annual training seminar.

Most Victim/Witness Assistants maintain an effective network with the law enforcement agencies in their districts. Some Assistants volunteer personal time to participate in interagency initiatives, as stated previously in this report, such as child abuse task forces, and several coordinate and implement special training for law enforcement personnel who work with child victims and survivors of victims of homicide. Some are active members of private victims' organizations.

In 1990, particular efforts were made to improve coordination with the Victims Compensation Program. Victim/Witness Assistants are encouraged to assist victims with filing claims, although such assistance does not include any review of the merits of a claim, or verification of supporting documents.

The statute requires notification to a victim before a proceeding is held at which the release of the offender from custody is considered, or if the offender escapes or is released from custody. This requirement applies only if the crime for which the offender was placed in custody was a Class G or more serious felony, and if the victim so requests. The duty to provide this notification rests on correctional agencies, but Victim/Witness Assistants cooperate by forwarding the victim's name and address to the agencies.

IV. FOCUS ON THE FUTURE

In an effort to promote more uniform victim services programs statewide and to increase the accountability of Assistants for Administrative and Victim and Witness Services, the Conference staff continues to meet the directives of the Executive Committee. These directives include mandatory attendance of support staff at the annual training seminar, and continued preparation for the implementation of the specific roles and responsibilities of prosecutors' offices under the Victims' Rights Constitutional Amendment.

The following are the continued objectives of the N.C. Conference of District Attorneys, in its efforts to help District Attorneys' Offices statewide improve victims' services. These objectives include:

- to provide regional support staff training each year, in addition to the annual statewide training seminar;
- to provide training for all prosecutors in North Carolina regarding the roles and responsibilities of victims' services providers, program expectations, media training and victimization;
- open training to other agencies and organizations, specifically law enforcement and victim advocates, in an effort to promote continuity regarding victim services;
- to create a Victims' Rights Impact Analyst position, through a Governor's Crime Commission grant, within the office of the Conference of District Attorneys that is responsible for a quantitative assessment of Victim services;
- to work closely with the Information Services Division of the AOC to incorporate victim tracking and reporting capabilities into the existing Case Management System, and train Victim/Witness Assistants in its use;
- to improve the monthly statistical report form to better assess victim and witness contact in district offices;
- to develop and publish a series of brochures explaining to victims their rights under the constitutional amendment;
- to assist prosecutors and Victim/Witness Assistants in coordinating volunteer victim assistance programs and crime specific programs and
- to develop a training standards program for all victims' services providers in North Carolina.

V. CONCLUSION

As it enters its twelfth year of operation, the Fair Treatment for Victims and Witnesses program is established in all thirty-nine prosecutorial districts, but is not adequately staffed to provide consistently effective victim and witness services. Current resource levels are not acceptable to elected District Attorneys, particularly when services to victims will increase during 1998 with legislation under the Victims' Rights Constitutional Amendment. Unless additional personnel, equipment and training opportunities are provided now for victim services programs in District Attorneys' Offices, prosecutors and staff will continue to only be able to offer limited victim services to limited numbers of victims of crime in North Carolina.

APPENDIX

DISTRICT ATTORNEY OFFICES
VICTIM-WITNESS/LEGAL ASSISTANT POSITIONS FOR FY 1997-98

DIST. #	LEGAL ASST.	VIC/WIT ASST.	TOTAL 11/30/97	NEW POS EFF 12/01/97	GRAND TOTAL
1	4.00	2.00	6.00	2.00	8.00
2	3.00	2.00	5.00		5.00
3A	4.00	2.00	6.00	1.00	7.00
3B	3.00	2.00	5.00	2.00	7.00
4	6.75	2.00	8.75	1.00	9.75
5	6.00	2.00	8.00	2.00	10.00
6A	2.00	1.00	3.00		3.00
6B	2.00	1.00	3.00		3.00
7	6.00	2.00	8.00	3.00	11.00
8	5.00	2.00	7.00	1.00	8.00
9	5.00	2.00	7.00	1.00	8.00
9A	1.00	1.00	2.00	1.00	3.00
10	9.00	3.00	12.00	6.00	18.00
11	4.50	2.00	6.50	3.00	9.50
12	7.00	3.00	10.00	2.00	12.00
13	4.00	2.00	6.00	1.00	7.00
14	5.00	2.00	7.00	1.00	8.00
15A	3.00	2.00	5.00		5.00
15B	3.00	1.00	4.00		4.00
16A	2.75	1.00	3.75		3.75
16B	4.00	2.00	6.00	1.00	7.00
17A	3.00	1.00	4.00		4.00
17B	3.00	1.00	4.00		4.00
18	9.00	3.00	12.00	6.00	18.00
19A	2.00	1.00	3.00	1.00	4.00
19B	4.00	1.00	5.00	3.00	8.00
19C	2.00	1.00	3.00	1.00	4.00
20	5.00	2.00	7.00	3.00	10.00
21	6.00	3.00	9.00	2.00	11.00
22	6.00	2.00	8.00	3.00	11.00
23	2.00	2.00	4.00		4.00
24	3.00	2.00	5.00		5.00
25	5.00	2.00	7.00	3.00	10.00
26	13.00	3.00	16.00	6.00	22.00
27A	4.00	2.00	6.00	2.00	8.00
27B	3.00	2.00	5.00		5.00
28	4.00	3.00	7.00		7.00
29	4.00	3.00	7.00	1.00	8.00
30	4.00	2.00	6.00		6.00
S-Total	**175.00**	**75.00**	**247.00**	**59.00**	**306.00**
Allocated to District Attorney's Conference			**1.00**	**1.00**	
Total	**172.00**	**75.00**	**247.00**	**60.00**	**307.00**

Salaries	**$7,657,194**
Social Security	**585,775**
Retirement	**829,274**
Health Insurance	**532,952**
TOTAL SALARIES & BENEFITS	**$9,605,190**

Facilitators and Guest Speakers

Lee Allen - *Assistant District Attorney, District Attorney's Office, District 3A, Greenville*

Robin Baker – Claims Investigator, Division of Victim and Justice Services, NC Department of Crime Control and Public Safety, Raleigh

Ann Chambo - *Domestic Violence Victim Assistant, District Attorney's Office, District 3A, Greenville*

Paula Collins - *President, N2 Health, Wake Forest*

Jayne Crisp – *Victim Service Training and Technical Assistance Consultant & Regional Field Coordinator, Office for Victims of Crime, US Dept. of Justice, Greenville, SC*

Patty Currin - *Training Coordinator, NC Conference of District Attorneys, Raleigh*

Mary Curry - *Community Service Director, New Directions, Greenville*

Norman S. Early, Jr. – *Criminal Justice Consultant, and former elected District Attorney, Denver, CO*

Karen Taylor George – *Victim Services Coordinator, Post-Release Supervision and Parole Commission, Raleigh*

Rosemary Haddock - *Victim Advocate, Pitt County Sheriff's Department, Greenville*

Thomas H. Lock - *Elected District Attorney, District 11, Smithfield and Executive Committee President, NC Conference of District Attorneys*

Catherine Smith - *Executive Director, NC Victim Assistance Network, Raleigh*

1997 Victim/Witness Assistant Training Seminar

October 15-17

Holiday Inn/State Capital
Raleigh

Sponsored by the NC Conference of District Attorneys
in cooperation with
the NC Administrative Office of the Courts

SEMINAR SPECIFICS

The *Victim/Witness Assistant Seminar* is an annual program coordinated by the NC Conference of District Attorneys, in cooperation with the NC Administrative Office of the Courts. The Conference coordinates prosecution efforts of the elected district attorneys of NC by assisting them in the administration of their offices. Staff members include: **Peg Dorer**, Director; **Patty Currin**, Training Coordinator; **Leigh House**, Administrative Assistant and **Mary Lowry**, Domestic Violence Project Director.

SPECIAL THANKS GO TO THE FOLLOWING:

NC DISTRICT ATTORNEYS ASSOCIATION
NC VICTIM ASSISTANCE NETWORK
NC MOTHERS AGAINST DRUNK DRIVING
GREATER RALEIGH CONVENTION AND VISITORS BUREAU
HOLIDAY INN/STATE CAPITAL
NC ADMINISTRATIVE OFFICE OF THE COURTS

Social: There will be a social for the district attorneys and all Victim/Witness Assistant Training Seminar participants and facilitators **Thursday, October 16 from 6:00 to 7:30 at *Wicked Smile*, located at 511 W. Hargett St. in downtown Raleigh. *Directions to this restaurant and bar are located in your meeting packet.***

AGENDA

WEDNESDAY, OCTOBER 15

11:30 - 12:00	Registration
12:00 - 1:00	Luncheon with Elected District Attorneys Opening Remarks, *The Honorable Thomas H. Lock & Patty Currin*
1:00 - 2:15	Incorporating the VWA into Prosecution Services *Norman Early*
2:15 - 2:30	BREAK
2:30 - 3:00	Pending Victims' Rights Legislation, *Catherine Smith*
3:00 - 5:00	Victims' Rights Implementation, *Patty Currin & Tom Lock*
5:00	ADJOURN FOR THE DAY

AGENDA CONTINUED

THURSDAY, OCTOBER 16

8:00 - 8:15	NC Parole Commission Victim Information Packets *Karen Taylor George*
	Responding More Effectively to Domestic Violence Cases -- 8:15 - 10:50
8:15 - 9:00	Part I: Domestic Violence & the District Attorney's Ofc. *Lee Allen and Ann Chambo*
9:00 - 9:50	Part II: A Multidisciplinary Response to Domestic Violence Cases *Lee Allen, Ann Chambo, Mary Curry, Rosemary Haddock*
9:50 - 10:00	BREAK
10:00 - 10:50	Part III: VWA Response to Domestic Violence Cases *Mary Curry*
10:50 - 11:00	BREAK
11:00 - 12:30	Providing Critical Outreach and Quality Services to Crime Victims in North Carolina Courts, *Jayne Crisp*
12:30 - 1:45	LUNCH ON YOUR OWN
1:45 - 5:00	Jayne Crisp's Program Continued
5:00	ADJOURN FOR THE DAY
6:00 - 7:30	SOCIAL, *Wicked Smile*

FRIDAY, OCTOBER 17

8:00 - 8:15	Filing Victim Compensation Claims, *Robin Baker*
8:15 - 10:50	Jayne Crisp's Program Continued
10:50 - 11:00	BREAK
11:00 - 12:00	Stressbusters for Victim/Witness Assistants, *Paula Collins*
12:00 - 12:30	Wrap-up and Evaluation

DEVELOPING AN EFFECTIVE VICTIM SERVICES PROGRAM

NC CONFERENCE OF DISTRICT ATTORNEYS
DECEMBER 5, 1997

In an attempt to help prosecutors' offices effectively meet the notification and other service requirements of pending victims' rights legislation, the staff of the Conference of District Attorneys has outlined the basics of an effective victim services program, based on recommendations by the U.S. Department of Justice, Office for Victims of Crime.

ASSESS EXISTING VICTIM NEEDS AND SERVICES IN YOUR DISTRICT

- Determine the major types of victimization;
- Inventory service needs of victims and witnesses;
- Identify existing victim assistance and community services available to develop a list of referrals. Network with representatives of these agencies and organizations – exchange business cards, brochures, etc.;
- Use cooperative agreements, making sure that everyone understands his/her roles and responsibilities;
- Identify gaps in the area of victim services;
- Select those needed services that are appropriate for the prosecutor's office to meet and provide; and
- Identify victim population your office will serve.

SELECT YOUR PROGRAM STAFF

An idea you may want to try: Using a Myers-Briggs Type Indicator (Personality Assessment Tool) to determine who best suits what role in your victim services program:

1. **Victim Services Program Director**
   - Supervises victim services staff;
   - Must have good organizational skills; and
   - Works closely with administrative assistant and elected district attorney to develop program policies and procedures.

2. **Victim/Witness Assistant to work directly with victims, trial assistant to prosecutor:**
   - Must like to work with people & must be a good public relations representative for your office;
   - Coordinates victims and witnesses for court appearances;
   - Transports victims and witnesses to court, when necessary;
   - Provides minimal crisis intervention services;
   - Answers questions for victims during trials;
   - Serves as a liaison between victims and witnesses and the prosecutor; and
   - Protects victims and witnesses from the media.

3. **Victim/Witness Assistant to send all written correspondence (notification, impact statements, etc.)**
   - Must be well organized;
   - Must like to sit at a computer and type all day;
   - Locates missing victims and witnesses; and
   - Tracks all victim and witness contacts.

4. Volunteers & Interns

- May be found through community college criminal justice programs, law schools, churches, senior citizens groups; and
- *They are not free.* You must invest time to develop an adequate training, supervision and recognition system before they work in your office (Conference staff is able to assist in the development of such a program).

DEVELOP A PROGRAM MISSION STATEMENT

- Must be prosecution-based program, meaning that prosecutors and victim service providers attempt to increase a victim's participation in and satisfaction with the criminal justice system;
- Develop some short and long term goals for the program; and
- Assess the effectiveness of the program every six months.

DEVELOP AN ORGANIZATIONAL STRUCTURE

- Keep the program focused on victim assistance;
- Emphasize specialization of services;
- Emphasize the prosecutorial responsibilities of the program;
- Ensure that others in the office recognize the importance of the program; and
- **Fully integrate the program into the office.**
- **Let the Victim Services Director do his or her job.**

DEVELOP PROGRAM BROCHURES, BOOKLETS

- Victim Services Brochure – with picture of elected district attorney on the front;
- Court Procedure, with tips and information;
- Crime specific brochures;
- Information about community resources and how to access them; and
- Any other.

SELECT A NAME FOR YOUR PROGRAM

- Crime Victim Unit;
- Crime Victim/Witness Services;
- Victim/Witness Assistance Program
- Victim Assistance Unit; and
- Etc.

<u>Conclusion</u>: The National Institute of Justice sponsored a study in 1987 that examined the organization and operation of 25 victim services programs nationwide. This study showed that victims' and witnesses' satisfaction with the court system was not based on successful conviction and imprisonment of the defendant. Satisfaction was based on their perception of how they were treated by representatives of the court system; specifically, whether or not they felt they were kept informed and notified about their case and treated with respect and included by the prosecution team.....just something to keep in mind.

Gleaned from ***Focus on the Future: A Systems Approach to Prosecution and Victim Assistance***, presented by the National Victim Center, American Prosecutors Research Institute and Mothers Against Drunk Driving; supported by the U.S. Dept. of Justice, Office for Victims of Crime, 1994.

1997 Victim and Witness Contacts

Month	Contact With Victims				Contact With Witnesses			
	In Person	By Phone	By Letter	Total	In Person	By Phone	By Letter	Total
January	3,897	6,878	6,312	**17,087**	3,933	7,577	3,548	**15,058**
February	3,293	6,489	5,693	**15,475**	3,471	7,469	3,118	**14,058**
March	3,144	6,549	5,274	**14,960**	3,192	7,426	2,990	**13,608**
April	3,333	6,581	6,045	**15,959**	3,622	8,469	4,547	**16,638**
May	3,243	6,229	5,992	**15,464**	3,589	8,043	3,832	**15,464**
June	2,825	6,265	6,568	**15,658**	3,221	7,658	3,757	**14,636**
July	3,126	7,017	6,428	**16,571**	3,475	8,264	4,684	**16,423**
August	3,017	6,707	7,050	**16,774**	3,372	7,287	4,432	**15,091**
September	3,421	6,776	5,942	**16,139**	3,695	8,463	4,494	**16,652**
October	3,282	6,888	6,492	**16,662**	3,672	7,719	3,659	**15,050**
November	2,820	6,167	5,468	**14,455**	3,187	6,131	2,849	**12,167**
December	3,035	5,787	5,482	**14,304**	2,899	5,998	3,027	**11,924**
TOTALS:	38,436	78,333	72,746	**189,508**	41,328	90,504	44,937	**176,769**

Victim Impact Statements Distributed/Received -- 1997

DISTRICT	JAN.		FEB		MAR.		APR		MAY		JUNE	
	D	R	D	R	D	R	D	R	D	R	D	R
1	0	0	0	0	0	0	0	0	0	0	0	0
2	100	55	110	75	86	42	66	14	75	50	75	51
3A	127	37	91	26	80	19	66	14	50	23	95	33
3B	29	9	23	15	35	10	18	14	47	10	76	14
4	96	28	97	39	130	73	78	31	125	42	107	43
5	0	0	69	41	98	40	69	49	87	47	49	23
6A	44	20	47	27	23	14	60	30	59	30	21	17
6B	35	18	60	40	47	31	25	22	48	23	60	47
7	73	41	88	58	104	78	53	42	107	60	74	40
8	56	35	41	24	88	37	83	45	66	29	73	25
9	107	78	0	0	84	63	110	74	0	0	0	0
9A	23	1	14	4	12	0	22	10	31	8	30	7
10	389	7	377	1	377	3	378	0	380	0	394	4
11	40	9	44	17	50	27	17	12	72	36	59	35
12	569	370	476	333	651	484	491	268	802	503	785	416
13	79	47	96	62	58	47	56	55	39	28	116	109
14	10	4	58	8	22	7	22	4	20	9	16	9
15A	108	65	104	82	138	87	130	100	120	90	237	124
15B	47	39	44	41	30	22	59	47	64	30	43	37
16A	33	13	43	18	45	20	21	15	44	18	26	19
16B	157	64	104	45	62	42	8	12	0	0	131	33
17A	27	28	24	12	37	18	34	29	62	32	41	21
17B	0	0	0	0	0	0	0	0	0	0	0	0
18	547	413	421	233	506	291	485	248	535	296	544	216
19A	18	6	13	5	25	20	13	12	10	8	20	2
19B	67	10	20	31	82	38	77	23	16	9	20	9
19C	49	35	36	25	26	21	12	10	28	24	26	23
20	92	47	204	79	93	43	114	132	59	63	219	74
21	206	80	84	42	37	27	98	17	38	20	18	12
22	161	38	55	53	68	28	54	29	40	24	126	25
23	68	26	54	20	68	24	65	27	55	27	66	26
24	38	22	39	18	13	6	14	8	18	12	36	23
25	89	73	67	55	82	53	65	29	44	38	35	20
26	253	129	180	121	251	101	266	138	191	73	265	139
27A	204	139	168	116	209	168	157	111	262	141	255	156
27B	33	12	27	26	65	34	55	26	115	21	65	33
28	68	100	54	100	46	87	66	120	77	124	68	135
29	107	47	75	41	138	61	26	6	31	5	50	24
30	43	28	77	38	60	40	80	36	76	48	45	66
TOTAL	4,192	2,173	3,584	1,971	4,026	2,206	3,513	1,859	3,893	2,001	4,366	2050

D = Distributed R = Received

Victim Impact Statements Distributed and Received -- 1996

DISTRICT	JULY		AUG.		SEPT.		OCT.		NOV.		DEC.	
	D	R	D	R	D	R	D	R	D	R	D	R
1	0	0	0	0	0	0	0	0	0	0	0	0
2	115	75	115	80	140	95	140	95	110	70	70	45
3A	63	29	83	29	89	14	90	20	150	28	135	31
3B	32	18	57	12	102	40	42	18	25	9	42	13
4	126	35	73	42	138	40	104	48	99	46	98	48
5	57	4	55	N/A	63	N/A	84	N/A	54	N/A	39	N/A
6A	49	25	39	12	25	16	41	18	41	18	41	18
6B	36	30	43	29	44	26	75	25	51	43	56	21
7	150	83	333	88	227	62	98	67	9	20	210	30
8	38	40	49	23	48	21	102	33	77	43	73	30
9	110	76	0	0	101	84	98	61	0	0	96	64
9A	25	8	28	16	16	14	22	5	13	7	0	0
10	389	3	487	18	305	10	242	107	357	70	503	75
11	102	50	89	33	18	5	81	29	27	10	58	35
12	531	297	515	338	548	314	726	424	507	283	391	324
13	64	50	118	105	66	73	30	27	9	0	64	59
14	15	6	16	8	22	12	15	7	8	4	33	8
15A	201	107	184	155	148	111	153	98	95	77	122	97
15B	31	26	49	43	5	4	44	7	16	12	16	7
16A	42	17	16	5	36	10	15	8	29	12	27	7
16B	42	27	43	19	21	8	11	2	101	28	165	43
17A	5	13	51	28	47	20	33	34	71	30	38	22
17B	23	12	30	9	19	10	72	24	31	13	19	10
18	534	246	464	188	283	96	398	194	394	195	371	206
19A	9	5	17	7	34	8	0	0	0	0	0	0
19B	28	28	104	25	104	49	59	36	39	18	105	32
19C	35	31	36	32	17	15	65	44	37	21	10	7
20	143	53	89	58	72	72	248	102	220	91	172	74
21	38	17	135	12	115	36	162	13	102	11	14	8
22	53	23	51	29	59	36	89	54	93	67	63	48
23	43	22	55	17	103	39	60	22	61	14	41	27
24	49	24	47	15	30	18	33	21	22	18	22	6
25	46	30	148	126	78	61	29	24	70	52	34	24
26	281	103	301	144	241	140	260	106	231	169	224	113
27A	187	140	206	109	246	171	240	138	153	118	40	26
27B	73	31	114	31	40	16	53	21	33	12	94	24
28	168	51	161	109	190	119	155	61	145	82	108	80
29	118	36	35	18	82	45	25	12	113	67	81	45
30	49	27	53	36	102	49	69	45	54	34	53	36
TOTAL	4,100	1,898	4,489	2,048	4,024	1,959	4,263	2,050	3,647	1,792	3,728	1,733

D = Distributed R = Received

Handout #6

North Carolina Conference of District Attorneys

IMPLEMENTATION AND EFFECTIVENESS OF THE FAIR TREATMENT FOR VICTIMS AND WITNESSES ACT

REPORT SUMMARY

TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS

February 17, 1998

FAIR TREATMENT FOR VICTIMS AND WITNESSES ACT

1986 — Fair Treatment for Victims and Witnesses Act

1987 — 35 Victim Witness Assistants

Victims of felony crimes "as reasonably possible, subject to available resources"

1989 — Serious Misdemeanors Allowed

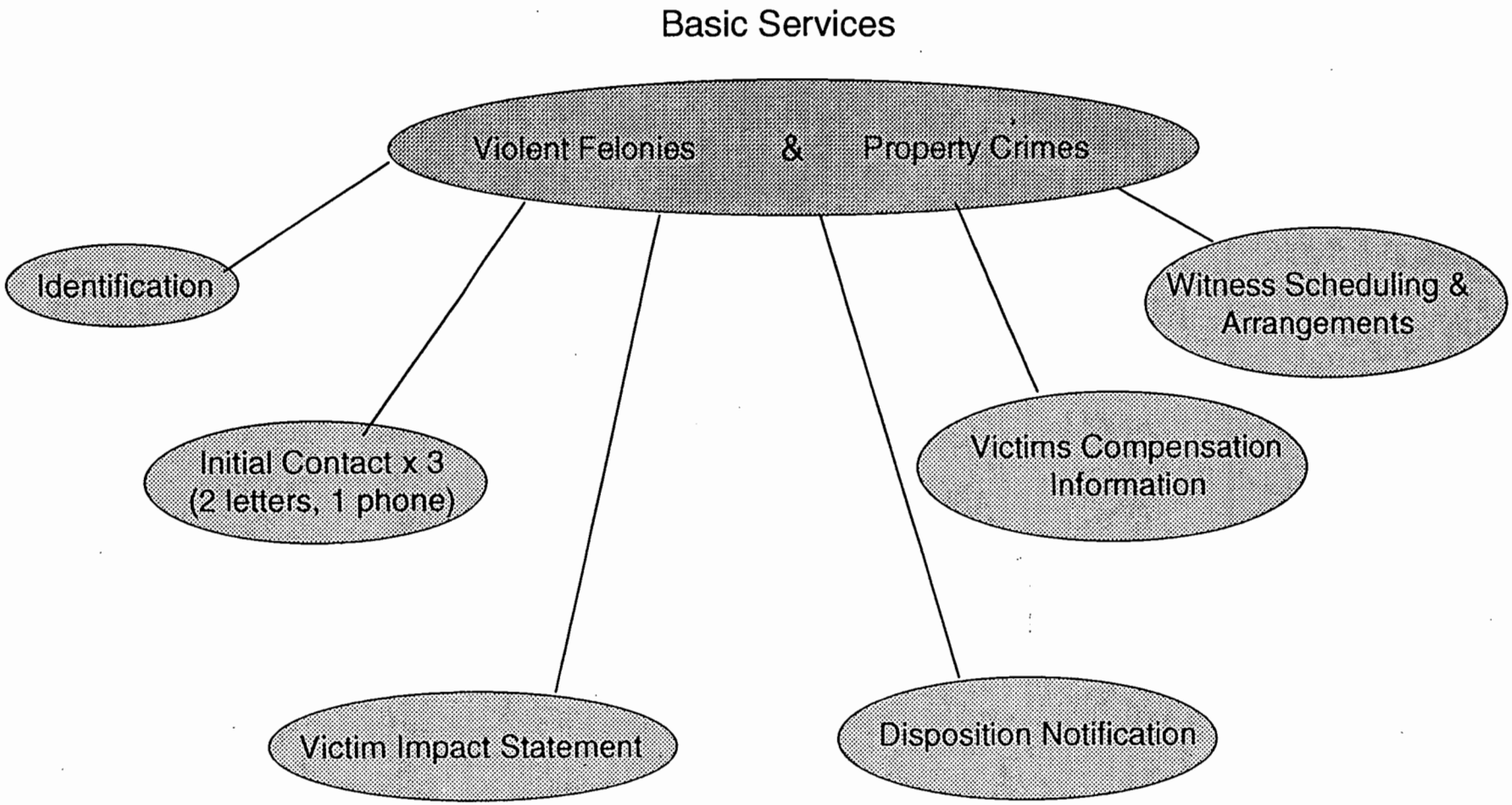
1997 — 75 Victim Witness Assistants

Victims of felony and serious misdemeanor crimes "as reasonably possible, subject to available resources

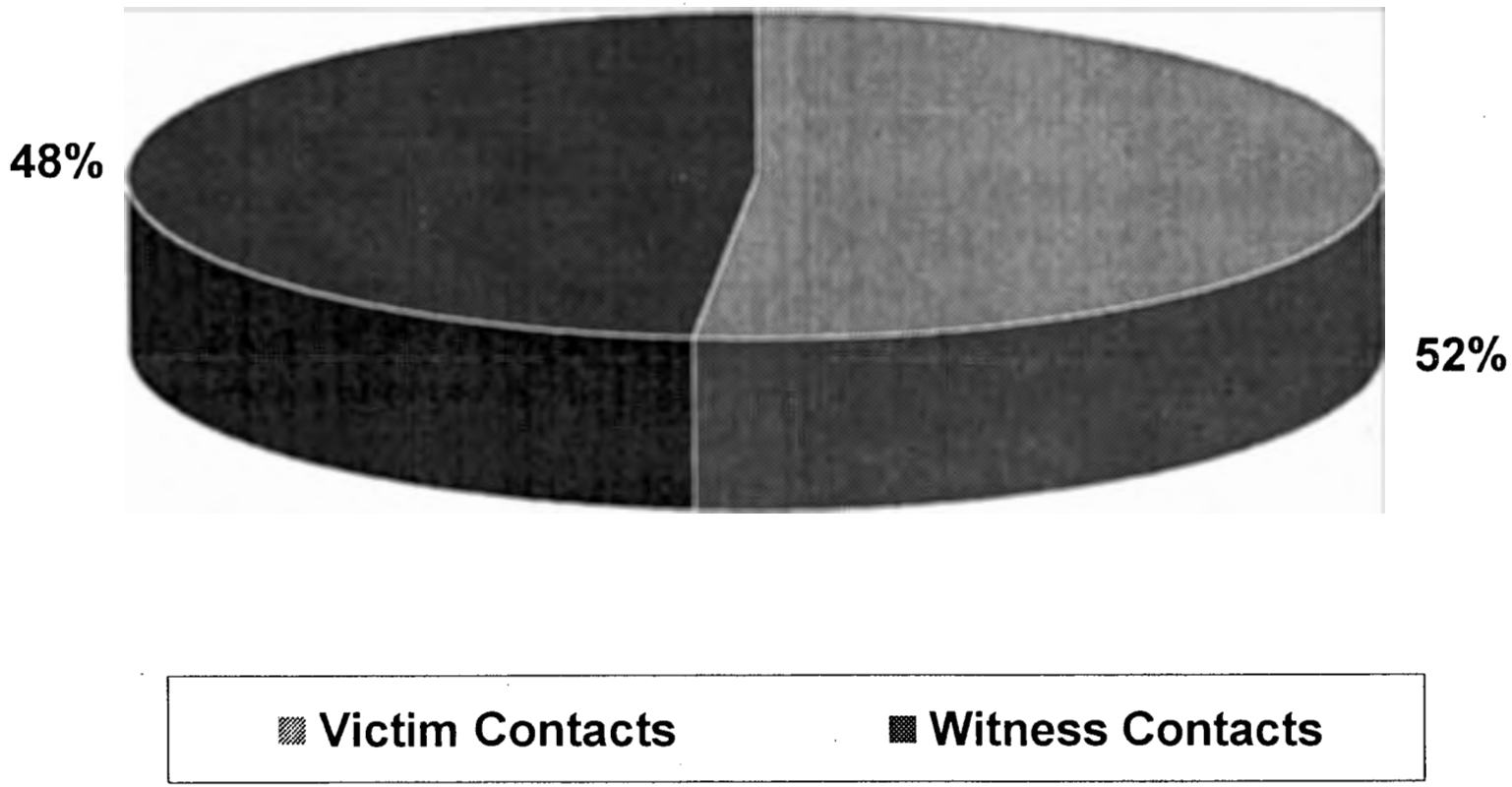
Dec. 1, 1997 — 60 Additional Support Staff

Total now includes 307 "Assistants for Administrative and Victim and Witness Services: <u>Responsible for all legal / secretarial and victim services.</u>

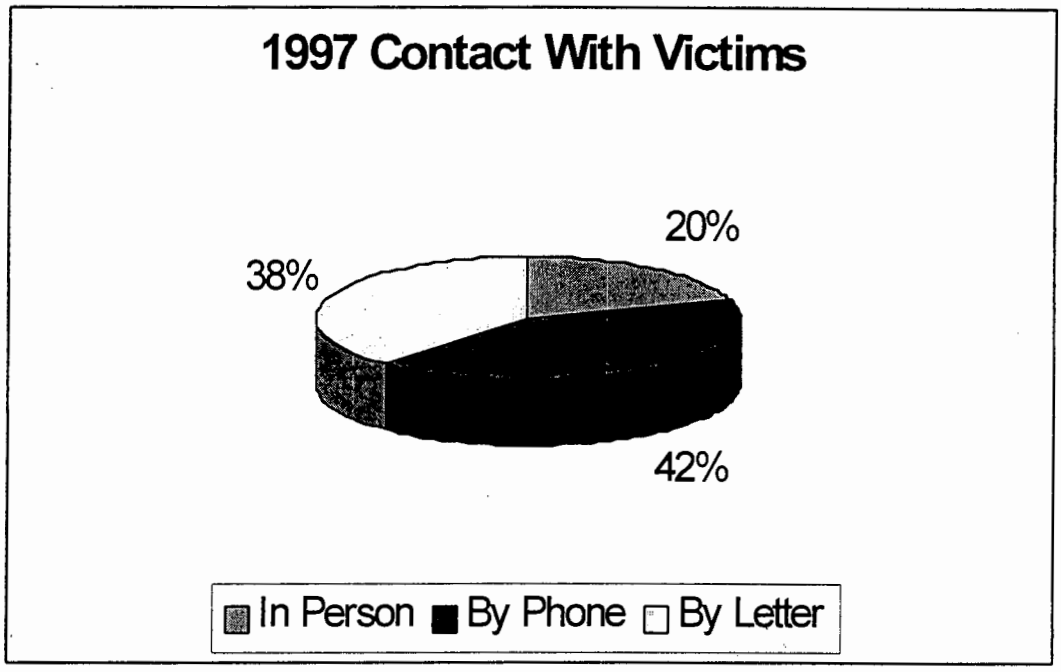
GENERAL IMPLEMENTATION OF FAIR TREATMENT ACT
IN
DISTRICT ATTORNEY OFFICES

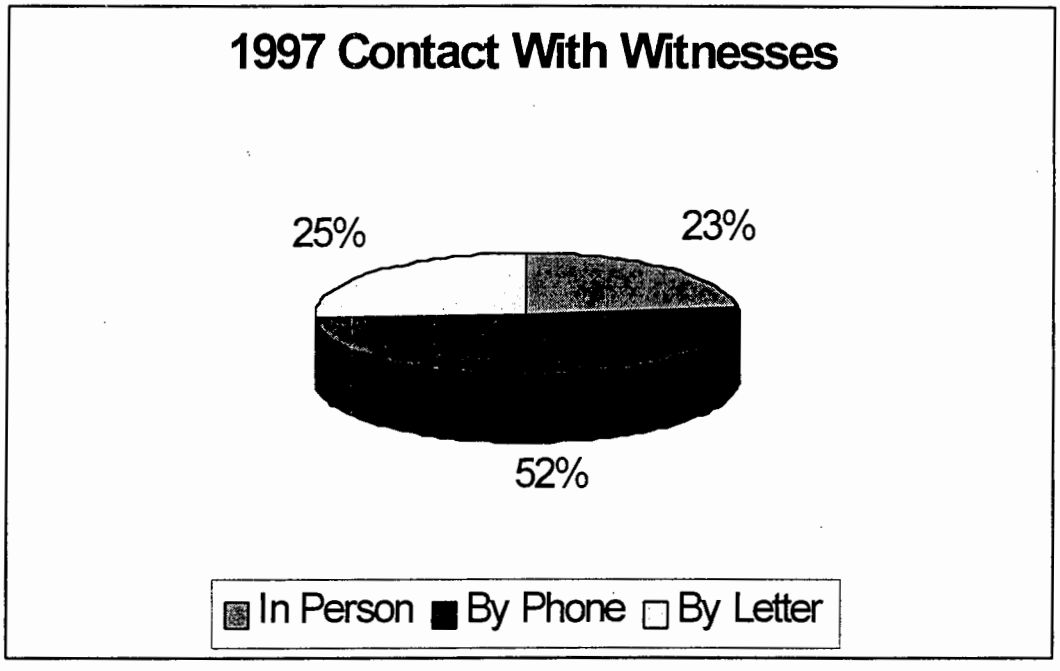


1997 VICTIM AND WITNESS CONTACTS

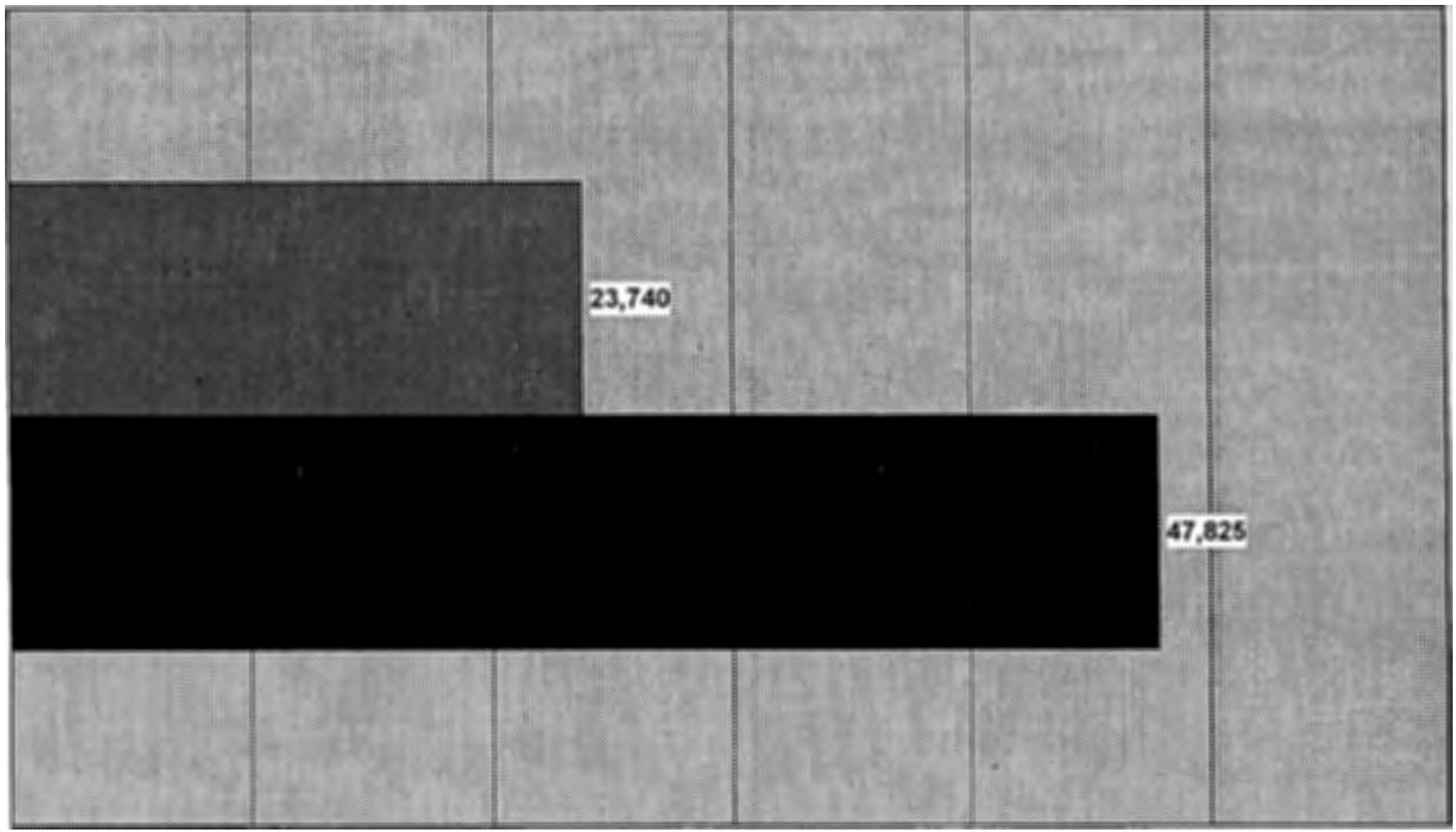


1997 Contact Types





1997 VICTIM IMPACT STATEMENTS



NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS

VICTIM SERVICES PROGRAM

I. Training

- A. Annual Seminar
- B. Divisional Cross Training
- C. New Hire Orientations

II. Program Monitoring

III. Publications

- A. Manual Updates and Revisions
- B. Quarterly Newsletters
- C. Annual Report

IV. Research and Resources

Handout # 7

NORTH CAROLINA VICTIM SERVICES FUNDING (FY 97-98)

DEPARTMENTS/PROGRAMS	PURPOSE	FUNDING	
[redacted]			
VAWA Grants	Encourages the development and implementation of effective law enforcement and prosecution strategies to combat violent crimes against women, as well as the development and enhancement of victim services for women.	$914,988 $2,417,012 **$3,332,000**	Grants awarded to State Agencies (AOC, CCPS) Grants awarded to Local Agencies **Total Federal Grants - VAWA**
VOCA Grants	To supplement State and local efforts to provide services to crime victims, as well as to encourage victim participation and cooperation in the criminal justice system.	$1,975,738 $8,499,262 **$10,475,000**	Grants awarded to State Agencies (AOC, CCPS, DOJ, DOT, Universities) Grants awarded to Local Agencies **Total Federal Grants - VOCA**
Victim & Justice Services	Provide services to victims of crimes, which involved the use or threat of force that resulted in personal injury and/or loss of income. Provides funding for the administration and and operation of the Crime Victims Comp. Fund (CVCF).	$2,000,000 $158,422 $1,400,000 $2,000,000 $1,038,571 **$6,596,993**	Recurring State Appropriation (CVCF) Rape Program (Recurring State Funds) VOCA Match Carry Over State Funds from Prior Year Prison Canteen/Enterprise Fund **Total Victim's Compensation Program**
NC Victims Assistance Network (VAN)	Funding to assist this non-profit in the development and provision of a comprehensive statewide information and referral service for crime victims, criminal justice professionals, and concerned citizens.	**$150,000**	**Funding via Special Provision (Since 1994 Budget Bill)**
[redacted]			
Victim-Witness/Legal Assistants	Provides funds for 307 Victim-Witness/Legal Assistants. Individuals will serve as both legal and victim witness assistants. They are responsible for the development of victim services programs in each judicial district. (60 positions added in 1997; 45 in reserve)	**$9,605,190**	**Recurring - State Funds**

DOA			
Council for Women Domestic Violence Centers	The Council distributes funds to approximately 70 local domestic violence organizations. Funds are also used to train staff who work in shelters.	$1,100,000 $1,682,500 $1,250,000 **$4,032,500**	Non-recurring Recurring Marriage License Fees **Total for Domestic Violence Centers**
Rape Crisis Centers	The Council distributes funds to approximately 60 rape crisis centers around the State.	$187,110 $892,500 **$1,079,610**	Federal Grants Recurring - State Funds **Total for Rape Crisis Centers**
DOJ			
Child Victims Assistance Project (CVAP)	Provides funding for two full time and three part positions. These individuals operate out of the local district attorney's office. They recruit volunteers to help child victim's and their families with such things as transportation to a doctor, psychologist, courthouse, etc. The recruited volunteers stay with the child throughout the criminal process.	**$135,310**	**Recurring - State Funds**
DOC			
DAPP	Grant to establish a victim coordinator in the office of the Secretary and two victim's advocates in DAPP at pilot sites in Judicial Districts 3B (Craven, Carteret, and Pamlico) and 10 (Wake).	$176,875	GCC Grant Funding Ends 6/30/98
Parole Commission	Recurring funds to provide for a victim's advocate position for the Parole Commission.	$30,000 **$206,875**	Recurring - State Funds **Total Funding for DAPP**
DHHS			
Division of Social Services Family Violence Prevention and Services Act (FVPSA)	Grants to provide violence prevention and victim services. Services include shelters, treatment, transportation, and case management. Most services are provided by localities or non-profits.	$1,150,414 $123,586 **$1,274,000**	Grants awarded to local agencies Grant Funds for DSS (administration) **Total Federal Funding - FVPSA**
TOTAL STATE AND FEDERAL FUNDS		**$36,38[illegible]**	

Handout #8

ARTICLE 45.
Fair Treatment for Victims and Witnesses.

Sec.
15A-824. Definitions.
15A-825. Treatment due victims and witnesses.
15A-826. Victim and witness assistants.
15A-827. Scope.
15A-828 through 15A-849. [Reserved.]

§ 15A-824. Definitions.

As used in this Article, unless the context clearly requires otherwise:

(1) "Crime" means a serious misdemeanor as determined in the sole discretion of the district attorney, any felony, or any act committed by a juvenile that, if committed by a competent adult, would constitute a felony.

(2) "Family member" means a spouse, child, parent or legal guardian, or the closest living relative.

(3) "Victim" means a person against whom there is probable cause to believe a crime has been committed.

(4) "Witness" means a person who has been or is expected to be summoned to testify for the prosecution in a criminal action concerning a felony, or who by reason of having relevant information is subject to being called or is likely to be called as a witness for the prosecution in such an action, whether or not an action or proceeding has been commenced.

(1985 (Reg. Sess., 1986), c. 998, s. 1; 1989, c. 596, s. 1.)

Editor's Note. - Section 5 of Session Laws 1985 (Reg. Sess., 1986), c. 998, made this Article effective October 1, 1986.

§ 15A-825. Treatment due victims and witnesses.

To the extent reasonably possible and subject to available resources, the employees of law-enforcement agencies, the prosecutorial system, the judicial system, and the correctional system should make a reasonable effort to assure that each victim and witness within their jurisdiction:

(1) Is provided information regarding immediate medical assistance when needed and is not detained for an unreasonable length of time before having such assistance administered.

(2) Is provided information about available protection from harm and threats of harm arising out of cooperation with law-enforcement prosecution efforts, and receives such protection.

(2a) Is provided information that testimony as to one's home address is not relevant in every case, and that the victim or witness may request the district attorney to raise an objection should he/she deem it appropriate to this line of questioning in the case at hand.

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(3) Has any stolen or other personal property expeditiously returned by law-enforcement agencies when it is no longer needed as evidence, and its return would not impede an investigation or prosecution of the case. When feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis, and property whose ownership is disputed, should be photographed and returned to the owner within a reasonable period of time of being recovered by law-enforcement officials.

(4) Is provided appropriate employer intercession services to seek the employer's cooperation with the criminal justice system and minimize the employee's loss of pay and other benefits resulting from such cooperation whenever possible.

(5) Is provided, whenever practical, a secure waiting area during court proceedings that does not place the victim or witness in close proximity to defendants and families or friends of defendants.

(6) Is informed of the procedures to be followed to apply for and receive any appropriate witness fees or victim compensation.

(6a) Is informed of the right to be present throughout the entire trial of the defendant, subject to the right of the court to sequester witnesses.

(7) Is given the opportunity to be present during the final disposition of the case or is informed of the final disposition of the case, if he has requested to be present or be informed.

(8) Is notified, whenever possible, that a court proceeding to which he has been subpoenaed will not occur as scheduled.

(9) Has a victim impact statement prepared for consideration by the court.

(9a) Prior to trial, is provided information about plea bargaining procedures and is told that the district attorney may recommend a plea bargain to the court.

(10) Is informed that civil remedies may be available and that statutes of limitation apply in civil cases.

(11) Upon the victim's written request, is notified before a proceeding is held at which the release of the offender from custody is considered, if the crime for which the offender was placed in custody is a Class G or more serious felony.

(12) Upon the victim's written request, is notified if the offender escapes from custody or is released from custody, if the crime for which the offender was placed in custody is a Class G or more serious felony.

(13) Has family members of a homicide victim offered all the guarantees in this section, except those in subdivision (1).

Nothing in this section shall be construed to create a cause of action for failure to comply with its requirements.

(1985 (Reg. Sess., 1986), c. 998, s. 1; 1989, c. 596, s. 2.)

Legal Periodicals. - For comment, "Repairing the Breach and Reconciling the Discordant: Mediation in the Criminal Justice System," see 72 N.C.L. Rev. 1479 (1994).

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CASE NOTES

In Camera Hearing with Victim. - The trial courts should exercise extreme caution in conducting in camera hearings and insure that all information received by the court relating to punishment is made known to the defendant and his counsel and that he be given the opportunity to explain or refute it. State v. Midyette, 87 N.C. App. 199, 360 S.E.2d 507 (1987), aff'd, 322 N.C. 108, 366 S.E.2d 440 (1988).

Use of Victim Impact Statements at Sentencing Hearings. - Victim impact statements may be used at sentencing hearings, except in capital cases. State v. Phillips, 325 N.C. 222, 381 S.E.2d 325 (1989).

Victim's or Witness' View of Evidence Has No Proper Place in Impact Statement. - What a victim or a witness thinks the evidence in a case shows or what the defendant's punishment should be is not an effect of crime, but advocacy, and such thoughts have no place in a proper impact statement, but holding that statements by victim's sisters on Victim Impact Statement forms as to the sentence which they believed defendant should receive were harmless under the circumstances. State v. Jackson, 91 N.C. App. 124, 370 S.E.2d 687 (1988).

Introduction of Victim Impact Statements Not Prejudicial. - Where court found no aggravating factor based on evidence adduced by victim impact statements introduced at defendant's sentencing hearing, defendant was shown the statements at the hearings and objected to their admission but did not move for a continuance to seek evidence in rebuttal or to issue subpoenas for the persons who made the statements, and the matters contained in the statements had been brought to the court's attention during the actual trial, defendant failed to show how he was prejudiced by introduction of the statements. State v. Phillips, 325 N.C. 222, 381 S.E.2d 325 (1989).

§ 15A-826. Victim and witness assistants.

Victim and witness assistants are responsible for coordinating efforts within the law-enforcement and judicial systems to assure that each victim and witness is treated in accordance with this Article.

(1985 (Reg. Sess., 1986), c. 998, s. 1.)

§ 15A-827. Scope.

This Article does not create any civil or criminal liability on the part of the State of North Carolina or any criminal justice agency, employee, or volunteer.

(1985 (Reg. Sess., 1986), c. 998, s.

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VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 2/17//98

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Marsha Glen	DOA
Chuck Crann	OSPL
Roz Scarbrough	NC Coalition Against Domestic Violence
Joyce Allen	DOA - CFW
Juanita Stroomer	Parole Commission
Karen Young	Parole Commission
[illegible]	NC HAA
Peg Dorer	NC Conference of DAs
Leigh House	NC Conf of DA's
PE Powell	AOC

VISITOR REGISTRATION SHEET

PM

Name of Committee | Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK.

NAME	FIRM OR AGENCY AND ADDRESS
Don Spurgeon	USCC Louisville KY
Martha Glass	DOA

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

1997-98 INTERIM STUDY

CHAIRMEN

Representative Larry Justus
Representative Gregg Thompson
Representative Joe Kiser
Senator Wib Gulley

STAFF

Jim Mills, Fiscal Research
Charles Perusse, Fiscal Research
Elisa Wolper, Fiscal Research
Andy Willis, Fiscal Research
Sean Dail, Bill Drafting
Beth Barnes, Bill Drafting

Clerks

Carol Resar
Carolyn Justus

JOINT MEETINGS OF THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY 1997-98 INTERIM

October 21, 1997	Book 1
October 22, 1997	Book 1
October 23, 1997	Book 1
November 18, 1998	Book 1
November 19, 1998	Book 1
November 20, 1998	Book 1
December 16, 1998*	Book 1
December 17, 1998	Book 2
December 18, 1998*	Book 2
January 20, 1998	Book 2
January 21, 1998	Book 2
January 22, 1998	Book 2
February 17, 1998	Book 2
February 18, 1998	Book 3
February 19, 1998	Book 3
March 17, 1998	Book 3
March 18, 1998	Book 3
March 19, 1998	Book 3
April 21, 1998	Book 3
April 22, 1998	Book 3
April 23, 1998	Book 3

* House meeting only

APPROPRIATIONS/SUBCOMMITTEE ON JUSTICE & PUBLIC SAFETY
1997-98 INTERIM

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Representative Joe Kiser, Co-Chair
PO Box 47
Vale, NC 28168
(704) 276-2725 276-1200 (F)

Representative Sandy Hardy
503 Fairview Avenue
Washington, NC 27889
(919) 975-3974 975-0829 (F)

Representative David Redwine
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Ocean Isle Beach, NC 28469
(910) 579-2169 754-9185 (F)

Representative Wayne Sexton
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Stoneville, NC 27048
(910) 627-1418 623-3299 (F)

Representative Chuck Neely
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Raleigh, NC 27609
919-782-3845 981-4300 (F)

Representative Gregg Thompson, Co-Chair
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Spruce Pine, NC 28777
(704) 765-1992 765-9655 (F)

Representative Paul McCrary
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Lexington, NC 27292
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Representative Ted Kinney
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Representative Ronnie Smith
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Atlantic Beach, NC 28512
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Representative Ruth Easterling
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Charlotte, NC 228207
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FISCAL STAFF
JIM MILLS
CHARLES PERUSSE
ELISA WOLPER
ANDY WILLIS
919 733-4910

STAFF BILL DRAFTING
SEAN DAIL
BETH BARNES
919 733 6660

COMMITTEE CLERK
CAROLYN JUSTUS

SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY MEMBERSHIP

Sen. Wib Gulley, Chair
Room 418
715-3036

Sen. Frank Ballance
Vice-Chair
Room 523
715-3032

Sen. Don East
Ranking Minority
Room 521
733-5655

Sen. John Blust
Room 1117
733-7850

Sen. Tony Rand
Room 300-C
733-9892

Sen. Allen Wellons
Room 1026
733-5850

Sen. Fountain Odom
Room 300-B
733-5707

Carol Resar, Clerk 715-3036

Jim Mills, Fiscal Research 733-4910
Charles Perusse, Fiscal Research 733-4910
Elisa Wolper, Fiscal Research 733-4910
Andy Willis, Fiscal Research 733-4910

Beth Barnes, Bill Drafting 733-6660
Sean Dail, Bill Drafting 733-6660

ATTENDANCE

COMMITTEE: Appropriations Subcommittee on Justice and Public Safety - Interim Meetings 1997-98

ATES / NAMES	10/22/97	10/23	11/18	11/19	11/20	12/16	12/19	1/20	3/17	3/19	4/22
Sen. Wib Gulley, Chair											
Sen. Frank Ballance, Vice-Chair											
Sen. Don East, Ranking Minority											
Senator John Blust											
Senator Tony Rand											
Senator Allen Wellons											
Rep. Larry Justus, Chair	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Rep. Gregory Thompson, Chair	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Rep. Joe Kiser, Chair	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Rep. Paul McCrary	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Rep. Edwin Hardy	✓	✓			✓	✓			✓	✓	
Rep. Ted Kinney			✓	✓	✓	✓	✓	✓	✓		
Rep. David Redwine	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Rep. Wayne Sexton	✓	✓	✓	✓	✓	✓	X	✓	✓	✓	✓
Rep. Ronald Smith	✓	✓	✓	✓	X	✓	✓	✓	✓		✓
Rep. Jim Crawford			✓	✓			✓	✓	✓		✓
Easterling	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Neely											

HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Wednesday February 18, 1998 9:00 a.m.
Room 612, Legislative Office Building

I. CALL TO ORDER

Chairmen: Senator Wib Gulley

Representative Gregg Thompson
Representative Larry Justus
Representative Joe Kiser, Presiding

II. PRESENTATIONS

Morning

- Comparison of Rights in Fair Treatment Act vs. HB 665 (Crime Victims Rights Act)

  Jim Mills, Fiscal Research Division
  Karen Cochrane-Brown, Research Division

- Overview of Departmental Requirements Under HB 665

  Pete Powell, Deputy Director
  Administrative Office of the Courts

  Gregg Stahl, Assistant Secretary
  Department of Correction

  Jane Gray, Deputy Attorney General
  Department of Justice

  Eddie Caldwell, Legislative Representative
  NC Sheriff's Association
  NC Law Enforcement Officer's Association

- Review of 1997 Fiscal Note on HB 665

  Jim Mills, Fiscal Research Division

- Comments on HB 665

  Catherine Gallagher Smith
  Victims Assistance Network

Afternoon

- Department of Justice Settlement with Reebok

  Jane Gray, Deputy Attorney General
  Department of Justice

- Update on Juvenile Justice Commission Recommendations

  Marcia H. Morey
  Executive Director, Governor's Commission on Juvenile Crime and Justice

III. **OTHER BUSINESS**

IV. **ADJOURNMENT**

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
INTERIM STUDY 1997-98
February 18, 1998

House Members Present: [11] Representatives Justus, Thompson, Kiser, McCrary, Hardy, Redwine, Sexton, Smith, Kinney, Easterling and Crawford

Senate Members Present: [4]

The Joint Appropriations Subcommittee on Justice and Public Safety met on Wednesday, February 18, 1998. Representative Thompson called the meeting to order at 9:15 AM.

- Comparison of Rights in Fair Treatment Act vs. HB 665 (Crime Victims Rights Act)

Representative Thompson recognized Karen Cochrane-Brown for her presentation on House Bill 665. Attachment 1 -- House Bill 665 -- Crime Victims' Rights Act -- and Attachment 2 -- a copy of House Bill 665 were distributed. Ms. Cochrane-Brown explained that House Bill 665 was intended to implement the basic rights to victims as provided by the constitutional amendment passed by the General Assembly in 1995 and approved by the voters in 1996.

Representative Redwine asked if a victim could "double-dip" from the available funds provided in this bill. Elisa Wolper, Fiscal Staff, responded that the only other pot of money is a grant to the Victims Assistance Network to cover travel expenses of victims. Representative Kiser asked if VAN (Victims Assistance Network) pays all travel expenses of victims and how it is determined who receives this money. Catherine Smith, Executive Director of VAN, replied that this is a pilot program by VOCA (Victims of Crime Act) to reimburse victims of homicide survivors. This grant deals with the appellate process. If the family is not provided subsistence by North Carolina or other states, airfare will be paid (if over 400 miles) and meals. ***Representative Kiser asked for a chart of the amounts of money paid to individuals for travel expense and added that the name of the victim is not necessary. Representative Sexton asked for the money spent on travel for victims last year. Representative Sexton added that he had requested what VAN would spend the requested five million dollars for at the last meeting.***

Andy Willis, Fiscal Staff, distributed Attachment 3 -- North Carolina Victim Assistance Network - Expenditures for the Year Ending June 30, 1997 -- State Appropriations.

Catherine Smith, VAN, stated that she will get the total money spent for the travel grant in the first year. Jim Mills, Fiscal Staff, added that most services provided to victims in HB 665 are notification services. There is a potential for overlap between agencies providing notification. Representative Redwine remarked that preventing this overlap would free up money for other things. Representative Justus asked how far down the victim chain does this HB 665 cover. Karen Cochrane-Brown replied that a victim is defined in HB 665 as a spouse, child, sibling, grandparent, or grandchild.

Representative Sexton again asked how the five million dollars generated by a dedicated court cost would be spend. Jim Mills added that Catherine Smith will be on the agenda this afternoon and can provide this information at that time.

Jim Mills, Fiscal Staff, proceeded with Attachment 4 -- Victims Services proposed under HB 665, Crime Victims Rights Act, Compared to Current Legislation. Representative Kiser asked if a person on parole does not pay restitution, can he remain on parole. Representative Justus responded that he had a bill to extend probation if restitution
was not met; but this bill did not pass.

- Overview of Department Requirements Under HB 665

Representative Thompson recognized Pete Powell, Deputy Director, Administrative Office of the Courts, for this presentation. Mr. Powell reported that about ten percent of the amounted ordered of restitution for collected. The implementation of the Victims Rights Bill will increase the AOC budget by the following costs:

1. Printing, paper, postage $96,000 -- 124,000.
2. Automated system costs for notices, DAPP system, programmers, and personal computers
3. Personnel -- 72 Victim Witness Assistants, 19 ADA's, and 11 deputy clerks of court, 5 court reporters, 5 superior court judges
4. An additional $290,000 in indigent defense costs, plus programmers, printing and postage.

Mr. Powell's remarks are attached to these minutes as Attachment 8.

The committee recessed from 11 AM until 11:15 AM.

Representative Thompson reconvened the meeting at 11:25 AM.

Senator Gulley requested that Pete Powell provide the committee with the numbers in writing of costs to AOC if domestic violence is included in the Victims Rights Bill.

Representative Thompson commented that the House is waiting on the Senate to appoint members to the Study Committee on the Allocation of Judicial Resources so that this item may be studied.

Greg Stahl, Assistant Secretary, Department of Corrections, was recognized. Mr. Stahl reported that the Department of Corrections would be involved in the Victims Rights Bill with notification. Adult probation and Parole has a victim pilot program. The Department of Corrections would like to expand this to include one person per judicial district who would notify victims in case of escape and where the inmate is housed. The Parole Commission has done a lot in allowing video teleconferencing of the victims' families. Corrections could have a computer program that would allow the victim to dial in and keep up the offenders. This is being developed with a federal grant.

Jane Gray, Deputy Attorney General, Department of Justice, reported that the Department of Justice would be involved with victims' rights through the appellate process. A paralegal position could be established to keep victims informed of the appellate process. This would be a $35,000.00 annual expense.

Eddie Caldwell, Legislative Representative NC Sheriff's Association and NC Law Enforcement Officer's Association, said that a main concern is making it clear which offenses apply to the victims' rights bill. The Administrative Office of the courts could design an arrest form with this information on it.

The committee recessed for lunch at 12:35 PM.

Representative Thompson reconvened the meeting at 1:45 PM. Jim Mills covered Attachment 5 -- Summary of Fiscal Note. Mr. Mills explained that this version on the bill was passed out of this committee the last few days of session. The effective date was July 1, 1998, and the cost was six and a half million. Domestic violence is not included in this fiscal note. ***Senator Gulley asked how many other states have victim rights bills and how they handle domestic violence. Jim Mills will provide this information.***

Jane Gray, Department of Justice, was asked if the Attorney General had an opinion on the Victim Rights Bill. Ms. Gray responded that the office of the Attorney General is responding to this question by responding that the constitutional amendment says services as prescribed by law and these services have been met.

Senator Gulley asked that the remainder of the fiscal information be postponed so that Catherine Smith, Victims Assistance Network, may present her report. Representative Thompson recognized Catherine Smith. Ms. Smith asked Jane Gray if her remarks were an Attorney General's Opinion. Jane Gray responded that the remarks are not written. Ms. Smith said that the voters went to the polls and supported that amendment thinking there would be meaningful redress. Ms. Smith continued that House Bill 665 was meant to provide an outline for victims' services. The implementation of this bill has gone on

for over a year. If we allow fair treatment to go on the way it is we will not meet the needs of crime victims.

Senator Ballance stated that when a crime is committed, the community is the victim. We need to be careful in separating the specific person from the community in which he lives. The District Attorney is the people's representative. We do not need to get to far from the concept that a crime is committed against the community. Ms. Smith said they try to provide information to victims involved in violent crimes. This will provide for law enforcement, DA's, and the Attorney General to know what they are to do. The existing law is not worth the price of the paper it is written on.

Senator Gulley replied that all members take the constitution very seriously. He added that it was crystal clear what services are needed but it is not clear as to the implementation!. The committee is acting in good faith. Restorative justice needs to be researched and considered.

Representative Justus remarked that he supports the victim rights amendment and has a record of fourteen years of support for victims and law enforcement. He said, "I want to see this bill go forward." The addition of domestic violence to this bill has caused problems. I take my position as guardian of the budget very seriously. If you need something, we want you to have it. There is overkill, and it is not a good idea to throw money t a problem when we do not know how it is to be spent. . Would you please tell us how you would spend the amount of five million dollars for. I am opposed to the money being raised in court fees. The General Assembly should have control of the money. I have a fear that if we have a dedicated fee, there will be innumerable organizations a line of people wanting a dedicated fee. The housewife going five miles over the speed limit is paying the bulk of court fees. If you would please, tell this committee what you need the five million dollars for and why it is so important that the money be generated by a dedicated fee as opposed to an appropriation from the General Assembly!

Ms. Smith responded that five million dollars is no magic figure. It was created by the bill calling for an assessment. The Attorney General said that this was unconstitutional. The fall back position was to provide for an ongoing source of revenue to provide these needed services for local law enforcement. There is an opportunity to provide for innovative programs for other agencies to provide for progressive services for victims. There should be a source of money to provide for meaningful enhancements as opposed to just providing the human resources. The agencies are not provided with additional resources that are needed. Meaningful services for crime victims are not provided state wide.

Ms. Smith added that five million dollars was not a figure designed because of need but the result of the dedicated court costs.

Representative Redwine asked about the dedicated fund versus the continuation budget. Ms. Smith replied that there needs to be a steady flow of funds to make these things work.

Representative Sexton said that he is totally in favor of victims' rights but there is a problem with not knowing how the money would be spent. Tell me what the money is to be used for as best you can. I have asked this question before, and also to the domestic violence committee. **I need a ballpark figure of how the money will be spent.** Ms. Smith said the money would be used by those agencies outlined by this act to provide the services required by HB 665. Local law enforcement is not provided funds by the state. Representative Sexton again asked for a list of money to be spent and what is covered under domestic violence. Ms. Smith said there is a study on the definition of domestic violence. Tom Haigwood might be able to answer. Tom Haigwood said it was explained to him that this money could be used for services for victims not included in HB 665. Agencies could apply for grants to provide services not included in the bill. Representative Sexton said grants have become a problem to county programs.

Senator Ballance asked how much money is in the victim's compensation fund. Two million dollars is appropriated. He added that he read that most defendants are indigent. Victims cannot receive funds from indigent defendants. It seems that the victim's compensation fund should receive money so that the victims can actually be reimbursed.

Representative Thompson said that this committee has spent nearly five hours on HB 665 today. We need to move on to other items.

Representative Kiser asked if an appropriation is not a sure as a dedicated source since either can be taken out of the budget.

Representative Thompson said that the Reebok settlement will be moved to the next meeting. Marcia Morey, Executive Director, Governor's Commission on Juvenile Crime and Justice, was recognized for her report. Attachments 6 -- Juvenile Crime and Juvenile Justice System Activity in North Carolina and Attachment 7 Issues were distributed. Ms. Morey reported that Governor Hunt has recently toured the training school system in Virginia. The additional cost for these training schools was seventy-two million. Representative Kiser asked if there is capital money included in this figure. Ms. Morey replied that there is capital money included. Representative Justus asked for recidivism rates on training schools. Ms. Morey responded there no records are kept in North Carolina on recidivism in training schools. Representative Justus asked if consideration had been given to having the Department of Corrections take over juvenile detention centers. Ms. Morey replied that some states do have juvenile detention centers under the Department of Corrections. Representative Kiser remarked that juveniles say that nothing happens to them the first or second time they get into trouble. They need to realize that there are consequences for their actions.

The meeting was adjourned at 3:55 PM.

Larry Justus
Representative Larry Justus
Chairman

Carolyn Justus
Carolyn Justus
Committee Clerk

ATT. 1
2-18-98

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December 17, 1997

MEMORANDUM

TO: Justice and Public Safety Appropriations Subcommittee

FROM: Karen Cochrane Brown, Staff Attorney

RE: **House Bill 665 - Crime Victims' Rights Act.**
(PCS7371)

The proposed committee substitute for House Bill 665 creates Article 101 of Chapter 15A, the Crime Victims' Rights Act, to implement the provisions of Section 37 of Article I of the North Carolina Constitution, which provides for basic rights for victims of crime. The constitutional amendment was passed by the 1995 General Assembly and approved by the voters in 1996.

Section 1 of the bill establishes the new Article 101 which sets forth the substantive rights to which crime victims will be entitled. The new Article contains the following sections:

G.S. 15A-2010. Definitions. This section defines pertinent terms including the term "victim". This definition provides that the Act is applicable to any person against whom there is probable cause to believe one of certain enumerated crimes was committed. The crimes include all Class A, B1, B2, C, D, and E felonies, and certain Class F, G, H, and I felonies most of which involve acts where physical harm to a victim is involved. No misdemeanors are included.

G.S. 15A-2010.1. Assistance to victims of domestic violence. This provision makes the act applicable to victims of domestic violence, effective July 1, 1999. It also contains a definition of victims of domestic violence which includes certain misdemeanors in addition to the felonies contained in the definition of "victim".

G.S. 15A-2011. Responsibilities of law enforcement agency. Within 24 hours of identifying a victim covered by the Act the investigating law enforcement agency must provide certain information to the victim, including the availability of medical services, the availability of compensation funds, the address and phone number of the district attorney's office, the name and phone number of a contact person in the agency, information about the accused's opportunity for

pretrial release, and the name and phone number of a contact person to find out if the accused has been released.

Within 24 hours of receiving notification of an arrest in the case, the investigating law enforcement agency must forward information about the victim to the district attorney's office, unless the victim refuses to disclose the information.

Within 24 hours after an arrest is made, the arresting law enforcement agency must notify the investigating law enforcement agency which must then notify the victim within 24 hours.

G.S. 2012. Responsibilities of the district attorney's office. Within 21 days of the arrest, but not less than 24 hours before the first scheduled probable cause hearing, the district attorney's office must provide the victim with a pamphlet which explains the victims rights during this phase of the case. These rights include the right to confer with the prosecuting attorney and the right to provide a victim impact statement, as well as information about eligibility for compensation, information about the steps in prosecuting a felony and the name and phone number of a victim and witness assistant who can be contacted for further information.

The district attorney's office must provide a form on which the victim can indicate whether he or she wishes further notice of some or all of the trial proceedings. The victim must be notified of the date, time, and location of these proceedings and where practical, secure waiting areas must be provided for the victim during court proceedings. When a victim is to be called as a witness in a court proceeding, the court is required to make every effort to permit the fullest attendance possible by the victim in the proceeding. Prior to disposition of the case, the district attorney must offer to consult with the victim to obtain the victim's views about dismissal, plea or negotiations, sentencing, and any pretrial diversion programs.

Finally, at the sentencing hearing, the prosecutor must submit to the court a form containing identifying information about the victim to be included with the final judgment and commitment transmitted to the Department of Corrections or other custodial agency and must be maintained as a confidential file.

G.S. 15A-2013. Evidence of victim impact. The victim has the right to make a victim impact statement, which must be considered by the court or jury, as applicable, when sentencing the defendant. The statement may include a description of the harm and losses suffered by the victim, a request for restitution, and whether compensation has been applied for or received under the Crime Victims' Compensation Act. The victim impact statement is not required and no inference may be drawn from a victim's decision not to make one.

G.S. 15A-2014. Restitution. Upon conviction of the defendant or upon a guilty plea, the court shall required defendant to make restitution to the victim or the victim's estate for injury or damages to the victim. The court shall consider the cost of medical or other professional services, the cost of therapy or rehabilitation, any income loss, the cost of treatment for the victim's next of kin, the cost of funeral and related services, and any other injuries or damages

arising out of the offense. The court shall also take into consideration the resources and earning capacity, as well as other obligations of the defendant.

The existence of the order for restitution does not affect the right of the victim or the victim's estate to bring a civil action against the defendant for damages.

The court may direct the defendant to make restitution to a person or entity other than the victim; but the victim or the victim's estate is entitled to receive restitution before any other person or entity.

The court may direct that restitution be made by a certain date or may allow it to be made in installments over a period of time.

If the defendant is placed on probation or post-release supervision, restitution shall be a condition of probation or post-release supervision.

G.S. 15A-2015. Enforcement of order for restitution. An order of restitution under this Article may be enforced in the same manner as a civil judgment. It may be docketed and indexed in the county of the original conviction and may be collected like a civil judgment unless it is a condition of probation. It the order is a condition of probation, it can only be executed upon when the court terminates or revokes probation and notifies the clerk of Superior Court. Until the clerk receives this notification, the clerk is not required to note partial payments of the order of restitution as a condition of probation on the judgment docket.

This section also provides that if a conviction is appealed, execution on the judgment based upon the order of restitution is stayed until the appeal is completed. If the conviction is overturned, the judgment is removed from the judgment docket.

G.S. 15A-2016. Posttrial responsibilities. Within 30 days of the completion of the trial phase of the case, the district attorney's office must notify the victim, in writing, of the final disposition of the case, the crimes of which the defendant was convicted, and the defendant's right to appeal, if any. If the defendant appeals, the district attorney's office must forward victim information to the Attorney General's office which must provide the victim with an explanation of the appellate process, the date, time and place of any appellate proceedings, and the final disposition of an appeal.. If the defendant is released on bail during the appeal, the victim must be notified, and if the conviction is overturned, and the prosecutor decides to retry the case or it is remanded for a new trial, the victim is entitled to the same rights as if the first trial had not occurred.

The Conference of District Attorneys is directed to maintain a repository of victims' names and addresses and other appropriate information for use by agencies charged with responsibilities under the Article.

G.S. 15A-2017. Responsibilities of agency with custody of defendant. After conviction, the Department of Correction must notify the victim of the defendant's projected release date, the inmate's assignment to a minimum custody unit and the possibility of the inmate's participation in a community-based program, the victim's right to submit concerns to the agency, the defendant's

escape from custody, the defendant's capture, the defendant's scheduled release date, (with 60 days prior notice, when practical), and the defendant's death.

G.S. 15A-2018. Responsibilities of Division of Adult Probation and Parole. The Division of Adult Probation and Parole is directed to notify the victim of the defendant's regular and special conditions of probation and post-release supervision, the date of any hearings to revoke, modify, or terminate supervision, the final disposition of any such hearing, any restitution modification, the defendant's movement into or out of any intermediate sanction, the defendant's absconding supervision, the defendant's capture, the date the defendant is terminated or discharged, and the defendant's death.

G.S. 15A-2019. Notice of commuted sentence or pardon. The Governor's Clemency Office must notify the victim when it is considering commuting the defendant's sentence or pardoning the defendant, and give the victim an opportunity to make a written statement. It must also give notice of the final decision in a manner calculated to allow for a timely response to the decision.

G.S. 15A-2020. No money damages. This Article does not create a claim for damages against the State, a county, or a municipality or any of its agencies, instrumentalities, officers or employees.

G.S. 15A-2021. No ground for relief. An accused person, or defendant, or inmate may not use the failure of any person to provide a right or service under this Article as a ground for relief in a criminal or civil proceeding.

G.S. 15A-2022. Incompetent victim's rights exercised. An incompetent or minor victim's rights under this Article may be exercised by the victim's next of kin, except for the rights of restitution and the enforcement of restitution.

Section 2 of House Bill 665 provides that the provisions of Article 45 of Chapter 15A (the Fair Treatment of Victims and Witnesses Act) are supplemental to the provisions of Article 101 created by section 1 of this bill, and in the event of any conflict, the provisions of Article 101 govern.

Section 2.1 amends G.S. 1C-1601(e) which deals with the items that are not exempt from judgment execution. The amendment adds orders for restitution docketed as civil judgments under Article 101.

Section 2.2 amends G.S. 7A-304(d) by changing the order in which funds received in criminal cases are disbursed. Currently, sums received in restitution are fourth in line. This amendment moves them to first in line.

Section 2.3 amends the Fair Treatment to Victims and Witnesses Act to add a new provision directing the district attorney to provide the services listed in G.S. 15A-825 to victims of domestic violence misdemeanors that could involve the infliction of serious bodily injury, to the extent possible.

Section 2.4 directs the Conference of District Attorneys and the Governor's Crime Commission to study the incidence of domestic violence and to identify the felonies and misdemeanors that may be categorized as domestic violence. The Conference must report its findings to the 1998 Session of the 1997 General Assembly.

Section 2.5 directs the Post-Release Supervision and Parole Commission to compile a report of the notification services it has provided under G.S. 15A-825(11), and report to the 1998 Session of the 1997 General Assembly.

Section 2.6 makes the provisions of the severable, so that if any part of the Act is held invalid by the court, it would not affect the validity of the remaining provisions.

Finally, Section 3 provides that G.S. 15A-2010.1 in section 1 of the act, which makes the act applicable to victims of domestic violence, becomes effective July 1, 1999. Section 2.3 which also relates to assistance to victims of domestic violence, becomes effective when the act becomes law and expires on July 1, 1999. Sections 1.1, 2.4, 2.5 and this section are effective when they become law. The remainder of the act becomes effective July 1, 1998.

ATT. 2
2-18-98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 665
Committee Substitute Favorable 6/25/97
Committee Substitute #2 Favorable 7/10/97
Proposed Committee Substitute H665-PCS7371

Short Title: Crime Victims' Rights Act. (Public)

Sponsors:

Referred to:

March 27, 1997

A BILL TO BE ENTITLED

AN ACT TO CREATE THE CRIME VICTIMS' RIGHTS ACT, TO ASSIST VICTIMS OF DOMESTIC VIOLENCE, TO ALLOW THE ENFORCEMENT OF ORDERS FOR RESTITUTION IN CRIMINAL CASES IN THE SAME MANNER AS CIVIL JUDGMENTS, TO CREATE AN EXCEPTION TO THE STATUTORY EXEMPTIONS FOR EXECUTION OF RESTITUTION JUDGMENTS, AND TO CHANGE THE ORDER OF PRIORITY FOR DISBURSEMENT OF FUNDS IN CRIMINAL CASES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 15A of the General Statutes is amended by adding a new Subchapter to read:

"SUBCHAPTER XVI. CRIME VICTIMS' RIGHTS.

"ARTICLE 101.

"Crime Victims' Rights Act.

"**§ 15A-2010. Definitions.**

(a) The following definitions apply in this Article:

(1) Accused. -- A person who has been arrested and charged with committing a crime covered by this Article.

(2) Law enforcement agency. -- Law enforcement agency includes the following:

a. Arresting law enforcement agency. -- The law enforcement agency that makes the arrest of an accused.
b. Custodial agency. -- The agency that has legal custody of an accused or defendant arising from a charge or conviction of a crime covered by this Article including, but not limited to, local jails or detention facilities, regional jails or detention facilities, or the Department of Correction.
c. Investigating law enforcement agency. -- The law enforcement agency with primary responsibility for investigating the crime committed against the victim.

(3) Next of kin. -- The victim's spouse, children, parents, siblings, or grandparents. The term does not include the accused unless the charges are dismissed or the person is found not guilty.

(4) Victim. -- A person against whom there is probable cause to believe one of the following crimes was committed:
a. A Class A, B1, B2, C, D, or E felony.
b. A Class F felony if it is a violation of one of the following: G.S. 14-16.6(b); 14-16.6(c); 14-18; 14-32.1(e); 14-32.2(b)(3); 14-32.3(a); 14-32.4; 14-34.2; 14-34.6(c); 14-41; 14-43.2; 14-43.3; 14-190.17; 14-190.19; 14-202.1; or 14-288.9.
c. A Class G felony if it is a violation of one of the following: G.S. 14-32.3(b); 14-51; 14-58; 14-87.1; 20-138.5; or 20-141.4.
d. A Class H felony if it is a violation of one of the following: G.S. 14-32.3(a); 14-32.3(c); or 14-33.2.
e. A Class I felony if it is a violation of one of the following: G.S. 14-277.3; 14-32.3(b); 14-34.6(b); or 14-190.17A.
f. An attempt of any of the felonies listed in this subdivision if the attempted felony is punishable as a felony.

(b) If the victim is deceased, then the next of kin, in the order set forth in the definition contained in this section, is entitled to the victim's rights under this Article, except for the rights contained in G.S. 15A-2014. An individual entitled to exercise the victim's rights as a member of the class of next of kin may designate anyone in the class to act on behalf of the class.

"§ 15A-2010.1. Assistance to victims of domestic violence.

Effective July 1, 1999, victims of domestic violence shall be entitled to all of the rights of victims under this Article. For purposes of this Article, a victim of domestic violence is any person against whom there is probable cause to believe that a felony or misdemeanor which fits the definition of domestic violence contained in G.S. 50B-1 has been committed, including G.S. 14-33, 14-134.3, 14-277.1, and 14-318.2, as well as the attempt of any such felony or misdemeanor. These crimes are in addition to the felonies set forth in G.S. 15A-2010(a)(4).

"§ 15A-2011. Responsibilities of law enforcement agency.

(a) Within 24 hours after identifying a victim covered by this Article, the investigating law enforcement agency shall provide the victim with the following information:

(1) The availability of medical services, if needed.

(2) The availability of crime victims' compensation funds under Chapter 15B of the General Statutes and the address and telephone number of the agency responsible for dispensing the funds.

(3) The address and telephone number of the district attorney's office that will be responsible for prosecuting the victim's case.

(4) The name and telephone number of an investigating law enforcement agency employee whom the victim may contact if the victim has not been notified of an arrest in the victim's case within six months after the crime was reported to the law enforcement agency.

(5) Information about an accused's opportunity for pretrial release.

(6) The name and telephone number of an investigating law enforcement agency employee whom the victim may contact to find out whether the accused has been released from custody.

(b) Within 24 hours after receiving notification from the arresting law enforcement agency that the accused has been arrested, the investigating law enforcement agency shall forward to the district attorney's office that will be responsible for prosecuting the case the victim's name, address, date of birth, social security number, race, sex, and telephone number, unless the victim refuses to disclose any or all of the information, in which case, the investigating law enforcement agency shall so inform the district attorney's office.

(c) Upon receiving the information in subsection (a) of this section, the victim shall, on a form provided by the investigating law enforcement agency, indicate whether the victim wishes to receive any further notices from the investigating law enforcement agency. If the victim elects to receive further notices, the victim shall be responsible for notifying the investigating law enforcement agency of any changes in the victim's name, address, and telephone number.

(d) Within 24 hours after the arrest of a person believed to have committed a crime covered by this Article, the arresting law enforcement agency shall inform the investigating law enforcement agency of the arrest. Within 24 hours of being notified of the arrest, the investigating law enforcement agency shall notify the victim of the arrest.

"§ 15A-2012. Responsibilities of the district attorney's office.

(a) Within 21 days after the arrest of the accused, but not less than 24 hours before the accused's first scheduled probable cause hearing, the district attorney's office shall provide to the victim a pamphlet or other written material that explains in a clear and concise manner the following:

(1) The victim's rights under this Article, including the right to confer with the attorney prosecuting the case about the disposition of the case and the right to provide a victim impact statement.
(2) The responsibilities of the district attorney's office under this Article.
(3) The victim's eligibility for compensation under the Crime Victims' Compensation Act and the deadlines by which the victim must file a claim for compensation.
(4) The steps generally taken by the district attorney's office when prosecuting a felony case.
(5) Suggestions on what the victim should do if threatened or intimidated by the accused or someone acting on the accused's behalf.
(6) The name and telephone number of a victim and witness assistant in the district attorney's office whom the victim may contact for further information.

(b) Upon receiving the information in subsection (a) of this section, the victim shall, on a form provided by the district attorney's office, indicate whether the victim wishes to receive notices of some, all, or none of the trial and posttrial proceedings involving the accused. If the victim elects to receive notices, the victim shall be responsible for notifying the district attorney's office or any other department or agency that has a responsibility under this Article of any changes in the victim's address and telephone number. The victim may alter the request for notification at any time by notifying the district attorney's office and completing the form provided by the district attorney's office.

(c) The district attorney's office shall notify a victim of the date, time, and place of all trial court proceedings of the type which the victim has elected to receive notice. All notices required to be given by the district attorney's office shall be given in a manner that is reasonably calculated to be received by the victim prior to the date of the court proceeding.

(d) Whenever practical, the district attorney's office shall provide a secure waiting area during court proceedings that does not place the victim in close proximity to the defendant or the defendant's family.

(e) When the victim is to be called as a witness in a court proceeding, the court shall make every effort to permit the fullest attendance possible by the victim in the proceedings.

(f) Prior to the disposition of the case, the district attorney's office shall offer the victim the opportunity to consult with the prosecuting attorney to obtain the views of the victim about the disposition of the case, including the victim's views about dismissal, plea or negotiations, sentencing, and any pretrial diversion programs.

(g) At the sentencing hearing, the prosecuting attorney shall submit to the court a copy of a form containing the identifying information set forth in G.S. 15A-2011(b) about any victim electing to receive further notices under this Article. The form shall be included with the final judgment and commitment transmitted to the Department

of Correction or other agency receiving custody of the defendant and shall be maintained by the custodial agency as a confidential file.

"**§ 15A-2013. Evidence of victim impact.**

(a) A victim has the right to offer evidence of the impact of the crime, which shall be considered by the court or jury, as the case may be, in sentencing the defendant. The evidence may include the following:

(1) A description of the nature and extent of any physical, psychological, or emotional injury suffered by the victim as a result of the offense committed by the defendant.

(2) An explanation of any economic or property loss suffered by the victim as a result of the offense committed by the defendant.

(3) A request for restitution and an indication of whether the victim has applied for or received compensation under the Crime Victims' Compensation Act.

(b) No victim shall be required to offer evidence of the impact of the crime. No inference or conclusion shall be drawn from a victim's decision not to offer evidence of the impact of the crime.

"**§ 15A-2014. Restitution.**

(a) Upon conviction of the defendant or upon a plea of guilty, the court shall, in addition to any penalty authorized by law, require that the defendant make restitution to a victim or the victim's estate for any injuries or damages arising out of the offense committed by the defendant. In determining the amount of restitution, the court shall consider the following:

(1) The cost of any medical or other professional services and devices or equipment required by the victim.

(2) The cost of physical therapy, occupational therapy, and rehabilitation required by the victim.

(3) Any income loss, after taxes, suffered by the victim.

(4) The cost of any psychological or medical treatment for the victim's next of kin.

(5) The cost of the victim's funeral and any related services.

(6) Any other injuries or damages arising out of the offense committed by the defendant.

(b) The court may require that the victim or the victim's estate provide evidence that documents the costs claimed by the victim or the victim's estate under this section. Any such documentation shall be shared with the defendant before the sentencing hearing.

(c) In determining the amount of restitution to be made, the court shall take into consideration the resources of the defendant including all real and personal property owned by the defendant and the income derived from the property, the defendant's ability to earn, the defendant's obligation to support dependents, and any other matters that pertain to the defendant's ability to make restitution, but the court is not required to make findings of fact or conclusions of law on these matters. The amount of restitution must be limited to that supported by the record, and the court may

order partial restitution when it appears that the damage or loss caused by the offense is greater than that which the defendant is able to pay.

(d) An order providing for restitution does not abridge the right of a victim or the victim's estate to bring a civil action against the defendant for damages arising out of the offense committed by the defendant.

(e) The court may order the defendant to make restitution to a person other than the victim, or to any organization, corporation, or association, including the Crime Victims' Compensation Fund that provided assistance to the victim following the commission of the offense by the defendant. Restitution shall be made to the victim or the victim's estate before it is made to any other person, organization, corporation, or association.

(f) The court may require the defendant to make full restitution no later than a certain date or, if the circumstances warrant, may allow the defendant to make restitution in installments over a specified time period.

(g) If the defendant is placed on probation or post-release supervision, any restitution ordered under this Article shall be a condition of probation or post-release supervision.

(h) If the court orders partial restitution, the court shall state on the record the reasons for such an order.

"**§ 15A-2015. Enforcement of order for restitution.**

(a) An order for restitution under this Article may be enforced in the same manner as a civil judgment, subject to the provisions of this section.

(b) The order for restitution under this Article shall be docketed and indexed in the county of the original conviction in the same manner as a civil judgment. The order for restitution may be collected in the same manner as a civil judgment unless the order to pay restitution is a condition of probation. If the order to pay restitution is a condition of probation, the judgment may only be collected in accordance with subsection (c) of this section.

(c) If the defendant is ordered to pay restitution as a condition of probation, the docketed judgment may not be collected until the date of notification to the clerk of superior court in the county of the original conviction that the judge presiding at the probation termination or revocation hearing has made a finding that restitution in a sum certain remains due and payable, that the defendant's probation has been terminated or revoked, and that the remaining balance of restitution owing may be collected by execution on the judgment. The clerk shall then enter upon the judgment docket the amount that remains due and payable on the judgment, together with amounts equal to the standard fees for docketing, copying, certifying, and mailing, as appropriate, and shall notify the victim by first-class mail at the victim's last known address that the judgment may be executed upon, together with the amount of the judgment. Until the clerk receives notification of termination or revocation of probation and the amount that remains due and payable on the order of restitution, the clerk shall not be required to update the judgment docket to reflect partial payments on the order of restitution as a condition of probation.

(d) An appeal of the conviction upon which the order of restitution is based shall stay execution on the judgment until the appeal is completed. If the conviction is overturned, the judgment shall be removed from the judgment docket.

"§ 15A-2016. Posttrial responsibilities.

(a) Within 30 days after the final proceeding of the trial phase of the case, the district attorney's office shall notify the victim, in writing, of:

(1) The final disposition of the case.

(2) The crimes of which the defendant was convicted.

(3) The defendant's right to appeal, if any.

(b) Upon a defendant's giving notice of appeal to the Court of Appeals or the Supreme Court, the district attorney's office shall forward to the Attorney General's Office the victim's name, address, and telephone number. Upon receipt of this information, and thereafter as the circumstances require, the Attorney General's Office shall provide the victim with the following:

(1) A clear and concise explanation of how the appellate process works, including information about possible actions that may be taken by the appellate court.

(2) Notice of the date, time, and place of any appellate proceedings involving the defendant. Notice shall be given in a manner that is reasonably calculated to be received by the victim prior to the date of the proceedings.

(3) The final disposition of an appeal.

(c) If the defendant has been released on bail pending the outcome of the appeal, the agency that has custody of the defendant shall notify the investigating law enforcement agency, and the investigating law enforcement agency shall notify the victim that the defendant has been released.

(d) If the defendant's conviction is overturned, and the district attorney's office decides to retry the case or the case is remanded to superior court for a new trial, the victim shall be entitled to the same rights under this Article as if the first trial did not take place.

(e) The Conference of District Attorneys shall maintain a repository relating to victims' identities, addresses, and other appropriate information for use by agencies charged with responsibilities under this Article.

"§ 15A-2017. Responsibilities of agency with custody of defendant.

The Department of Correction shall notify the victim of:

(1) The projected date by which the defendant can be released from custody. The calculation of the release date shall be as exact as possible, including earned time and disciplinary credits if the sentence of imprisonment exceeds 90 days.

(2) An inmate's assignment to a minimum custody unit and the address of the unit. This notification shall include notice that the inmate's minimum custody status may lead to the inmate's participation in one or more community-based programs such as work release or supervised leaves in the community.

(3) The victim's right to submit any concerns to the agency with custody and the procedure for submitting such concerns.
(4) The defendant's escape from custody.
(5) The defendant's capture.
(6) The date the defendant is scheduled to be released from the facility. Whenever practical, notice shall be given 60 days before release.
(7) The defendant's death.

"**§ 15A-2018. Responsibilities of Division of Adult Probation and Parole.**

The Division of Adult Probation and Parole shall notify the victim of:

(1) The defendant's regular conditions of probation or post-release supervision, special or added conditions, supervision requirements, and any subsequent changes.
(2) The date of a hearing to determine whether the defendant's supervision should be revoked, continued with or without modifications, or terminated.
(3) The final disposition of any hearing referred to in subdivision (2) of this section.
(4) Any restitution modification.
(5) The defendant's movement into or out of any intermediate sanction as defined in G.S. 15A-1340.11(6).
(6) The defendant absconding supervision.
(7) The capture of a defendant described in subdivision (6) of this section.
(8) The date when the defendant is terminated or discharged.
(9) The defendant's death.

"**§ 15A-2019. Notice of commuted sentence or pardon.**

The Governor's Clemency Office shall notify a victim when it is considering commuting the defendant's sentence or pardoning the defendant. The Governor's Clemency Office shall also give notice that the victim has the right to present a written statement to be considered by the Office before the defendant's sentence is commuted or the defendant is pardoned. The Governor's Clemency Office shall notify the victim of its decision. Notice shall be given in a manner that is reasonably calculated to allow for a timely response to the commutation or pardon decision.

"**§ 15A-2020. No money damages.**

This Article does not create a claim for damages against the State, a county, or a municipality, or any of its agencies, instrumentalities, officers, or employees.

"**§ 15A-2021. No ground for relief.**

The failure or inability of any person to provide a right or service under this Article may not be used by a defendant in a criminal case, by an inmate, or by any other accused as a ground for relief in any criminal or civil proceeding.

"**§ 15A-2022. Incompetent victim's rights exercised.**

When a victim is rendered mentally or physically incompetent or when the victim is a minor, the victim's rights under this Article, other than the rights provided by G.S. 15A-2014 and G.S. 15A-2015, may be exercised by the victim's next of kin."

Section 1.1. The Joint Legislative Corrections Oversight Committee shall study alternative methods for providing grants to local law enforcement agencies to provide services specified in the Crime Victims' Rights Act to designated victims of crime. The Committee shall report the findings of its study and its recommendations to the 1998 Regular Session of the 1997 General Assembly.

Section 2. The provisions of Article 45 of Subchapter VIII of Chapter 15A of the General Statutes are supplemental to the provisions of Article 101 of Subchapter XVI of Chapter 15A of the General Statutes as enacted in Section 1 of this act. If there is any conflict between the provisions of Article 45 and Article 101, the provisions of Article 101 shall control.

Section 2.1. G.S. 1C-1601(e) reads as rewritten:

"(e) Exceptions. -- The exemptions provided in this Article are inapplicable to claims

(1) Of the United States or its agencies as provided by federal law;
(2) Of the State or its subdivisions for taxes, appearance bonds or fiduciary bonds;
(3) Of lien by a laborer for work done and performed for the person claiming the exemption, but only as to the specific property affected;
(4) Of lien by a mechanic for work done on the premises, but only as to the specific property affected;
(5) For payment of obligations contracted for the purchase of the specific real property affected;
(6) Repealed by Session Laws 1981 (Regular Session, 1982), c. 1224, s. 6;
(7) For contractual security interests in the specific property affected; provided, that the exemptions shall apply to the debtor's household goods notwithstanding any contract for a nonpossessory, nonpurchase money security interest in any such goods;
(8) For statutory liens, on the specific property affected, other than judicial liens;
(9) For child support, alimony or distributive award order pursuant to Chapter 50 of the General ~~Statutes.~~ Statutes;
(10) For criminal restitution orders docketed as civil judgments pursuant to G.S. 15A-2015."

Section 2.2. G.S. 7A-304(d) reads as rewritten:

"(d) In any criminal case in which the liability for costs, fines, restitution, or any other lawful charge has been finally determined, the clerk of superior court shall, unless otherwise ordered by the presiding judge, disburse such funds when paid in accordance with the following priorities:

(1) Sums in restitution prorated among the persons entitled thereto;

~~(1)~~(2) Costs due the county;
~~(2)~~(3) Costs due the city;
~~(3)~~(4) Fines to the county school fund;
~~(4) Sums in restitution prorated among the persons entitled thereto;~~
(5) Costs due the State;
(6) Attorney's fees.

Sums in restitution received by the clerk of superior court shall be disbursed when:

(1) Complete restitution has been received; or
(2) When, in the opinion of the clerk, additional payments in restitution will not be collected; or
(3) Upon the request of the person or persons entitled thereto; and
(4) In any event, at least once each calendar year."

Section 2.3. Article 45 of Subchapter VIII of Chapter 15A of the General Statutes is amended by adding a new section to read:

"**§ 15A-828. Assistance to victims of domestic violence.**

In the allocation of resources to persons the district attorney determines are victims of serious misdemeanors, the district attorney shall, to the extent possible, provide the services listed in G.S. 15A-825 to victims of domestic violence misdemeanors that could involve the infliction of serious bodily injury."

Section 2.4. The North Carolina Conference of District Attorneys, in conjunction with the Governor's Crime Commission of the Department of Crime Control and Public Safety, shall study the incidence of domestic violence and identify the felonies and misdemeanors that may be categorized as domestic violence. The study shall include participation by the seven prosecutorial districts that are currently receiving funds from the Violence Against Women Act, administered through the Governor's Crime Commission. The study shall also include participation of other prosecutorial districts which volunteer their participation in providing necessary information. The Conference shall recommend a statutory definition of domestic violence crimes that will be sufficiently clear so that it can be used by law enforcement officers and prosecutors to determine eligibility of victims of these crimes for victims' assistance services. The Conference shall also recommend whether any crimes that are currently misdemeanors should be reclassified as felonies when committed as crimes of domestic violence. The Conference shall report the findings of its study and its recommendations to the 1998 Session of the 1997 General Assembly on or before its convening date.

Section 2.5. The Post-Release Supervision and Parole Commission shall compile a report of the notification services it has provided under G.S. 15A-825(11), and pursuant to a letter from Governor Hunt to the Chair of the North Carolina Parole Commission dated October 13, 1993. The report shall include information on notification services provided through December 31, 1997. The report shall be delivered to the 1998 Session of the 1997 General Assembly on or before its convening date.

Section 2.6. The provisions of this act are severable. If any provision of this act is held invalid by a court of competent jurisdiction, the invalidity does not

affect other provisions of the act that can be given effect without the invalid provision.

Section 3. G.S. 15A-2010.1, as enacted by Section 1 of this act, becomes effective July 1, 1999. Section 2.3 of this act becomes effective when it becomes law and expires on July 1, 1999. Sections 1.1, 2.4, 2.5, and this section of this act are effective when they become law. The remainder of this act becomes effective July 1, 1998.

Att. 3
2-18-98

NORTH CAROLINA VICTIM ASSISTANCE NETWORK

Expenditures for the Year Ending June 30, 1997 - STATE APPROPRIATIONS

Expenditure Types	Details	Amount
Salaries, Wages, Benefits		$93,817
Contracted Services		$4,410
Supplies and Materials		$7,951
Travel	Mileage, Meals, Hotels	$8,417
Communications	Telephone, Postage, Freight	$7,584
Occupancy	Rent, Utilities, Maintenance	$12,834
Advertising and Promotions	Training Materials	$15,661
Insurance and Bonding		$1,119
Capital Outlay	Furniture, Equipment	$4,031
Grants and Contracts		$0
Other Expenses	Micellaneous	$1,503
TOTAL EXPENDITURES		**$157,327**
STATE APPROPRIATON		**$150,000**
REVENUE/SUPPORT		**$125,958**

ATT. 4
2-18-98

VICTIMS SERVICES PROPOSED UNDER HB 665, CRIME VICTIMS RIGHTS ACT, COMPARED TO CURRENT LEGISLATION*

Organization	HB 665 Services	Current Legislation*
Law Enforcement (Practice varies by locality; it is assumed most of the HB 665 requirements are not carried now)	1. After crime, notify victim of:	
	a. Medical Services, if needed	Yes
	b. Crime Victims Comp. Fund	Yes
	c. D.A. Contacts	No
	d. Law Enf. Contact for arrest info	No
	e. Pre-trial release opportunity	No
	f. Determine if victim wants wants any further notices	No
	2. If arrest occurs, law enf. arresting agency will:	
	a. Forward victim info to D.A. (w/consent)	No
	b. Inform investigating agency of arrest	No
District Attorney's Office	1. Provide info packet that explains victims rights and explain criminal justice system	
	a. Confer with D.A.	No
	b. Prepare Victim Impact Statement	Yes
	c. D.A. responsibilities and action steps	No
	d. Victim Comp. Eligibility	Yes
	e. Procedures if threatened	Yes
	f. VWA contact person	Yes

*Fair Treatment for Victims and Witnesses Act or other relevant legislation.

Organization	HB 665 Services	Current Legislation*
District Attorney's Office (Continued)	2. Victims Services (VWA Time):	
	a. Notice of all or some court proceedings (upon request) **(New)**	No - disposition only upon request
	b. Consult w/A.D.A. **(New)**	No
	c. Victims Impact Statement **(expanded)**	Allows V.I.S. but does not spell out scope as in HB 665
	d. Secure waiting area	Yes
	e. Submit victim info and request form if victim elects to receive further notices	No
	f. Post Trial responsibilities **(New)**	
	1. Final disposition notification	Upon request only
	2. Notify victim at final disp of right to appeal	
	3. Forward victim info to AG if appealed to Appeals Court or Supreme Court	No
Judicial	Court System Generally:	
	a. Order Restitution in all cases (under HB 665)	Not in all cases -- Optional Now
	b. Define Restitution	Yes, but expands current practice
	c. Enforce order of restitution as civil judgment	No

Organization	HB 665 Services	Current Legislation*
Department of Correction - Probation and Parole (all HB 665 requirements would be new DOC activities)	Notification of offenders':	
	a. Conditions of post-release and probation	No (DOC has pilot in 2 districts)
	b. Date of hearings to change status and final disposition	No
	c. Restitution changes	No
	d. Movement in/out of intermediate probation	No
	e. Abscording supv. & capture	No
	f. Date terminated/discharged	No
	g. Death	No
Department of Corrections - Prisons (DOC also has responsibility for releases from jail)	1. Notification of Inmate:	
	a. Projected release date	No
	b. Assignment to minimum security	No
	c. Escape and capture	Upon request, Class G or higher
	d. Scheduled release	Upon request, Class G or higher
	e. Death	No
	2. Notify victim of right to submit concerns	No
Department of Correction - Parole Commission	No requirements - Report on current services	Upon request, Class G or higher (in practice all G or higher and property upon request)

Organization	HB 665 Services	Current Legislation*
Governor's Clemency Office	1. Notification of:	
	a. Consideration of commutation or pardoning	Upon request, Class G or higher (in practice, all cases)
	b. Final decision	
	2. Right to present written statement	
Department of Justice	Victim Notification	
	a. Appeal Process	No
	b. Appeal Proceedings	No
	c. Final Disposition	No

ATT. 5
2-18-98

HOUSE BILL 665 (4th edition PCS 7371 8/26/97)
CRIME VICTIMS RIGHTS ACT --
SUMMARY OF FISCAL NOTE

FISCAL NOTE COST ESTIMATE *

	1997-98 (1/1/98)	1998-99
State Agencies	$3,710,810 (93 positions)	$4,789,726 (91 positions)
Law Enforcement (primarily local)	441,127 (27 posit.)	850,354 (27 posit.)
	$4,151,937	$5,640,080

* Costs are positions, administration (brochures, postage, etc.) and updating automated systems (**NOTE**: Costs shown are for fiscal note on last version of HB 665 prior to PCS 7371; however the only change affecting fiscal impact in final 1997 version (8/26/97) made HB 665 effective July 1, 1998. Actual cost in 1998-99 likely to increase by about 15% over 1997-98 ($840,000), or a total of about $6.5 million since all one-time costs in 97-98 will be shifted to 1998-99 as well as increased cost of establishing a position in 1998-99.

KEY ASSUMPTIONS AND METHODOLOGY

1. **Fiscal note assumes services listed in HB 665 must be provided to designated victims.** Current Fair Treatment to Victims Act says services are provided to the *"extent reasonably possible and subject to available resources."* There is no such qualifying language in HB 665.

2. **Fiscal note assumes HB 665 requires considerable expansion of victims services beyond current requirements and practices -- it is these *new or expanded* services and the man hours necessary to carry out these services that are the major cost drivers of HB 665.** The fiscal note calculates the

incremental time and man hours over and above current services (E.G. 10 minutes to prepare a notice times 18,000 notices = 1800 man hours/one staff person). Examples of new or expanded services include notices of all changes in an offender's probation status by the Department of Correction (new) or providing victims with assistance in attending court proceedings, restitution claims and victim impact statements by the Judicial Department (expanded). (It is also assumed that services under Fair Treatment will continue to extent possible -- the services considered in the fiscal note are new or more expansive than current practice.

3. # Victims -- **HB 665 costs are also driven by the types of crimes covered (A-E felonies and selected F through I felonies), the estimated number of victims of these crimes, and estimates of the number of eligible victims that will actually request services** (Some services must be provided to all victims, others only upon request). If more victims request services than projected, costs will go up. Conversely, fewer victims requesting services would decrease costs. Victims were counted for each state agency and for law enforcement by counting 1996 felony cases that match felonies in HB 665

EXAMPLES – ESTIMATED # OF VICTIMS

(A) Law Enforcement -- the total number of victims of felony offenses in HB 665 where an incident report was filed was estimated at 129,733 in 1996 – this group of victims would have to receive basic victims information from law enforcement within 24 after identifying victim. However, a much smaller number of victims would receive additional notices and services at later stages -- these services only occur after a suspect is arrested and if the victim had requested further services.

(B) Judicial -- the number of cased filed by district attorneys offices for felonies listed in HB 665 was 27,583; with an estimated 1.6 victims per case, the total # victims estimated to be eligible for court services was 44,133 victims. All 44,133 victims would

receive basic victims services information from the district attorney within 21 days of an arrest. The number of victims to receive additional Judicial services depends on the estimated number of requests for services and the nature of the service.

4. **Costs were estimated statewide in the Fiscal Note** – resource needs may be higher or lower in individual judicial districts or county/city law enforcement areas.

5. **Other States – Discussions with other states that have passed constitutional amendments and implemented new legislation influenced the cost estimate in the fiscal note**. On one hand, it was difficult to make direct cost comparisons because the level of services required in HB 665 tend to be more expansive or different than in some states. Further, many states did little analysis prior to implementing victims rights amendments making comparisons difficult (in many cases, state operate local court systems making statewide estimates of court costs difficult). Many states set up funds to reimburse local court systems and law enforcement once local programs were designed and services documented and have added to funds as demand increases (mixture of general and special funds). On the other hand, several states with long-term experience indicated man hours and costs increased due to victims rights legislation but not to the extent anticipated – this finding was a factor in calculating the number of victims likely to request services under HB 665.

6. **HB 665 also requires that, effective July 1, 1999 victims of domestic violence not already covered in HB 665 would receive the rights outlined in H665 that cost is not estimated in the fiscal note.** HB 665 required a study to better define and categorize domestic violence cases and recommend a criminal statutory definition. (Study is being done by Crime Commission as directed by SB 32, the 1997 Studies bill). This study will need to be completed before fiscal impact can be determined. However, adding these victims is likely to have substantial fiscal impact, beginning in the 1999-2000 fiscal year, based on the

number of potential misdemeanor cases that could be considered domestic violence.

HB 665 does require district attorneys to provide services to misdemeanor victims of domestic violence to the extent possible with current resources.

7. **The major cost of the bill is in the Judicial Department due to direct services to victims and expanded court time to review victim information.** In addition to time required to provide victims with various notices, additional time is required to provide direct services by Victim Witness Assistants and by court personnel; such services as assistance with preparation of victim impact statements and restitution documentation; court time to review this documentation; and victim consultation with assistant district attorneys, as specified in HB 665, were considered. The primary services of other state and local criminal justice agencies are notifications of victims, not direct services, so costs are lower than Judicial's.

Summary of Fiscal Impact of HB 665
Crime Victims Rights Act *

NOTE: This version of HB 665 makes substantive portion of the Act effective July 1, 1998. Thus, there is no cost due to bill in 1997-98. Costs in 1998-99 will increase approximately 15% over costs shown in above chart since all non-recurring expenditures will now occur in 98-99; cost for subsequent years will average about 2.5 % greater than figures shown above for 1999-2000 and beyond

EXPENDITURES	1997-98 **	1998-99	1999-2000	2000-01	2001-02
1. Judicial Department (Court System)	$3,351,629 (87)	$4,529,785 (85)	$4,681,319 (85)	$4,842,678 (85)	$5,014,936 (85)
2. Department of Correction (Probation and Parole; Prisons; Parole Commission)	$336,878 (5)	$224,479 (5)	$234,089 (5)	$244,080 (5)	$254,600 (5)
3. Department of Justice (Attorney General)	$22,303 (1)	$35,462 (1)	$36,664 (1)	$37,943 (1)	$39,304 (1)
4. Office of the Governor			No Fiscal Impact		
Subtotal	**$3,710,810**	**$4,789,726**	**$4,952,072**	**$5,124,701**	**$5,308,840**
Positions:	(93)	(91)	(91)	(91)	(91)
5. Law Enforcement Subtotal (Primarily local)	$441,127	$850,354	$878,923	$909,332	$941,776
Positions:	(27)	(27)	(27)	(27)	(27)
TOTAL	**$4,151,937** **(120)**	**$5,640,080** **(118)**	**$5,830,995** **(118)**	**$6,034,033** **(118)**	**$6,250,616** **(118)**
Revenues* **	($484,966)	($969,933)	($969,933)	($969,933)	($969,933)

*See Attachment 1, page 3, for differences from original 5/26 fiscal note.
**Assumes January 1, 1998 (Committee Substitute 7-10-97).
***No net loss; revenue will be shifted from state and local funds to victims since bill makes restitution first priority in disbursement of funds in criminal cases.

NOTE: Personnel costs assume inflation estimates as provided to FRD by Data Resources, Inc. (DRI). Salary inflation percentages are: 3.4% for 98-99 and 1999-2000; 3.5% for 2000-01 and 3.6% for 2001-02. Inflation for administration (brochures, postage, etc.) is 2.8% in 98-99, increasing to 3.2% by 2002.

6

Section I -Fiscal Impact of HB 665
Summary by Responsibilities
Outlined in HB 665 - Judicial Department*

NOTE: This version of HB 665 makes substantive portion of the Act effective July 1, 1998. Thus, there is not cost due to the bill in 1997-98. Costs in 1998-99 will increase approximately 15% over costs shown in above chart since all non-recurring expenditures will now occur in 98-99; cost for subsequent years will average about 2.5% greater than figures shown above in 99-2000 and beyond

	1997-98**	1998-99	1999-2000	2000-01	2001-02
HB 665 Requirements					
1. Notification of Victims -	$1,028,100	$1,590,635	$1,644,716	$1,702,282	$1,763,564
a. Information Packet; (expanded)	(46)	(46)	(46)	(46)	(46)
b. Notification of all proceedings (new)					
c. Increased interpersonal contact (expanded requirements) (Victim Witness Assistants)					
2. Consultation with prosecuting attorneys (new requirement - A.D.A.'s)	372,317	746,407	771,785	798,797	827,554
	(11)	(11)	(11)	(11)	(11)
3. Hearings for Victim Impact (expanded) and for restitution (expanded) Statewide court time and manpower and indigent defense --- (judges, A.D.A's court reporters and clerks -5 each; **6/25 Comm. Sub. added 4 posit.)**	786,560	1,381,734	1,428,713	1,478,718	1,531,952
	(20)	(20)	(20)	(20)	(20)
b. Indigent Defense **(6/25 Comm. Sub increased)**	182,825	375,888	386,789	398,393	411,141
4. Docketing Judgment for restitution (new) (Statewide - 6 deputy clerks) **(6/25 Comm. Sub added 2 posit.)**	82,938	157,780	163,145	168,855	174,933
	(6)	(6)	(6)	(6)	(6)
5. Automation of Victim Database					
a. System Install	640,000	0	0	0	0
b. Personnel	200,120	163,407	168,963	174,877	181,172
	(4)	(2)	(2)	(2)	(2)
6. Administration - Brochures, Letters, Envelopes, etc.	58,769	113,934	117,238	120,756	124,620
TOTAL JUDICIAL	**$3,351,629**	**$4,529,785**	**$4,681,319**	**$4,842,678**	**$5,014,936**
	(87)	**(85)**	**(85)**	**(85)**	**(85)**

*Positions listed are based on increased manhours statewide due to HB 665.
**All positions start January 1, 1998 since HB 665 is effective January 1, 1998.

7

JUDICIAL – Major Victims Services Driving Costs

1. Provide expanded information packet on victims services to all victims (7,356 manhours = 4 V.W.A's) (**Expanded**)

2. Notification of all trial proceedings "upon request" (assume 75% of 44,133 victims request notices) (31,261 man-hours = 15 V.W.A.'s statewide). **(New)**

3. Provide more direct victim contact and follow-up, assistance with Victim Impact Statements (V.I.S.) and restitution, coordinate victim courtroom attendance and victim consults with attorneys (increased time for average case by 1.7 hours for 60% of victims 44,207 man-hours = 25 V.W.A.'s statewide). **(Expanded)**

4. AOC to provide victim information to DOC (3,862 manhours = 2 VWA's. **(New)**

5. (a/b) Court Time -- More court time and man-hours (Judges, A.D.A's, clerks, court reporters) due to expanded requirements for restitution hearings (all convictions -- 70% of HB 665 offenses result in convictions) and Victim Impact Statements in the courtroom (9,461 man-hours = 5 positions of each type statewide). **(New/Expanded).**

   c. Docket judgments for restitution (10,813 man-hours = 6 deputy deputy clerks statewide. (**New**)

6. Victims consult with A.D.A.'s (assume 45% of HB 665 victims would consult with an A.D.A. for average of one hour (19,893 man-hours = 11 A.D.A.'s statewide). **(New)**

8

JUDICIAL DEPARTMENT - SUMMARY OF METHODOLOGY FOR CALCULATING STAFFING REQUIREMENTS DUE TO HB 665

This chart summarizes the calculations for estimating the number of victims that will receive services from the Judicial Branch. It is assumed that all victims must receive the initial information, while smaller percentages, or subsets of the total number of victims, will request additional services from the Judicial Branch.

# Victims*	Service	Result**
1. 44,133 (All)	Expanded Information Packet and followup	4 new VWA's (7,356 manhours)
2. 33,100 (75%)	Victims, if requested, will be notified of all court proceedings	15 new VWA's (31,261 manhours)
3. 26,524 (60%)	Victims will spend average of 100 new minutes with VWA's	25 new VWA's (44,207 manhours)
4. 23,170 (53%) (convictions)	AOC to provide victim information to DOC	2 new VWA's (3,862 manhours)
5. a. 23,170 (53%) (cases with convictions will have V.I.S.)	a. Present Victim Impact Statement as Evidence in court or for review by judge	5 of each, or 20, due to increased court time: (9,461 court hours) 1. Superior Court Judge 2. Deputy Clerk 3. A.D.A. 4. Court Reporter
b. 30,893 (70%) (Restitution ordered)***	b. Restitution hearing (impact is longer court time - average is 12 minutes)	
c. 30,893 (70%) (Restitution)***	c. Docket judgments for restitution	6 deputy clerks (10,813 manhours)
6. 19,893 (45%)	Confer with Attorney (1 hour each)	11 A.D.A.'s (19,893 manhours)

*#1 assumes 27,583 cases involved offenses listed in HB 665 and 1.6 victims per case, or, 44,133 victims of felonies in HB 665. The Judicial Department assumed a higher number of victims would require services in items 2-6; FRD adjusted numbers in 2-6 downward based on experiences in other states.

**(1800 hours per position); total positions = 87 (including 4 data processing personnel; 46 VWA's; 11 deputy clerks; 16 A.D.A.'s; 5 superior court judges; and 5 court reporters).

***Increase due to 6/25 Committee Substitute.

DEPARTMENT OF CORRECTION – Major Victims Services Driving Costs

1. Newly required probation notices is the major factor driving DOC costs -- provide victims with notices of probation conditions, all changes in status (e.g. intensive to intermediate) releases, and revocations. **(New)**

2. HB 665 also requires notices of custody changes (medium to minimum, transfers and releases) and escapes **(New/expanded – DOC is providing victims notices now for escapes and custody releases for more serious offenses).** DOC is to provide release information for jails also.

   (1 and 2 combined: 7,321 man-hours = 4 positions).

3. Revise **automated systems** for tracking victim services, compiling victim database, and notifying victims. (one position and one-time system redesign costs)

NOTE: Assume 75% of victims will request services

Summary of Fiscal Impact of HB 665
Department of Correction

NOTE: This version of HB 665 makes substantive portion of the Act effective July l, 1998. Thus there is no cost due to bill in 1997-98. Non-recurring costs in 1997-98 and full year position costs will shift to 1998-99.

	1997-98**	1998-99	1999-2000	2000-01	2001-02
1. Automation					
a. Personnel (1)	$ 39,853	$ 69,625	$ 71,993	$ 74,513	$ 77,195
b. System Software Changes	182,000	0	0	0	0
2. DAPP Personnel (4)*	110,909	144,321	149,227	154,450	160,011
3. Postage and Supplies	4,116	10,533	12,869	15,117	17,394
4.					
TOTAL	**$336,878**	**$224,479**	**$234,089**	**$244,080**	**$254,600**
	(5)	(5)	(5)	(5)	(5)

*DAPP is Division of Adult Probation and Parole.
**1-1-98 effective date.

NOTE: Inflation is added for 1989-99 through 2001-02.

1C

Department of Justice

Require Attorney General to notify victim of all cases appealed and provide information on appeal process. **(New)** Cost was estimated at $22,303 in 97-98 and $35,462 in 98-99, including one position.

Summary of Fiscal Impact of HB 665
Department of Justice

NOTE: This version of HB 665 makes substantive portion of bill effective July 1, 1998. Thus, there is no cost due to the bill in 1997-98. Costs in 1998-99 will increase approximately $1,100 over figure shown above; subsequent costs will increase about 2.5% each year over costs shown above

	1997-98 *	1998-99	1999-2000	2000-01	2001-02
1. Position	$21,728	$34,592	$35,769	$37,021	$38,353
2. Pamphlet	200	99	102	105	108
3. Materials and Postage	375	771	793	817	843
TOTAL	**$22,303**	**$35,462**	**$36,664**	**$37,943**	**$39,304**

*1-1-98 effective date

LAW ENFORCEMENT—Major Victims Services Driving Costs

1. Stage 1 -- Requires law enforcement agencies to provide all victims of felonies in HB 665 with basic information on victims rights and services (medical assistance, victims compensation etc). and phone numbers of contact personnel (estimate 129,733 victims @ 15 minutes each or 32,433 man hours = 18 positions + cost of brochures and mailings)

2. Stages 2 – 4 -- After arrest, requires arresting agency to notify investigating agency of arrest, forward victim information to district attorney, and forward arrest information to victim (if requested at Stage 1). (Assume 28,541 arrests based on clearance rate of 22% of 129,000 offenses and 75% of victims to request services – 21,406 victims)

   Other assumptions on cost estimates include:

- Assumes a brochure or standard letter for notifying all victims of HB 665 felonies will be developed centrally for statewide use; individual development by each local government would increase costs.

- Unlike Judicial Department, most of the law enforcement victim services are strictly notification tasks rather than direct services.

Summary of Fiscal Impact of HB 665
Law Enforcement**

NOTE : This version of HB 665 makes substantive portion of the Act effective July 1, 1998. Thus there is no cost due to the bill in 1997-98. Costs in 1998-99 will increase approximately 15% over costs shown in above chart since all non-recurring expenditures will now occur in 1998-99; cost for subsequent years will average about 2.5% greater than figures shown above for 1999-2000 and beyond.

	1997-98*	1998-99	1999-2000	2000-01	2001-02
1. Pamphlet (all victims)	$ 4,000	$ 2,594	$ 2,669	$ 2,749	$ 2,837
2. Materials and Postage	32,127	66,056	67,972	70,011	72,251
3. Personnel (27)	405,000	781,704	808,282	836,572	866,688
TOTAL	**$441,127**	**$850,354**	**$878,923**	**$909,332**	**$941,776**

***1-1-98 effective date.**
****Includes inflation factors for each year**

POTENTIAL FUNDING FOR CRIME VICTIMS RIGHTS ACT
(Compared to Fiscal Note Estimate for HB 665, July 10, 1997 Committee Substitute)*

Judicial	*Fiscal Note Estimate for HB 665 (7/10/97)* 97-98 (1-1-98)	98-99	*Final JPS Budget - House and Senate Conferees* 97-98	98-99
Direct Funding				
1. Services by Victim Witness Assistants**	$1,028,100	$1,590,635	$2,689,680	$3,414,915
(12/1/97)	(46)	(46)	(105)	(105)
Indirect Funding* **				
2. Upgrade/Finish Dist. Atty.	840,120	163,407	5,289,631	1,437,176
Automated Case System ****	(4)	(2)	**(Reserve for Technology)**	
3a. Assistant D.A.'s	541,552	1,085,683	2,122,632	3,543,696
(12/1/97)	(16)	(16)	(54)	(54)
b. Deputy Clerks	152,053	289,264	1,593,200	2,543,200
(12/1/97)	(11)	(11)	(100)	(100)

* Final version of HB 665 that passed JPS Subcommittee changed effective date to July 1, 1998 so actual cost in 1997-98 will not occur --- 98-99 costs will increase by about 15% to fund non-recurring originally calculated for 97-98

** House and Senate Conferees established a new position class that will provide administrative and victims assistance to district attorneys. 45 of the 105 positions will be in a reserve and funding is dependent on ratification of the Crime Victims Rights Act.

*** Indirect Funding - House and Senate Budgets did not directly fund other Judicial court resources for implementation of victims rights legislation. However, a considerable number of Judicial personnel that would have responsibility for victims rights are funded in final bill.

[redacted]PS Conferees recommended establishing a Reserve for T[redacted]ogy; the Automated Case Management System will be fu[redacted]

	Fiscal Note Estimate for HB 665 (7-10-97)		*Final JPS Budget - House and Senate Conferees*	
	97-98	***98-99***	***97-98***	***98-99***
c. Court Reporters	$125,970	$228,193	$206,216	$353,104
(12/1/97)	(5)	(5)	(8)	(8)
d. Superior Court Judges	422,240	682,781	0	0
	(5)	(5)		
e. Indigent Defense Costs	182,825	375,888	**NOTE:** House and Senate increased total Indigent Defense Budget by $3,835,338 in 97-98 and $5,703,138 in 98-99.	
f. Administration	58,769	113,934	0	0
Subtotal (Judicial)	**$3,351,629**	**$4,529,785**	-	-
	(87)	**(85)**		
4. Department of Correction	336,878	224,479	0	0
	(5)	(5)		
5. Department of Justice	22,303	35,462	0	0
	(1)	(1)		
Subtotal	**$3,710,810**	**$4,789,726**		
	(93)	**(91)**		
6. Law Enforcement (Primarily Local)	441,127	850,354	0	0
(Note: HB 665 required study of system for funding grants to law enforcement)	(27)	(27)		
TOTAL (Fiscal Note)	**$4,151,937**	**$5,640,080**		
	(120)	**(118)**		

ATT. 6
2-18-98

Juvenile Crime and Juvenile Justice System Activity in North Carolina

1979 versus 1996

Category	1979	1996	Percent Change
10 - 15 Year Old Population	584,744	560,911	**- 4.1%**
Murder/Manslaughter Arrests	6	11	**+83.3%**
Rape Arrests	26	41	**+57.7%**
Robbery Arrests	111	309	**+178.4%**
Aggravated Assault Arrests	175	817	**+366.9**
Arson Arrests	58	137	**+136.2%**
Drug Violation Arrests	515	1,022	**+98.4%**
Weapon Arrests	65	570	**+776.9%**
Simple Assault Arrests	494	3,298	**+567.6%**
* Delinquency Petitions Filed (Felony)	4,994	8,770	**+75.6%**
Delinquency Petitions Filed (Misdemeanor)	6,746	17,742	**+163%**
Number of Children Appearing Before the Court for First Time	9,715	15,217	**+56.6%**
Delinquency Hearings Retained	9,311	19,297	**+107.2%**
Training School Admissions	981	1,019	**+3.9%**

*** Note: All court data reflects fiscal year 1979/80 versus fiscal year 1995/96.**

Sources: Population Estimates from the Office of State Planning.
Crime in North Carolina, 1979, 1996 volumes (UCR arrest data)
North Carolina Courts: Annual Report of the Administrative Office of the Courts. FY 1979/1980
FY 95/96 Statistical Caseload Tables and Charts, AOC
AOC and DYS Staff

Compiled by the North Carolina Criminal Justice Analysis Center of the Governor's Crime Commission - Doug Yearwood, Director. (Jim Klopovic,Scott Peters,Richard Hayes,Charlene Coppersmith).

2-18-98
ATT. 7

ISSUES

I. JUVENILE CODE RECOMMENDATIONS

A. STRUCTURE OF THE JUVENILE CODE
B. AGE OF DELINQUENCY JURISDICTION
C. STATUS OFFENDERS
D. SCREENING, INTAKE AND DIVERSION
E. TIME LIMITS
F. FINGERPRINTS AND PHOTOGRAPHS
G. CONFIDENTIALITY
H. ACCESS TO JUVENILE RECORDS
I. PARENTAL ACCOUNTABILITY
J. BLENDED SENTENCING
K. DIRECT FILING OF CHARGES AGAINST 15 YEAR-OLD OFFENDERS FOR CERTAIN SERIOUS VIOLENT CRIMES
L. DETENTION HEARINGS
M. PROBABLE CAUSE/TRANSFER HEARINGS

II. SENTENCING/DISPOSITION RECOMMENDATIONS

A. PURPOSE OF DISPOSITIONS
B. PARENTAL ACCOUNTABILITY
C. DISPOSITIONAL OPTIONS
D. USE OF JAIL FACILITIES FOR SHORT TERM DETENTION OF CERTAIN JUVENILE OFFENDERS
E. GRADUATED SANCTIONS
F. DISPOSITIONAL RULES

III. AGENCY STRUCTURE RECOMMENDATIONS

A. CREATION OF A SINGLE AGENCY
B. JUVENILE JUSTICE INFORMATION SYSTEM
C. TRANSITION TIME LINE
D. OVER-REPRESENTATION OF MINORITIES IN THE JUVENILE JUSTICE SYSTEM

IV. JUVENILE DELINQUENCY AND SUBSTANCE ABUSE PREVENTION RECOMMENDATIONS

A. CREATION OF A STATE-LOCAL JUVENILE DELINQUENCY PREVENTION OVERSIGHT BODY
B. EARLY IDENTIFICATION OF CHILDREN AT-RISK OF DELINQUENT BEHAVIOR
C. COMPREHENSIVE JUVENILE DELINQUENCY AND SUBSTANCE ABUSE PREVENTION SYSTEM
D. APPROPRIATE AND EFFECTIVE RESPONSES TO EDUCATING CHILDREN EXPELLED FROM SCHOOL

Attachment 8

REMARKS OF PETER E. POWELL
To The
Appropriations Subcommittee on
Justice and Public Safety
February 18, 1998

Thank you Mr. Chairman.

My name is Pete Powell, and I am Deputy Director of the Administrative Office of the Courts. I am here today to talk with you about the proposed Victims Rights legislation and its potential impact on the court system. I will not go over the legislation, which you have already heard summarized. However, I will talk about each of the various duties imposed by the legislation and what it will take to carry out those duties.

1.

The proposed Victims Rights legislation can be divided into seven major parts. The first duty imposed by the legislation is to identify and locate victims , to provide informational packages, and to track responses. The proposed G.S. 15A-2012 requires DAs to provide all victims of certain defined crimes with written materials explaining a number of matters including:

- The right of the victim to confer with the attorney prosecuting the case
- The right of the victim to provide a victim impact statement
- A description of the varying responsibilities of district attorneys under the Victims Rights Act
- The eligibility of the victim for compensation under the Victims Compensation Act and the various deadlines for filing claims
- The steps normally taken by DA offices in prosecuting felony cases
- Suggestions as to what a victim should do if they are threatened or intimidated
- The name and telephone number of a victim witness assistant whom the victim can call for information or assistance.

This duty has three subparts:

a) The first subpart is printing, paper and postage. This involves the letterhead, envelopes, forms, and postage for sending each of the notices that we have discussed, as well as the development and printing of a pamphlet containing the suggested information. Depending on the chosen effective date, we had estimated that the cost of

this section would be anywhere from $96,000 to $124,000. The Fiscal Research Division had estimated approximately $59,000, but again the main difference seems to be the choice of effective dates.

b) The second subpart is automated system costs. This will require the development of a statewide system to record victim responses, their identifying information, and tracking future notices and responses. The obvious vehicle is the DA/PD Case Management System. In the past legislative session, you gave us the funds to extend this system into at least one office in each district in the state. However, this will not put the system in every office of a multi-county district, and it will not put a PC on the desk of each ADA and victim witness assistant. Furthermore, that system will need major modifications to accept, record and track the necessary information. It is our estimation that it will take at least two programmers to implement those changes, as well as one Help Desk person and four LAN support specialists to provide the necessary assistance to the DA offices. The Fiscal Research Division recognized the need for two programmers and two LAN support specialists in the first year but cut that back to only one each in the second. They don't mean to say that the DA/PD System does not need ongoing support. However, I believe they were trying to say that the ongoing support needs should be a part of the regular budget process, rather than being tied solely to victims legislation. Regardless of which place you characterize it, we certainly need the help.

c) The third subpart of the initial notice process involves personnel. This will be the victim witness assistants who will collect the identifying information, enter that data, issue letter notices, print envelopes, collate, stuff and mail those envelopes, and track responses. Both we and the Fiscal Research Division estimate that this will take about ten minutes each and that the process will take about four victim witness assistants statewide.

2.

The second major impact area involves subsequent notices. Under the proposed legislation, a victim may opt in to receive notices of all or some future court proceedings. In addition, the district attorney must notify all victims of the disposition of each case. In other words, a description of the crimes for which the defendant is convicted, an explanation of the judgment, and an explanation of the defendant's right of appeal. Both AOC and the Fiscal Research Division estimate that this will take approximately fifty minutes. However, a number of district attorneys and victim witness assistants who we consulted cautioned us that this process could take much longer, particularly the part about explaining the judgment. The Administrative Office of the Courts estimated that approximately 85% of all victims, or 37,513 people would opt in. Multiplying out the staff-hours taken, we estimate that it will take 17.4 victim witness assistants statewide to perform this function. The Fiscal Research Division estimated only 75% of victims would opt in and that it would take 15 victim witness assistants to perform this function.

3.

The third major impact area of the legislation would involve increased interpersonal contacts with victim witness assistants. We anticipate a significant increase in the frequency and length of telephone and in-person contacts concerning:

- The nature of a pending court proceeding: What can happen at a proceeding, what procedures will be followed, meeting with the victim when they do attend, and explaining what happened at the hearing itself.

- Explaining the right to submit victim impact statements and assisting the victim in completing those statements.

- Explaining the right to meet with the attorney prosecuting the case.

- Identifying and gathering evidence documenting restitution. This will include receipts, estimates, insurance deductibles, after-tax losses, and evidence of psychological and medical treatment for the victim's next-of-kin.

Violent cases, such as the ones chosen for coverage under the proposed legislation, are our most difficult cases to resolve. They're statistically three times more likely to go to trial than other felonies, two times more likely to result in a plea arrangement to a lesser included offense, and substantially less likely to result in a plea to the crimes originally charged. What this means is that these are the cases that can, will, and should result in a lot more tender loving care and attention to victims by victim witness assistants.

AOC estimates that this will take an average of three meetings of 50 minutes each or 150 minutes to perform this duty. We also assume that we will be providing these services to approximately 85% of those requesting notices, or about 72% of all victims. By multiplying out the staff-hours taken, this would take an additional 44.3 victim witness assistants. The Fiscal Research Division assumed that this duty would take only 100 minutes, and that only 80% of the victims requesting notices would participate, and that only 25 victim witness assistants would be needed.

Our total estimate of the victim witness assistant positions needed as a result of the first three duties imposed by proposed legislation is that it will take 72 victim witness assistants to perform the duties you want. However, there is a proviso that I will discuss at the end of my remarks which will bring that estimate down. The Fiscal Research Division estimated a total need of 46 victim witness assistants.

4.

The fourth major impact area involves the right of the victim to confer with the attorney prosecuting the case. Each victim has the right to discuss their particular case with the specific individual prosecuting that case, and to share their views on disposition,

including dismissal, plea negotiations, sentencing, and pre-trial diversion programs. We estimated that about 75% of the victims who opted for increased interpersonal contacts, or about 54% of all victims, would participate in this service, and that each contact would last, on average, approximately one hour. As you heard from Peg Dorer with the DAs Conference, this process often takes far longer than that. It sometimes involves not mere hours but actual days of direct contact. In any event, we estimated that this would take an additional fourteen assistant district attorneys. The Fiscal Research Division estimated that it would take eleven assistant district attorneys. Once again, there is a proviso that I will discuss at the end of my remarks concerning these positions.

5.

The fifth major impact area involves the presentation and consideration of victim impact statements, - the use of actual in-court time. The proposed legislation states that evidence offered by the victim about the impact of the crime shall be considered by the judge or jury in sentencing the defendant. Couching it in terms of the victim having a right to offer evidence solved a real drafting problem for us concerning the use of inadmissible evidence and the possible need for retrials. In any event, the evidence which the court must consider involves:

- A description of the nature and extent of any physical, psychological or emotional injury
- An explanation of any economic or property loss
- The need for restitution

The AOC and the Fiscal Research Division estimate that 75% of all victims will prepare victim impact statements. We have also applied the same 70% conviction rate that we are experiencing for cases involving these offense codes. It is our estimation that about 75% of those convictions will result in an average of eight minutes being added to the length of sentencing hearings, and that 25% of those convictions will result in a thirteen minute increase. This adds up to 2.3 superior court judges, court reporters, deputy clerks of superior court and assistant district attorneys. The Fiscal Research Division also estimated that it would take two each of those types of positions. In addition, there will also be an increase in indigent defense expenses, which I will discuss in a moment.

6.

The sixth major impact area involves the presentation and consideration of restitution information. The proposed legislation provides that the court "shall" require restitution, but it also provides that the court must consider:

- Medical or other professional services, devices, or equipment for the victim
- Physical therapy, occupational therapy, and rehab for the victim
- The costs of the victim's funeral, if any, and any related expenses
- After tax income losses
- Psychological or medical treatment for the next-of-kin.

These last two items give us some pause for concern that sentencing hearings will be converted into civil mini trials. It is not hard to visualize an economist testifying about the loss of future earning capacity, or a psychiatrist testifying about the nexus between the conduct of the defendant and a perceived injury to someone who is not the victim, and the reasonableness of the recommended treatment. Obviously, we will be paying defense counsel to prepare for and participate in this portion of any sentencing hearing. These items will certainly drive up the length and cost of criminal trials.

The legislation provides that the court may require documentation of these costs. It also requires that the court consider the defendant's ability to pay. We would note that it is our experience that some 75% of the defendants charged with these offense codes are indigent. Finally, the legislation provides that the court must state its reasons on the record if less than full restitution is ordered. This particular provision will have a significant additional impact if domestic violence cases in district court are added into the mix. I'll discuss that in more detail in a few minutes.

The AOC and the Fiscal Research Division estimated that this service would involve 75% of those submitting victim impact statements, and utilizing the 70% conviction rate, we arrived at 52% of all victims. We estimate an additional twelve minutes being added to sentencing hearings and that it will take 3.4 superior court judges, ADAs, deputy clerks of superior court and court reporters to carry out this function. Fiscal Research agrees.

Obviously, we anticipate increased indigent defense costs for categories five and six. Utilizing the 75% indigency rate, we estimate the increase in indigent defense for these two areas to be $289,600. Fiscal Research estimated $182,825, but I believe the difference may involve the particular choice of assumed effective date. To sum up the personnel needs driven by these last two categories, we estimate that it will take five each

of superior court judges, assistant district attorneys, deputy clerks of superior court and court reporters. Fiscal Research agrees.

7.

Finally, the legislation will require the extracting, docketing and indexing as a civil judgment all criminal dispositions involving restitution. We estimate that this will take approximately 21 minutes, and will involve approximately 90% of those whose impact statements were considered at sentencing or about 47% of all victims. We estimate this will take six deputy clerks of superior court statewide. This has not been a popular analysis among clerks of superior court. It is their feeling that this process will take much longer and that they will expend considerable effort assisting victims with explaining the meaning of civil judgments as well as the various procedures for execution or supplemental proceedings. I think it is safe to say that the clerks believe that we have seriously underestimated personnel needs for implementing this section.

Summary

In summary, the AOC estimates that it will take a total of 72 victim witness assistants to implement this legislation. Fiscal Research estimated 46. AOC estimates it will take 19 assistant district attorneys; Fiscal Research estimates 16. Both AOC and Fiscal Research believe that it will take five superior court judges, five court reporters and eleven deputy clerks of superior court. We also believe that it will take an approximate additional $290,000 in indigent defense costs plus programmers, printing and postage.

It is now time to discuss the proviso that I mentioned earlier. All of the figures that we have discussed are estimates and assumptions. We cannot be absolutely certain of the actual need and the actual impact until we walk a mile in those shoes. In light of the personnel granted by this committee and this legislature, to district attorney offices in this last budget year, and in light of the uncertainty of the circumstances, the Conference of District Attorneys will ask only for the release of the 45 victim witness assistants which you have already placed in reserve. During this short session they will not be asking for additional ADAs or support staff. I would hasten to point out that the district attorneys are not saying that they won't be needing additional personnel. They certainly do think they will be needed. However, in light of the circumstances, they have applied to the Governor's Crime Commission for a grant to conduct a time and resource needs study of DA offices operating under the victims rights legislation. They plan to report back to you a year from now on their actual experience. They believe that at that time they will have a better handle on their precise needs. We of course will honor the position of the DAs Conference and will not be asking for any additional personnel for DA offices other than those already in the reserve.

Domestic Violence Misdemeanors

Finally, I would point out that there is a iceberg out there. I don't know how much of it we can see, but it is called "domestic violence". As you know, you have mandated a study which will attempt to come up with a definition of domestic violence crimes. It is difficult to accurately measure. As you know, we can tell you how many cases were charged involving an assault on a female. However, we can't tell you how many of those were committed by a husband, and how many were committed by a stranger. We have conducted a number of interviews with district attorneys and victim witness assistants concerning each of the possible domestic violence crimes and what percentage of those crimes, in their opinion, were committed by a "domestic defendant". Applying all of the same calculations that we did previously and assuming a 45% conviction rate, as that is our experience in these types of cases, we estimate that the impact of including domestic violence misdemeanors in the proposed legislation would be 50 additional victim witness assistants, 10 additional district attorneys, 3 district court judges, and 6 deputy clerks of superior court. We also estimate a need for $150,000 in recording equipment for district courts.

You may recall that I mentioned the necessity for stating the reasons for restitution, or the lack thereof, on the record. Normally, criminal district court is not a court of record, as appeals all go to superior court. You may also recall that several years ago you took away court reporters for civil district court and gave us funds to equip at least one civil district courtroom in each county with recording devices. However, this really didn't cover criminal district court courtrooms in the state.

We also estimate an additional $75,000-150,000 in postage and printing costs depending on your effective date, as well as an additional $81,540 in indigent defense costs.

We note that in these types of cases our experience has involved a 40% indigency rate, which is much lower than the rate in the other itemized cases. We used that lower indigency rate in all our calculations.

We would also note some technical concerns concerning tying the necessary services to arrest since "arrest" is a term of art and may not be applicable to a number of these district court cases.

Thank you for the opportunity to come before you. If you should have any questions, I will be happy to try to answer them.

VISITOR REGISTRATION SHEET

APP. Sub/Justice & Public Safety — Name of Committee

February 18, 1997 — Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Chuck Crum	ASR
Martha Glenn	DOA
Tracy Herring	Pacole Commission
Bress Stall	DOC
Sue Case	NCRMA
Michael Horner	
Joe Stewart	CCPS
Leigh House	Conf of DA's
Peg Dorer	NC Conf of DAs
Tom Haywood	District Attorney - Dist 3A
Roslyn Savitt	NC Coalition Against Domestic Violence
Laura Donnelly	AOC
[illegible]	NNCAA
Eddie Caldwell	NC Sheriffs Assn / NC Law Enf. Off. Assn.
David Ferrell	Hafer, McNamara, Caldwell et al
Joyce Allen	DOA - CFW
Jack P. Gray	DOJ

VISITOR REGISTRATION SHEET

APP. Sub/Justice & Public Safety — **February 18, 1997**

Name of Committee — Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS

Box 4

1. 1997-98 Interim Joint Appropriations – Justice & Public Safety (begin Feb. 19, 1998- end)
2. 1998 Joint Appropriations – Justice & Public Safety
3. 1997 Joint Appropriations – Natural & Economic Resources
4. 1997-98 Interim Joint Appropriations – Natural & Economic Resources
5. 1998 Joint Appropriations – Natural & Economic Resources
6. 1997 Joint Appropriations – Transportation
7. 1997-98 Interim Joint Appropriations – Transportation (cont'd. to Box 5)

HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Thursday February 19, 1998 9:00 a.m.
Room 612, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Wib Gulley, Presiding

Representative Gregg Thompson
Representative Larry Justus
Representative Joe Kiser

II. PRESENTATIONS

- Overview of Department of Justice Settlement with Reebok

  Jane Gray, Deputy Attorney General

- Overview of Annual Dispute Settlement Center Report

  Matt Osborne, AOC Court Services Staff
  Scott Bradley, Executive Director, Mediation Network of N.C.

- Overview of Key Fiscal and Policy Trends in the Judicial Department

  Charles Perusse, Fiscal Research Division

- Review of Workload Trends in the Court System

  Jeanne Bonds, Deputy Director for Policy and Communication, AOC

III. OTHER BUSINESS

IV. ADJOURNMENT

SENATE AND HOUSE JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
February 19, 1998

The Senate and House Joint Appropriations Subcommittee on Justice and Public Safety met at 9:00 am on Thursday, February 19, 1998 in Room 612 of the Legislative Office Building. Representatives Justus, Thompson, Kiser, McCrary, Hardy, Redwine, Sexton, Crawford, Easterling and five Senators were present. Senator Gulley, Co-Chairman, presided.

Representative Justus presided in Senator Gulley's absence. He called the meeting to order and asked Ms. Jane Gray, Deputy Attorney General, to give the Subcommittee a report on the Department of Justice's settlement with Reebok (see Handout #1). Ms Gray stated that North Carolina's portion of the settlement was $200,000. A notice was placed in newspapers to inform the public that a settlement had been reached and if they were eligible to receive part of the settlement (which was about $1.50 per person), they could notify the Attorney General's office. The money not claimed by individuals was distributed to organizations. Handout #2 was a list of organizations that requested to receive grant money from the settlement and the amount each organization received. Representative Thompson asked that in the future he would like the General Assembly members to be notified if a settlement like this was reached, so the members could possibly get some of the money for their districts. Ms. Gray responded that a memo had gone out to all County Directors or Municipal Directors notifying them of the money available from the Reebok settlement. **Representative Redwine asked Ms. Gray for a breakdown of the Trooper money settlement. Representative Justus also asked for a list of who applied for the Reebok money, who got it and how the grants were distributed.** Ms. Gray stated that the grants were given out based on written grant applications. **Representative Redwine requested that since the Subcommittee was meeting monthly, any settlement information be reported more timely rather than wait for an annual report from the Attorney General's office.**

Next, Representative Justus asked Mr. Matt Osborne, with the Administrative Office of the Courts (AOC) Court Services, to give the annual Dispute Settlement Center report (see Handout #3). Handout #4, the executive summary, was also distributed to the Subcommittee members. Mr. Osborne told the Subcommittee that there were 26 dispute

centers, which was up from 24 centers in 1995-96. In 1997-98 there were 27 centers. He also stated that the center in Robeson County was the only center that did not report as required. Mr. Osborne further told the Subcommittee that the primary function of the dispute centers was mediation and conciliation so the disputing parties could reach their own resolution rather than go to arbitration or to a judge. Over 12,000 cases were mediated and 90% of those were resolved. Representative Redwine asked if Mr. Osborne knew how much money had been saved by these cases not going through the court system. Mr. Osborne replied he did not know.

Senator East asked what type of cases were handled by the dispute centers. Judge Keever from Fayetteville responded that most cases involved people who were going to continue some kind of relationship, like neighbors. The mediators reviewed the docket, then the District Attorney would call the parties involved up to discuss the possibility of mediating the case. If the disputing parties decide on mediation, a future court date was set in case a medication resolution was not reached. Representative Redwine asked if mediation was limited to certain types of cases. Mr. Osborne said that it was up to the judges.

Mr. Osborne told the Subcommittee that each center received approximately $36,000 from state appropriations. The balance of the center funding came from counties, cities, donations, fee for services, etc. By the sixth year of operation 50% of a center's funding was to come from non-state sources. Also, the primary expenditure for a center was for staff salaries. Representative Redwine asked how much of the center's time was spent raising this non-state money. He further stated that if money was being saved because these cases were not in the courts, then should not the General Assembly appropriate more money to these centers, perhaps by making the threshold less than 50%. Charles Perusse, Fiscal Analyst, stated that it might be possible to get the savings figures before Short Session.

Senator Blust asked how long a center could stay out of the 50% of non-state compliance and what was the penality. Mr. Osborne stated that there was no hammer to use, but the centers out of compliance was reported to the General Assembly. Mr. Perusse further said that the fiscal staff looked at the Dispute Center funding and reported to the Subcommittee.

Representative Redwine asked if there was a reason why some of the counties in the state were not served by a center. Mr. Scott Bradley with the AOC stated that the impetus had to come from the community. Representative Redwine asked if structuring the centers along Judicial District lines had been considered. Mr. Bradley responded that most of the centers were done that way. Senator Gulley asked why the center appropriations ranged from $10,000 to $72,000. Mr. Bradley responded that the General Assembly formula for funding resulted in that range.

Representative Kiser asked what qualifications the mediators had. Mr. Bradley said that there were no academic requirements. Each center selected its mediators through an

interview process. At all the centers an experienced and a new mediator would co-mediate. Each center had a Director and a Board, as well as a case coordinator. Representative Kiser asked if a lawyer could be present at mediation. Mr. Bradley respond that a lawyer could be present, but that they were encouraged to wait outside.

Next, Senator Gulley asked Charles Perusse to give an overview of the Key Fiscal Trends of the Judicial Department (see Handout #5). Mr. Perusse reported that the Indigent Defense Fund had been going up drastically, to $57 million which was 17% of the Judicial Department budget. Senator Blust asked if any money was recovered from people who used the fund and then in the future had resources to repay this money. Mr. Perusse reported that in 1995-96 $4 million had been collected in that fund. In 1997-98 $5.5 million was built into the budget for fund receipts. **Senator Blust asked for a breakdown by county of this recouped money. Senator Ballance asked that the money spent for defense of capital cases be separated out of the total spent from the Indigent Defense Fund.**

Representative Kiser asked how much investigation was done to make sure the people using the Indigent Defense Fund really needed it. Mr. Perusse reminded the Subcommittee that the General Assembly eliminated the screening process, along with the 15 positions for this process in 1995. **Representative Kiser asked Mr. Perusse to check to see if there had been an increase in the fund since the screening process had been eliminated.**

After Mr. Perusse finished his review, **Senator Gulley asked Mr. Perusse to include the Public Defenders on page four of the handout which showed growth in personnel. Representative Kiser also asked Mr. Chris Marks with the Judicial Department to find out why there was a decrease in Clerks from 1994 to 1995. He also asked to see the number of defendants compared to the number of filings.** Representative Justus stated that he would like to see a standardize system across the state so that everyone was reporting the same way. Mr. Marks stated that they were trying to do that. There was a model and a standard that the District Attorneys were to follow.

Mr. Perusse told the Subcommittee that page nine of Handout #5 listed the future policy and budgetary issues.

Finally, Senator Gulley asked Ms. Jeanne Bonds, Deputy Director of the Administrative Office of the Courts Policy and Communication, to review the workload trends in the court system (see Handout #6). After her brief review Mr. Chris Marks stated that a complaint from the Judges was the weighted caseload formula that was used to allocate District Attorneys and Judges was misleading. It was felt that the formula did not accurately reflect what the judges did.

Representative Kiser asked for a breakdown by District of how many DWI cases were pled in District Court and how many ended up in Superior Court.

Judge Keever and Judge Neely both spoke to the Subcommittee regarding the caseload formula. Judge Neely told the Subcommittee that in District Court, domestic cases, traffic cases, criminal cases and H and I felonies were heard. He felt that the weighted caseload formula did not accurately reflect the time spent on difficult cases and that the type of case made the determination of how long it took in court. Judge Neely thought more resources were needed to improve court efficiency, not necessarily more judges. Senator Gulley asked how long it would be before the Judicial Advisory Commission for Court Operations had a new recommended formula. Judge Keever replied it would be in time for the Short Session. Senator Gulley asked if this report would include the District Attorneys' caseloads. Mr. Chris Marks replied that right now the District Court Judges and Clerks were being looked at and the District Attorneys' formula recommendations would be ready for Long Session in 1999.

There being no further business, the meeting was adjourned at 12:30 p.m.

Senator Wib Gulley, Co-Chair

Carol Resar, Committee Clerk

Handout #1

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

THE STATE OF NEW YORK, by
ATTORNEY GENERAL DENNIS C. VACCO, et al.,

Plaintiffs,

v.

REEBOK INTERNATIONAL LTD., et al., 95 Civ 3143 (JGK)

Defendants.

----------x

ORDER

The Court having considered the Settlement Agreement between the Plaintiff States and Defendants Reebok International Ltd., and The Rockport Company, Inc., the Joint Motion for Approval of the Settlement Agreement, the Plaintiffs' and Defendants' Memoranda in Support of the Joint Motion for Final Approval and the attachments thereto, the other pleadings previously filed in this action, and the Court having held a hearing on said motion on October 13, 1995, and having duly considered the objections to the Settlement Agreement, and having excluded from the Settlement those individuals, whose names are listed in Attachment A hereto, who have expressly opted-out of the Settlement Agreement, the Court finds that the Settlement Agreement is fair, reasonable and adequate and it is therefore this 20 day of October 1995,

ORDERED that the Settlement Agreement is approved by the Court, and it is further

ORDERED that the parties are authorized to direct that payments be made from the Settlement Account in accordance with the Settlement Agreement.

JOHN G. KOELTL
United Stated District Judge

(8) other States who have assisted in the investigation shall be entitled to reimbursement for their investigative expenses and attorney's fees if they enter into the terms of the Agreement, in a sum not to exceed $20,000 per state. These States are California, Florida, Michigan, Missouri, North Carolina, Pennsylvania, Tennessee and Texas. The payments described in this paragraph shall only be made if and when the Court grants final approval of this Agreement.

C. The Administration Account shall be managed by a Trustee appointed by the Lead Counsel. The Trustee shall be responsible for investing, maintaining, administering and distributing the monies of the Administration Account, pursuant to the terms of this Agreement and any additional instructions made in writing by the Lead Counsel. The Trustee shall invest the Administration Account in obligations of, or guaranteed by, the United States of America or any of its departments or agencies, to obtain the highest available return on investment. Subject to the approval of the Lead Counsel, the Trustee may make other investments offering a higher return with similar security. The Trustee shall not act in a manner contrary to the terms of this Agreement.

VI. DISTRIBUTION IN LIEU OF DIRECT CONSUMER RESTITUTION

A. Due to the impracticability of identifying particular purchasers of Affected Reebok Product during the Relevant Period, and the high costs of administering a check refund program relative to the average award to individual consumers, the $8 million dollar payment by Reebok will be used for distribution in lieu of consumer

restitution (hereinafter "the Distribution").

B. The $8 million payment by Reebok to be used for the Distribution shall be payable as follows:

1. The portion of the $8 million payment which the Plaintiff States elect to receive in monetary form shall be paid into the Settlement Account within ten (10) business days after the Court grants final approval of this Agreement.

2. The portion of the $8 million payment which the Plaintiff States elect to receive in product pursuant to VI(F) below shall be delivered to a location or locations, at a time or times, which are mutually convenient to Defendant and the particular Plaintiff State receiving the product.

C. The Settlement Account shall be managed by the Trustee appointed pursuant to Section V(C) above. The Trustee shall be responsible for investing, maintaining and distributing the monies of the Settlement Account, pursuant to the terms of this Agreement and any additional instructions made in writing by Plaintiff States. The Trustee shall invest the Settlement Agreement in accordance with the terms set forth in Section V(C) above.

D. Because of the difficulty in identifying particular purchasers of Affected Reebok Product during the Relevant Period, and the high cost of administering a check refund program relative to the average award to individual consumers, the $8 million paid by Reebok shall be disbursed pursuant to an alternative distribution procedure approved by the Court. Each participating State's share of the Distribution will be allocated by its

percentage of the U.S. population.

E. Because the Affected Reebok Product sold was primarily athletic footwear, each participating State shall direct that its pro rata share of the Distribution fund be distributed to the State, a political subdivision thereof, a not-for-profit corporation and/or a charitable organization, with express conditions ensuring that the funds be utilized to improve, refurbish, renovate and/or provide athletic facilities, equipment or services. These facilities include, but are not limited to, basketball courts, tennis courts, volleyball courts, and running/walking tracks. Each State shall direct that its share of the Distribution funds shall only be utilized to fund activities which have not been funded and which, but for the receipt of money from the Distribution fund, would not be fully funded. If a State uses its Distribution to fund an activity which has previously been partially funded, it will direct that the distributed funds do not supplant existing funding and are only used to fund shortfalls in existing funding. For example, if a particular group or facility had previously received sufficient funds to refurbish a basketball court, money from the Distribution fund may not be used to supplant that existing funding or to refurbish that basketball court. Each participating State shall further direct that its share of the Distribution fund be deposited into an account specifically earmarked for the foregoing purposes and that quarterly accountings be rendered to the Plaintiff States indicating how the monies have been expended. The States shall promptly forward a copy of said

accountings to Defendant. Within ninety (90) days of preliminary approval, each participating State shall submit its proposed Distribution plan to New York. Such Distribution plan is to include the proposed recipients of any Distribution, the amount of such Distribution and the purposes for which such Distribution will be used. Copies of all such Distribution plans shall be promptly provided to Defendant. New York shall move for Court approval of its proposed Distribution plan and, as local counsel, for Court approval of the Distribution plans of the other Plaintiff States and no State shall disburse any portion of its share of the Distribution fund until such approval has been received.

F. Each State may elect to receive some or all of its share of the Distribution in Reebok Products in lieu of as a monetary payment. If a State elects to receive its share of the Distribution in Reebok Products, it shall receive an amount of Product having a suggested retail price of two times the amount the State would otherwise receive in the Distribution as a monetary payment. A State, for example, entitled to a Distribution of $100,000 may elect to receive a monetary payment of $100,000 or Reebok Products with a suggested retail value of $200,000. Defendant and any State electing to receive all or some of its share of the Distribution in Reebok Products shall jointly select the Reebok Products to be presented to the State pursuant to this paragraph and such product shall be delivered to a location or locations which are mutually convenient to the State and Defendant. Each State must utilize any Reebok Products received pursuant to

Handout #2

MICHAEL F. EASLEY
ATTORNEY GENERAL

State of North Carolina
Department of Justice
P. O. BOX 629
RALEIGH
27602-0629

MEMORANDUM

TO: Jane Gray

FROM: Cari Hepp CPH

DATE: September 25, 1997

RE: Request for Information on Reebok/Rockport Grant

The State received a total of $211,114 through the Reebok/Rockport settlement.

We received nearly 100 written applications and a substantial number of oral requests totaling more than $700,000 in requested funds. Unfortunately, there are simply not enough funds available to meet every organization's request.

The money has been distributed to the following:

Organization	***Location***	***Grant Amount***
Community Boys & Girls Club	Wilmington	$10,000
Steele Creek Athletic Assn.	Charlotte	$15,000
Fayetteville Soccer Assn.	Fayetteville	$25,000
Rocky Mt. Dept. of Parks and Rec.	Rocky Mount	$15,000
Bunn High School	Bunn	$5,000
Williamston Youth Baseball League	Williamston	$5,000
CASL/WRAL Soccer Complex	Raleigh	$5,000
Pitt/Greenville Youth Soccer Assn.	Greenville	$25,000
Greensboro Youth Soccer Assn.	Greensboro	$25,000
Rocky Mount YMCA	Rocky Mount	$25,000
Mitchell Family YMCA	Spruce Pine	$2,000
John Avery Boys & Girls Club	Durham	$5,000
Roanoke Rapids Parks & Rec.	Roanoke Rapids	$5,000
Gates County Babe Ruth League	Gatesville	$5,000
Charlotte Police Athletic League	Charlotte	$10,000

The remaining $29,114 has been committed. We are in the process of trying to contact the proposed recipients and receive all the necessary information for final processing. I can provide you an update in the next few weeks on the remaining grants.

The process of distributing grant money was as follows:

Grant requests were submitted in the form of a letter detailing the amount of money requested and explaining how the money would be used. Organizations were also asked to provide a letter of support and information on matching funds they had acquired or were acquiring. The requests were initially reviewed by me to ensure that they met grant standards set out in the settlement agreement (see attached), specifically that the funding requested would be used for the purpose of improving, refurbishing, renovating and/or providing athletic facilities equipment or services that might not otherwise be funded.

The Office reviewed the requests with a small committee and made determinations on whether a grant could be awarded. We attempted to disburse the money to large and small communities across the State. Decisions were made based upon several criteria such as the need of the organization, ability to secure matching funds, and community support, and whether they had made prior requests for financial support.

If you need further information, please do not hesitate to contact me.

/cph

ATTENTION REEBOK AND ROCKPORT PURCHASERS

IF YOU HAVE PURCHASED REEBOK OR ROCKPORT FOOTWEAR DURING THE PERIOD FROM JANUARY 1, 1990 - DECEMBER 31, 1994, PLEASE READ THIS NOTICE CAREFULLY.

North Carolina Attorney General Michael F. Easley, and the Attorneys General of 49 other states, Puerto Rico, the Virgin Islands and the Corporation Counsel of the District of Columbia have brought a resale price maintenance lawsuit against Reebok International Ltd. and The Rockport Company claiming that in some instances consumers were overcharged for certain Reebok products at retail stores, during the period from January 1, 1990 - December 31, 1994. The products which are the subject of the lawsuit include all Reebok brand athletic or casual footwear and any Rockport footwear offered for sale or sold to Dealers or consumers located in the United States of America, Puerto Rico and the Virgin Islands.

No trial has been held on the merits of the States' allegations and Reebok and Rockport deny them. After extensive negotiations, the parties to the lawsuit agreed to a proposed settlement agreement to avoid long and costly litigation.

Under the proposed voluntary settlement of the States' case, Reebok and Rockport (a Reebok subsidiary) have agreed to pay the Plaintiff States the total sum of $9.5 million after final Court approval.

Reebok and Rockport have also agreed to an injunction prohibiting future violations of the antitrust laws and will notify their dealers that they are free to price Reebok and Rockport products independently at whatever level they choose.

In view of the difficulty in identifying the millions of purchasers of the Reebok and Rockport products involved in the settlement and the relatively small alleged overcharge per pair of shoes purchased, the States have proposed utilizing the $9.5 million settlement amount in the following manner.

$1.5 million of the settlement will be used to administer the settlement. Each State shall direct that its share of the remaining $8 million be distributed to the State, a political subdivision thereof, a not-for-profit corporation and/or a charitable organization for the purpose of improving, refurbishing, renovating and/or providing athletic facilities, equipment or services which would not otherwise receive funding. These facilities include, but are not limited to, refurbishing of basketball courts, tennis courts, volleyball courts and running/walking tracks. In this manner, the class of purchasers covered by the lawsuit (persons who bought Reebok or Rockport athletic and casual footwear) would benefit from the settlement funds.

Reebok and Rockport have agreed to settle but without admitting any wrongdoing or liability. The proposed settlement must be finally approved by the Court, which has preliminarily approved the settlement. This notice does not express any opinion of the Court as to the merits of the claims or the defenses asserted by either side of the lawsuit.

The legal rights of all buyers of Reebok and Rockport products between January 1, 1990 and December 31, 1994 will be resolved and foreclosed by this settlement. If you bought any Reebok or Rockport products within this period and you do not want to be bound by or to have your rights fully resolved by the settlement, you must expressly opt out and exclude yourself from the settlement. To opt out and exclude yourself from this settlement or for information on the procedure for filing an objection to the settlement while remaining a member of the class, write to:

Reebok Settlement Trustee
Alexander & MacGregor, Inc.
Department A • 1730 K Street, N.W. • Suite 900
Washington, D.C. 20006

All opt outs and exclusions must be postmarked by September 8, 1995. All objections to the settlement must be filed by the same date.

A hearing will be held in the United States District Court for the Southern District of New York, 500 Pearl Street, NY, NY 10007 on October 13 at 9:30 a.m. in Courtroom 12B for the purpose of determining whether the proposed settlement is fair, reasonable and adequate and whether the proposed settlement should be approved by the Court. No further notice of any adjournment will be provided.

By order of Judge John G. Koeltl, U.S. Dist. Ct., S.D.N.Y.

Handout #3

ANNUAL REPORT ON THE FUNDING AND ACTIVITIES OF THE LOCAL DISPUTE SETTLEMENT CENTERS FOR THE FISCAL YEAR 1996-1997

(N.C.G.S. § 7A-346.1)

Burley B. Mitchell, Jr.
Chief Justice
Supreme Court of North Carolina

Dallas A. Cameron, Jr.
Director
Administrative Office of the Courts

November 1997

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TABLE OF CONTENTS

I.	**Introduction**	1
II.	**Executive Summary**	1
III.	**Types of Dispute Settlement Services Provided and Number of Clients Receiving Each Type of Service**	5
IV.	**Number and Type of Referrals Received**	8
V.	**Cases Actually Mediated or Conciliated, Cases Resolved in Mediation or Conciliation, and Total Clients Served in the Cases Mediated or Conciliated**	11
VI.	**Total Program Funding and Funding Sources**	16
VII.	**Itemization of the Use of Total Funding**	21
VIII.	**Itemization of the Use of State Funds**	23
IX.	**Level of Volunteer Activity**	25
X.	**Future Service Demands and Budget Requirements**	27
XI.	**Conclusion**	29

Exhibits:
- map showing those counties served by a State-funded dispute settlement center during the Fiscal Year 1996-1997
- individual dispute settlement center activity reports

ANNUAL REPORT ON THE FUNDING AND ACTIVITIES OF THE LOCAL DISPUTE SETTLEMENT CENTERS FOR THE FISCAL YEAR 1996-1997 (N.C.G.S. § 7A-346.1)

PART I: INTRODUCTION

In accordance with N.C.G.S. § 7A-346.1, to follow is the report prepared by the Administrative Office of the Courts (AOC) on the funding and activities of the local dispute settlement centers for the Fiscal Year 1996-1997. During this twelve-month period, twenty-six local dispute settlement centers received a State appropriation. Pursuant to section 7A-346.1, this report summarizes and compiles the following information supplied to the AOC by these twenty-six centers:

- types of dispute settlement services provided;
- clients receiving each type of dispute settlement service;
- number and type of referrals received, cases actually mediated, cases resolved in mediation, and total clients served in the cases mediated;
- total program funding and funding sources;
- itemization of the use of funds;
- itemization of the use of State funds;
- level of volunteer activity; and
- future service demands and budget requirements.

The Robeson County Dispute Resolution Center did not respond prior to the deadline for inclusion in this report. When the AOC receives the Robeson center's individual report, the AOC will forward it to the General Assembly as an additional exhibit to this general report. Two of the centers that reported, the Albemarle Dispute Settlement Center and the Duplin County Dispute Settlement Center, did not provide services during the Fiscal Year 1996-1997. The Albemarle center is now operational. The Duplin program hopes to begin offering services on or before 1 December 1997.

PART II: EXECUTIVE SUMMARY

Centers Receiving a State Appropriation During the Fiscal Year 1996-1997

As of 30 June 1997, twenty-six State-funded dispute settlement centers were operating in North Carolina.[1] These centers, their directors and the counties they serve are as follows:

Center	Director	Counties Served During Fiscal Year 1996-1997
1. Alamance County Dispute Settlement Center	Linda J. Dunn	Alamance

[1] An additional center, serving the Catawba County area, will receive a State appropriation during the Fiscal Year 1997-1998.

2. Albemarle Dispute Settlement Center	Jean Person	Camden Chowan Currituck Dare Gates Pasquotank Perquimans
3. Blue Ridge Dispute Settlement Center	Melissa G. Johnson	Alleghany Ashe Avery Mitchell Watauga Wilkes Yancey
4. Cabarrus County Mediation Center	Janet R. Retera	Cabarrus
5. Charlotte-Mecklenburg Dispute Settlement Program	Donna Johnson, Program Coordinator	Mecklenburg
6. Chatham County Dispute Settlement Center	Paula E. Browder	Chatham Lee Orange
7. Cumberland County Dispute Resolution Center	Blaire Smathers	Cumberland
8. Dispute Settlement Center of Cape Fear	Kirsten Atkinson	Brunswick New Hanover Pender
9. Dispute Settlement Center of Durham	Mike Wendt	Durham
10. Dispute Settlement Center of Moore County	Billie M. Mackey	Moore
11. Duplin County Dispute Settlement Center	position open	Duplin Jones Onslow Sampson
12. Foothills Mediation Center (formerly Polk)	Wanda S. Miles	Polk Rutherford
13. Henderson County Dispute Settlement Center	Cynthia Edge-Allen	Henderson
14. The Mediation Center	Barry L. Master	Buncombe
15. Mediation Center of Eastern Carolina	Blythe Tennent	Carteret Craven Edgecombe Nash Pitt Wilson
16. Mediation Center of the Southern Piedmont (formerly Gaston)	Janet H. Mahannah	Gaston Lincoln
17. Mediation Services of Forsyth County	Gregory Squires	Forsyth

18. Mediation Services of Guilford County	Yvonne Johnson, Exec. Director Bruce Pugh, Program Director	Guilford
19. Mediation Services of Rockingham County	Angela C. Lee	Rockingham
20. Mediation Services of Wake	Diann Seigle	Wake
21. Mountain Dispute Settlement Center	Suzanne Vincent	Cherokee Clay Graham Haywood Jackson Macon Swain
22. Orange County Dispute Settlement Center	Frances Henderson	Orange
23. Piedmont Mediation Center	Terri C. Masiello	Alexander Davidson Davie Iredell
24. Robeson County Dispute Resolution Center	Bill Calhoun	Robeson
25. Sandhills Mediation Center	Gail McRae	Hoke Scotland
26. Transylvania Dispute Settlement Center	John A. Fenner	Transylvania

Thus, these twenty-six centers provided services to sixty-one of North Carolina's 100 counties. A map displaying the counties served by a dispute settlement center during the Fiscal Year 1996-1997 is attached to this report as Exhibit 1.

Activities and Funding During the Fiscal Year 1996-1997

The individual centers vary greatly in the nature of the disputes they handle, the sources of referral for those disputes and the types of services they provide. Indeed, the hallmark of the centers is their diversity, as they tailor their services to meet the particular needs of their respective communities. Accordingly, it is difficult to generalize among the centers and to compare data among the centers. In spite of this difficulty, certain generalizations can be made:

- **types of dispute settlement services provided and clients receiving each type of service**: Each of the centers currently providing services offers mediation. However, a number of the centers provide additional services, including the following: conciliation; group facilitation; training; and consultation. Through their combined efforts, the centers served 36,485 persons during the Fiscal Year 1996-1997. (See Part III below.)

- **number and type of referrals received**: During the Fiscal Year 1996-1997, 15,075 cases were referred to the dispute settlement centers for mediation or conciliation. Seventy-seven percent of these referrals were from court officials. The remaining twenty-three percent of the referrals came from attorneys, businesses, civic organizations, law enforcement personnel, legal services offices, the Office of the Attorney General, school officials, State agencies and the disputants themselves. Seventy-two percent of the total referrals were criminal matters. Of

those referrals made by court officials, eighty-nine percent were criminal matters. The three most commonly referred criminal casetypes were assault, communicating threats and consumer-merchant matters (including worthless checks). The most commonly referred non-criminal casetypes were consumer-merchant disputes, domestic relations matters and school-related problems. (See Part IV below.)

- **cases actually mediated or conciliated, cases resolved in mediation or conciliation, and total clients served in the cases mediated or conciliated**: Of the 15,075 cases referred, the centers attempted to mediate or conciliate 11,988 cases, or eighty percent of the referrals. Of those cases the centers attempted to mediate or conciliate, 10,729, or ninety percent, were resolved via mediation or conciliation. The centers served 23,910 persons in the cases mediated or conciliated. The most common reason a center did not mediate or conciliate a referred case was because the disputants declined or withdrew. (See Part V below.)

- **total program funding and funding sources**: The State appropriation was one of the top three funding sources for every center that responded. Indeed, for sixteen of the twenty-five centers that supplied budget information, the appropriation was the primary funding source. Other significant funding sources included city government, county government, county school systems, donations, in-kind contributions, the North Carolina State Bar Plan for Interest on Lawyers' Trust Accounts (IOLTA), non-State contracts and fees for services, non-State grants, State grants, Teen Court funds and the United Way. (See Part VI below.)

- **funding percentage restrictions (or "funding ratios")**: Of those centers bound by a funding percentage restriction, the following nine centers failed to raise the necessary non-State funds: Albemarle; Blue Ridge; Cape Fear; Duplin; Foothills; Moore; Mountain; Sandhills; and Southern Piedmont. The AOC asks that the General Assembly carefully scrutinize the appropriation and budget of each of these centers. As the result of a revision of N.C.G.S. § 7A-346.1, however, a new percentage restriction (or "funding ratio") scheme will apply to the centers for the Fiscal Year 1997-1998. (See Part VI below.)

- **itemization of the use of total funding**: For twenty-three of the twenty-five centers that supplied budget information, the primary expenditure of total funds was for employee salaries. Other significant expenditures included the following: contractual services fees; employee benefits; equipment rental and purchase; FICA; fundraising costs; IRS fees; professional fees (for example, legal and accounting fees); rent or mortgage; and volunteer development costs. (See Part VII below.)

- **itemization of the use of State funds**: For all but two of the centers that responded, the primary expenditure of State funds was for employee salaries. Other significant expenditures included the following: contractual services fees; employee benefits; FICA; professional fees (for example, legal and accounting fees); and rent or mortgage. (See Part VIII below.)

- **level of volunteer activity**: More than 2,400 volunteers provided over 37,000 hours of service to the dispute settlement centers. These volunteers served the centers in a variety of capacities, including the following: serving on boards of directors and advisory committees; providing mediation and conciliation services; providing facilitation, training and consultation services; providing court intake and court liaison services; providing community outreach and program development services; raising funds and engaging in promotional activities; providing clerical

and other support services; providing grounds keeping and maintenance services; receiving skills training and attending educational programs; serving as presenters at informational meetings and instructional sessions; and engaging in center start-up activities. (See Part IX below.)

- **future service demands and budget requirements**: A number of centers are seeking to expand their services into other substantive areas (particularly youth and family services) and other geographic locations. Other centers are attempting to maintain their existing level of services within strict budget constraints. (See Part X below.)

Each of the subject areas briefly discussed above is examined below in greater detail. Additionally, the individual activity report of each center that responded is attached to this report as an exhibit. Readers with specific questions regarding a particular center should refer to that center's activity report for additional information.

PART III: TYPES OF DISPUTE SETTLEMENT SERVICES PROVIDED AND NUMBER OF CLIENTS RECEIVING EACH TYPE OF SERVICE

Each of the local dispute settlement centers currently providing services offers mediation. The services provided by the centers, however, are not limited to mediation. The various services provided by some or all of the centers may be listed and defined as follows:

- **mediation**: Mediations are attempts to assist the parties to a dispute in reaching their own resolution of the problem. The mediator facilitates the parties' resolution, but neither prescribes an outcome nor renders a judgment.

- **conciliation**: Conciliations are conflict resolutions accomplished without resort to formal mediation. They include resolution through telephone contact, informal office resolution and any other non-mediated contact that results in an oral or written agreement.

- **group facilitation**: Group facilitations are efforts made during a meeting or other assembly to encourage the smooth or constructive flow of the discussion. For example, center staff members may facilitate the discussion at a local school board meeting where relations between the board and members of the public are acrimonious.

- **training**: Trainings are efforts made to educate a person or group that has arranged with the center to have the center serve that person or group in an educational capacity. Trainings include, for example, diversity training, "train the trainer" peer mediation classes and conflict resolution classes taught to law enforcement personnel.

- **consultation**: Consultations are arrangements under which a center serves an entity in an advisory or informational capacity.

The particular services provided by each center and the number of clients receiving each type of service are summarized beginning on the following page.

Center	Clients Receiving Mediation or Conciliation Services[2]	Clients Receiving Facilitation Services[3]	Clients Receiving Training Services[4]	Clients Receiving Consultation Services[5]
1. Alamance County DSC	915	0	163	0
2. Albemarle DSC[6]	0	0	0	0
3. Blue Ridge DSC	69	125	52	41
4. Cabarrus County Med. Ctr.	160	0	0	0
5. Charlotte-Mecklenburg	1781	191	423	0
6. Chatham County DSC	211	30	63	3
7. Cumberland County DRC	1189	100	515	0
8. DSC of Cape Fear	104	75	379	50
9. DSC of Durham[7]	840	380	478	19
10. DSC of Moore County	69	0	30	4
11. Duplin County DSC[8]	0	0	0	0
12. Foothills Mediation Center (formerly Polk)	450	0	0	0
13. Henderson County DSC	1701	28	200	3

[2] If a party was involved in only one case and multiple contacts were necessary to resolve the matter, the AOC asked the centers to count the party only once. Restated, the centers were to count clients "per case, not per session."

[3] When measuring the number of clients that received group facilitation services, the AOC asked the centers to count only the entities with which they established the facilitation relationship, not the individual members or employees of the entities.

[4] If a party participated in more than one training session, but the purpose of the training was the same for each session, the AOC asked the centers to count the party only once when measuring the number of clients that received training services.

[5] When measuring the number of clients that received consultation services, the AOC asked the centers to count only the entities with which the centers established the consultation relationship, not the individual members or employees of the entities.

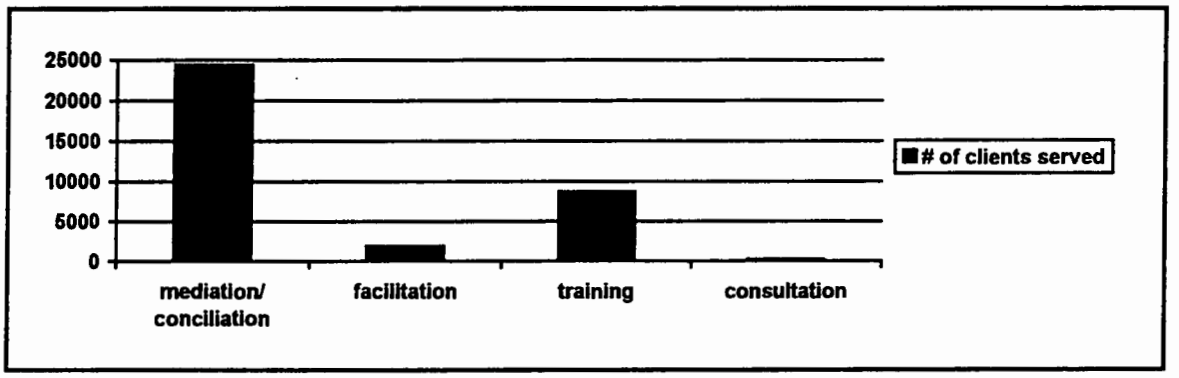
[6] Albemarle is a new program that did not offer services during the Fiscal Year 1996-1997. It is now operational.

[7] The office of the Durham program was burglarized in July of 1997. Among the items stolen was the computer containing the center's financial and caseload information. As a result, the Durham center had to reconstruct the financial and caseload data that appears in this report. The Durham figures therefore may underestimate the amount of services actually provided.

[8] The Duplin center did not provide services during the past fiscal year, but hopes to begin offering services on or before 1 December 1997.

14. The Mediation Center	3517	47	2383	103
15. Mediation Ctr. of Eastern Carolina	497	44	1770	0
16. Mediation Ctr. of the So. Piedmont (formerly Gaston)	3138	0	138	0
17. Med. Services of Forsyth County	1289	0	8	0
18. Med. Services of Guilford County	1480	0	193	0
19. Med. Services of Rockingham Co.	1884	0	0	0
20. Med. Services of Wake[9]	1873	121	0	0
21. Mountain DSC	402	0	76	0
22. Orange County DSC	1058	560	1241	45
23. Piedmont Mediation Center	1280	0	6	0
24. Robeson County DRC	late report	late report	late report	late report
25. Sandhills Mediation Center	115	22	330	3
26. Transylvania DSC	397	183	290	1
TOTAL NUMBER OF CLIENTS RECEIVING EACH TYPE OF SERVICE:	24419	1906	8738	272

This information may be represented graphically as follows:



From the table and chart above, it is clear that mediation and conciliation remain the centers' predominant services. Nevertheless, the centers provided a significant amount of training, facilitation and consultation services. Some of the centers provided additional services that do not fall within one of the categories in the table above. These included custody mediation orientations (The Mediation Center, 550

[9] Due to a recent change in leadership, the Wake center experienced a measure of difficulty in compiling its 1996-1997 statistics. As a result, the Wake figures shown in this report may underestimate the amount of services actually provided.

persons served), health fairs (Durham, 400 persons served) and public forums (Durham, 200 persons served). Through their combined efforts, the centers served 36,485 persons during the past fiscal year.

PART IV: NUMBER AND TYPE OF REFERRALS RECEIVED

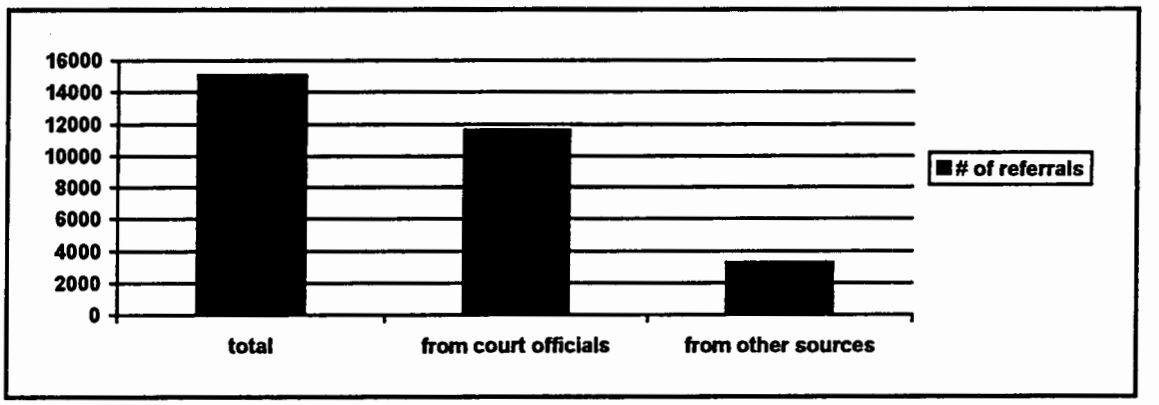
The number of mediation and conciliation referrals received by each center, regardless of whether the center ultimately mediated or conciliated the disputes, may be summarized as follows:

Center	Total Number of Mediation and Conciliation Referrals (Regardless of Referral Source)[10]	Number of Referrals from Court Officials	Number of Referrals from Other Sources
1. Alamance County DSC	503	475	28
2. Albemarle DSC	0	0	0
3. Blue Ridge DSC	75	21	54
4. Cabarrus County Med. Ctr.	148	140	8
5. Charlotte-Mecklenburg	1884	1835	49
6. Chatham County DSC	124	99	25
7. Cumberland County DRC	795	474	321
8. DSC of Cape Fear	61	23	38
9. DSC of Durham	477	149	328
10. DSC of Moore County	22	8	14
11. Duplin County DSC	0	0	0
12. Foothills Mediation Center (formerly Polk)	185	183	2
13. Henderson County DSC	821	477	344
14. The Mediation Center	2327	1075	1252
15. Mediation Ctr. of Eastern Carolina	242	215	27
16. Mediation Ctr. of the So. Piedmont (formerly Gaston)	1920	1640	280
17. Med. Services of Forsyth County	665	545	120

[10] Regardless of the number of warrants that may have been issued in a particular case, the AOC asked the centers to count the case only once. Restated, the AOC asked the centers to count cases (or defendants), not warrants.

18. Med. Services of Guilford County[11]	875	864	11
19. Med. Services of Rockingham Co.	1204	1204	0
20. Med. Services of Wake	897	801	96
21. Mountain DSC	335	210	125
22. Orange County DSC	554	428	126
23. Piedmont Mediation Center	572	572	0
24. Robeson County DRC	late report	late report	late report
25. Sandhills Mediation Center	113	29	84
26. Transylvania DSC	276	158	118
TOTAL NUMBER OF REFERRALS:	15075	11625	3450

This data may be represented graphically as follows:



Thus, during the past fiscal year, 15,075 cases were referred to the dispute settlement centers for mediation or conciliation. Seventy-seven percent of these referrals were from judges, magistrates, district attorneys, clerks, juvenile court counselors or other court officials. The remaining twenty-three percent of the referrals came from a variety of sources, including attorneys, businesses, civic organizations, law enforcement personnel, legal services offices, the Office of the Attorney General, school officials, State agencies and the disputants themselves.

In addition to summarizing the referrals by center, it also may be useful to examine the referrals by casetype. The number of mediation and conciliation referrals for each casetype, regardless of whether the centers ultimately mediated or conciliated the disputes, may be summarized as follows:

[11] The Guilford Center submitted along with its report an addendum that provides a detailed explanation of its referrals. The Guilford report and addendum are attached as Exhibit 19 to this annual report.

Casetype	Total Number of Mediation and Conciliation Referrals (Regardless of Referral Source)	Number of Referrals from Court Officials	Number of Referrals from Other Sources
A. Criminal Matters:			
Animal Complaint	34	32	2
Assault	3163	3047	116
Communicating Threats	1363	1312	51
Consumer - Merchant (incl. worthless check cases)	2838	2532	306
Harassment	463	441	22
Injury to Real Property	589	582	7
Juvenile Offender	285	270	15
Ordinance Violation	82	80	2
Property Vandalism/Theft	1271	1242	29
School Problems	72	48	24
Trespassing	601	584	17
Unauthorized Use of Motor Vehicle	181	180	1
B. Non-Criminal Matters:			
Animal Complaint	68	15	53
Assault	40	9	31
Borrowed Money	20	9	11
Breach of Contract	102	21	81
Consumer - Merchant	340	68	272
Conversion	5	4	1
Domestic Relations	823	277	546
Employer - Employee	63	11	52
Injury to Real Property	40	18	22

Landlord - Tenant	126	35	91
Neighborhood	138	51	87
Noise/Nuisance	32	4	28
Professional - Client or Professional - Patient	132	0	132
School Problems	993	28	965
Trespassing	14	2	12
Workplace Disputes Between Employees	19	1	18
C. Other Matters (Criminal or Non-Criminal):	1286	722	564
TOTALS:[12]	15183	11625	3558

From the table above, one learns that the centers received significantly more criminal referrals (10,942) than non-criminal referrals (2,955). Seventy-two percent of the total referrals were criminal referrals, while twenty percent were non-criminal referrals. The three most commonly referred criminal casetypes were assault, communicating threats and consumer-merchant matters (including worthless checks). The most commonly referred non-criminal casetypes were consumer-merchant disputes, domestic relations matters and school-related problems.

Of those referrals made by court officials, eighty-nine percent were criminal and five percent were non-criminal. The criminal casetypes most commonly referred by court officials were assault, communicating threats and consumer-merchant matters (including worthless checks). The non-criminal casetypes most commonly referred by court officials were consumer-merchant disputes, domestic relations matters and neighborhood disputes.

PART V: CASES ACTUALLY MEDIATED OR CONCILIATED, CASES RESOLVED IN MEDIATION OR CONCILIATION, AND TOTAL CLIENTS SERVED IN THE CASES MEDIATED OR CONCILIATED

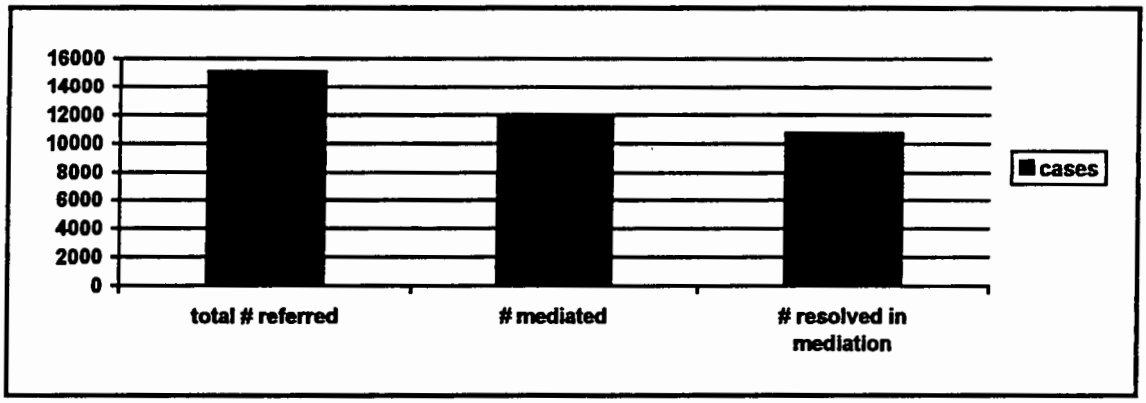
To follow is a summary, for each center, of (1) the total mediation and conciliation referrals received, (2) the total number of referred cases actually mediated or conciliated, (3) the number of those cases ultimately resolved via mediation or conciliation and (4) the total number of clients served in the cases mediated or conciliated:

[12] There are minor discrepancies between the referral totals when measured by center and the referral totals when measured by casetype. Assuming its arithmetic is correct, the AOC is unable to account for these discrepancies.

Center	Total Number of Cases Referred	Number of Cases Actually Mediated or Conciliated	Number of Cases Resolved in Mediation or Conciliation	Number of Clients who Received Mediation or Conciliation Services
1. Alamance County DSC	503	453	431	898
2. Albemarle DSC	0	0	0	0
3. Blue Ridge DSC	75	29	24	69
4. Cabarrus County Med. Ctr.	148	111	101	160
5. Charlotte-Mecklenburg	1884	1088	1043	1781
6. Chatham County DSC	124	90	88	187
7. Cumberland County DRC	795	610	542	1187
8. DSC of Cape Fear	61	55	32	128
9. DSC of Durham	477	479	270	708
10. DSC of Moore County	22	22	16	41
11. Duplin County DSC	0	0	0	0
12. Foothills Mediation Center (formerly Polk)	185	185	139	396
13. Henderson County DSC	821	507	430	1701
14. The Mediation Center	2327	1542	1286	3500
15. Mediation Ctr. of Eastern Carolina	242	235	225	496
16. Mediation Ctr. of the So. Piedmont (formerly Gaston)	1920	1628	1574	3301
17. Med. Services of Forsyth County	665	548	516	1289
18. Med. Services of Guilford County	875	780	688	1457
19. Med. Services of Rockingham Co.	1204	1204	1204	1884
20. Med. Services of Wake	897	897	790	1832
21. Mountain DSC	335	191	174	416
22. Orange County DSC	554	551	481	1030

23. Piedmont Mediation Center	572	478	407	837
24. Robeson County DRC	late report	late report	late report	late report
25. Sandhills Mediation Center	113	106	83	219
26. Transylvania DSC	276	199	185	393
TOTALS:	15075	11988	10729	23910

These totals may be represented graphically as follows:



Thus, of the 15,075 total cases referred, the centers attempted to mediate or conciliate 11,988 cases, or eighty percent. Of those cases the centers attempted to mediate or conciliate, 10,729, or ninety percent, were resolved via mediation or conciliation. The centers served 23,910 persons in the cases mediated or conciliated.

In addition to summarizing this information by center, it also may be useful to examine it by casetype. To follow is a summary, for each casetype, of (1) the total mediation and conciliation referrals received, (2) the total number of referred cases actually mediated or conciliated, (3) the number of those cases ultimately resolved via mediation or conciliation and (4) the total number of clients served in the cases mediated or conciliated:

Casetype	Total Number of Cases Referred	Number of Cases Actually Mediated or Conciliated	Number of Cases Resolved in Mediation or Conciliation	Number of Clients who Received Mediation or Conciliation Services
A. Criminal Matters:				
Animal Complaint	34	32	32	83
Assault	3163	2483	2293	5224
Communicating Threats	1363	1060	964	2223

Consumer - Merchant (incl. worthless check cases)	2838	2807	2646	4547
Harassment	463	369	338	766
Injury to Real Property	589	508	430	939
Juvenile Offender	285	229	218	582
Ordinance Violation	82	57	49	108
Property Vandalism/Theft	1271	861	750	1775
School Problems	72	47	51	130
Trespassing	601	479	449	1015
Unauthorized Use of Motor Vehicle	181	167	156	343
B. Non-Criminal Matters:				
Animal Complaint	68	42	38	105
Assault	40	19	17	40
Borrowed Money	20	9	6	27
Breach of Contract	102	74	57	155
Consumer - Merchant	340	215	181	458
Conversion	5	3	3	6
Domestic Relations	823	470	306	1305
Employer - Employee	63	41	31	93
Injury to Real Property	40	18	14	45
Landlord - Tenant	126	59	41	121
Neighborhood	138	68	55	202
Noise/Nuisance	32	13	12	31
Professional - Client or Professional - Patient	132	91	68	134
School Problems	993	985	856	2035
Trespassing	14	2	2	15
Workplace Disputes Between Employees	19	17	10	35

C. Other Matters (Criminal or Non-Criminal):	1286	762	663	1393
TOTALS:[13]	15183	11987	10736	23935

From the table above, one learns that of the 10,942 total criminal referrals, the centers attempted to mediate or conciliate 9,099 criminal cases, or eighty-three percent. Of those criminal cases the centers attempted to mediate or conciliate, 8,376, or ninety-two percent, were resolved via mediation or conciliation. The centers served 17,735 persons in the criminal cases mediated or conciliated.

Of the 2,955 total non-criminal referrals, the centers attempted mediation or conciliation in 2,126 cases, or seventy-two percent. Of those non-criminal cases in which the centers attempted mediation or conciliation, 1,697, or eighty percent, were resolved via mediation or conciliation. In the non-criminal cases mediated or conciliated, the centers served 4,807 persons.

The reader will note that a number of the referred cases were not mediated or conciliated. To follow are the reasons the centers offered for why they did not mediate or conciliate a referred case:

Reason Referred Case Was Not Mediated or Conciliated	Number of Cases Not Mediated or Conciliated for this Reason
party declined or withdrew	1477
case deemed inappropriate for mediation or conciliation	349
unable to locate party(ies)	891
district attorney intervention	26
party failed to appear	731
case still pending at end of fiscal year	339
other reasons	10

One notes from this table that the centers deemed certain cases "inappropriate for mediation or conciliation." The centers identified the following reasons for why they might consider a case inappropriate for mediation or conciliation:

- **violence or assaultive behavior involved** (the case involved, for example, violence, threats of violence, assault with a deadly weapon, child abuse, or domestic violence);
- **party unable to participate meaningfully** (for example, party was hostile, coercive, mentally incompetent, or sought to change the mediation process; party had an extensive criminal record; party in an offender-victim program did not admit to having committed the crime at issue);

[13] Just as with the total referrals, there are minor discrepancies between the mediation totals when measured by center and the mediation totals when measured by casetype. Again, assuming its arithmetic is correct, the AOC is unable to account for these discrepancies.

- **party sought assistance elsewhere** (for example, party opted for arbitration rather than mediation, party sought the assistance of an attorney, or party sought the assistance of a State agency); or
- **case fell outside the scope of the center's program** (for example, referred case was an open Department of Social Services case, damages sought exceeded the limits set by the center for its mediation program, case involved a criminal charge that fell outside the scope of the center's mediation program, case involved substance abuse, or parties had inherently unequal bargaining power).

PART VI: TOTAL PROGRAM FUNDING AND FUNDING SOURCES

To follow is a summary of (1) each center's total budget; (2) each center's State appropriation through the Administrative Office of the Courts and (3) the percentage of each center's total budget that the State appropriation represents:

Center	Total Budget	State Appropriation	Percentage of Total Budget that State Appropriation Represents
1. Alamance County DSC	$80,990.00	$25,000.00	31%
2. Albemarle DSC	$32,127.00	$31,977.00	100% (exceeds statutory maximum %)
3. Blue Ridge DSC	$56,168.25	$25,000.00	45% (exceeds statutory maximum %)
4. Cabarrus County Med. Ctr.	$50,029.25	$25,000.00	50%
5. Charlotte-Mecklenburg	$140,551.00	$50,000.00	36%
6. Chatham County DSC	$69,112.00	$16,500.00	24%
7. Cumberland County DRC	$145,363.00	$42,000.00	29%
8. DSC of Cape Fear	$79,898.00	$35,000.00	44% (exceeds statutory maximum %)
9. DSC of Durham	$192,300.00	$60,000.00	31%
10. DSC of Moore County	$24,164.75	$10,000.00	41% (exceeds statutory maximum %)
11. Duplin County DSC	$24,150.00	$15,000.00	62% (exceeds statutory maximum %)
12. Foothills Mediation Center (formerly Polk)	$58,884.21	$23,900.00	41% (exceeds statutory maximum %)
13. Henderson County DSC	$114,184.06	$40,000.00	35%
14. The Mediation Center	$383,343.00	$72,000.00	19%
15. Mediation Ctr. of Eastern Carolina	$296,745.00	$70,000.00	24%

16. Mediation Ctr. of the So. Piedmont (formerly Gaston)	$96,479.00	$39,167.00	41% (exceeds statutory maximum %)
17. Med. Services of Forsyth County	$115,284.00	$36,800.00	32%
18. Med. Services of Guilford County	$134,695.00	$43,000.00	32%
19. Med. Services of Rockingham Co.	$54,890.00	$15,000.00	27%
20. Med. Services of Wake	$106,930.65	$36,000.00	34%
21. Mountain DSC	$91,387.00	$50,000.00	55% (exceeds statutory maximum %)
22. Orange County DSC	$264,907.00	$59,530.00	22%
23. Piedmont Mediation Center	$57,294.00	$25,620.00	45%
24. Robeson County DRC	late report	$39,166.00	late report
25. Sandhills Mediation Center	$60,121.00	$25,000.00	42% (exceeds statutory maximum %)
26. Transylvania DSC	$85,451.00	$21,000.00	25%

The percentage figures listed in the final column are significant given the percentage requirements (or funding ratios) imposed by N.C.G.S. § 7A-346.1. Specifically, section 7A-346.1 provides that each center "requesting State funds[14] for the first time shall provide the General Assembly with . . . [a] certification that at least fifty percent (50%) of total funding for the first fiscal year in which funding is requested shall come from non-State sources." Each center requesting funding for a second fiscal year must provide the legislature with a "certification that at least sixty percent (60%) of total funding for the second fiscal year shall come from non-State sources." Similarly, if an older center is requesting an expansion of its State appropriation, it must provide the General Assembly with a "certification that at least sixty percent (60%) of total funding shall come from non-State sources."

The AOC Office of Legal Counsel has interpreted these requirements as follows:

- **Each center falls within one of the following three categories**: (1) a "new" center, (2) an "old" center that received an increase in its appropriation, or (3) an "old" center that did not receive an increase.

- **A "new" center is one that received a State appropriation for the first time during the Fiscal Year 1995-1996 or the Fiscal Year 1996-1997.** The first year a new center receives a State appropriation, it must achieve a fifty-fifty budget percentage. The second year a new center receives a State appropriation, it must achieve a forty-sixty budget percentage.

[14] For the purpose of applying the percentage restrictions of section 7A-346.1, the AOC interprets "State funds" to mean only the State appropriations to the centers through the AOC. All other sources of income constitute "non-State sources."

- **An "old" center that received an increase is one that had received a State appropriation in past years, but enjoyed an increase in its appropriation for the Fiscal Year 1995-1996 or the Fiscal Year 1996-1997.** Such a center must achieve a forty-sixty budget percentage.

- **An "old" center that did not receive an increase is one that had received a State appropriation in past years and received that same amount during the 1995-1997 biennium.** Such a center is not bound by any percentage restrictions under section 7A-346.1.

This budget percentage (or funding ratio) scheme may be represented by the following table:

Type of Center	Percentage Restriction: State appropriation/non-State funds	Example: State appropriation/non-State funds
new center -- 1st year	50%/50%	$15,000.00/$15,000.00
new center -- 2nd year	40%/60%	$15,000.00/$22,500.00
old center -- increase	40%/60%	$15,000.00/$22,500.00
old center -- no increase	no restriction	not applicable

The centers falling within each category may be summarized as follows:

"New" Centers	"Old" Centers that Received an Increase	"Old" Centers that Did Not Receive an Increase	Special Circumstance
first-year centers: • Albemarle • Cabarrus second-year centers: • Blue Ridge • DSC of Moore • Duplin • Mediation Services of Rockingham • Sandhills	• Alamance • Charlotte-Mecklenburg • Cumberland • DSC of Cape Fear • DSC of Durham • Foothills • Henderson • The Mediation Center • Mediation Center of Eastern Carolina • Mediation Center of the Southern Piedmont • Mediation Services of Forsyth • Mediation Services of Guilford • Mountain • Orange • Transylvania	• Chatham • Mediation Services of Wake • Piedmont	• Robeson (The Robeson County program is an "old" center that received an increase for the 1995-1997 biennium. However, the appropriating legislation for the 1995-1997 biennium expressly excepted Robeson from the percentage restrictions of section 7A-346.1.)

Based on the budget information reported by the centers, **the following centers appear to have run afoul of the percentage restrictions** for the Fiscal Year 1996-1997:

Center	Applicable Percentage Restriction	Percentage of Total Budget that State Appropriation Represents
Albemarle DSC	State appropriation may not exceed 50% of total budget	State appropriation represents 99.5% of total budget
Blue Ridge DSC	State appropriation may not exceed 40% of total budget	State appropriation represents 44.5% of total budget
DSC of Cape Fear	State appropriation may not exceed 40% of total budget	State appropriation represents 43.8% of total budget
DSC of Moore County	State appropriation may not exceed 40% of total budget	State appropriation represents 41.4% of total budget
Duplin County DSC	State appropriation may not exceed 40% of total budget	State appropriation represents 62.1% of total budget
Foothills Mediation Center	State appropriation may not exceed 40% of total budget	State appropriation represents 40.6% of total budget
Mediation Ctr. of the So. Piedmont	State appropriation may not exceed 40% of total budget	State appropriation represents 40.6% of total budget
Mountain DSC	State appropriation may not exceed 40% of total budget	State appropriation represents 54.7% of total budget
Sandhills Mediation Center	State appropriation may not exceed 40% of total budget	State appropriation represents 41.6% of total budget

The AOC expressly recommends to the General Assembly that it scrutinize carefully the appropriation and budget of each of these non-compliant centers. Note, however, that the General Assembly amended N.C.G.S. § 7A-346.1 during the most recent legislative session. As a result of these amendments, a new percentage restriction scheme will apply to the centers for the Fiscal Year 1997-1998.

In addition to the State appropriations, the centers receive funds from a number of other sources. To follow is a summary of the three primary funding sources for each center:

Center	Total Budget	Three Primary Funding Sources
1. Alamance County DSC	$80,990.00	AOC: $25,000.00 county government: $23,520.00 United Way: $16,500.00
2. Albemarle DSC	$32,127.00	AOC: $31,977.00 in-kind contributions: $150.00 no third source
3. Blue Ridge DSC	$56,168.25	AOC: $25,000.00 non-State grants: $25,000.00 United Way: $2,850.00
4. Cabarrus County Med. Ctr.	$50,029.25	AOC: $25,000.00 non-State grants: $15,000.00 in-kind contributions: $3,430.00
5. Charlotte-Mecklenburg	$140,551.00	city government: $89,427.00 AOC: $50,000.00 IOLTA: $1,124.00
6. Chatham County DSC	$69,112.00	State grants: $21,322.00 AOC: $16,500.00 county schools: $11,000.00

7. Cumberland County DRC	$145,363.00	AOC: $42,000.00 Teen Court: $30,000.00 county government: $20,000.00
8. DSC of Cape Fear	$79,898.00	AOC: $35,000.00 county schools: $26,000.00 non-State contracts and fees: $10,624.00
9. DSC of Durham	$192,300.00	non-State contracts and fees: $70,000.00 AOC: $60,000.00 city government: $44,000.00
10. DSC of Moore County	$24,164.75	AOC: $10,000.00 in-kind contributions: $2,967.28 IOLTA: $2,582.00
11. Duplin County DSC	$24,150.00	AOC: $15,000.00 in-kind contributions: $5,000.00 donations: $4,150.00
12. Foothills Mediation Center (formerly Polk)	$58,884.21	non-State grants: $26,500.00 AOC: $23,900.00 in-kind contributions: $2,220.81
13. Henderson County DSC	$114,184.06	AOC: $40,000.00 United Way: $24,220.96 non-State contracts and fees: $12,430.00
14. The Mediation Center	$383,343.00	non-State grants: $125,383.00 AOC: $72,000.00 non-State contracts and fees: $69,918.00
15. Mediation Ctr. of Eastern Carolina	$296,745.00	non-State contracts and fees: $94,512.00 State grants: $70,955.00 AOC: $70,000.00
16. Mediation Ctr. of the So. Piedmont (formerly Gaston)	$96,479.00	AOC: $39,167.00 in-kind contributions: $28,000.00 non-State grants: $18,000.00
17. Med. Services of Forsyth County	$115,284.00	United Way: $50,463.00 AOC: $36,800.00 city government: $10,625.00
18. Med. Services of Guilford County	$134,695.00	county government: $45,000.00 AOC: $43,000.00 United Way: $24,470.00
19. Med. Services of Rockingham Co.	$54,890.00	AOC: $15,000.00 non-State grants: $15,000.00 non-State contracts and fees: $7,590.00
20. Med. Services of Wake	$106,930.65	AOC: $36,000.00 county government: $26,000.00 in-kind contributions: $18,000.00
21. Mountain DSC	$91,387.00	AOC: $50,000.00 in-kind contributions: $19,353.00 non-State grants: $7,000.00
22. Orange County DSC	$264,907.00	non-State contracts and fees: $97,462.00 AOC: $59,530.00 United Way: $34,000.00
23. Piedmont Mediation Center	$57,294.00	AOC: $25,620.00 United Way: $13,583.00 in-kind contributions: $11,160.00

24. Robeson County DRC	late report	late report
25. Sandhills Mediation Center	$60,121.00	AOC: $25,000.00 non-State grants: $20,000.00 IOLTA: $2,686.00
26. Transylvania DSC	$85,451.00	AOC: $21,000.00 State grants: $16,500.00 county government: $10,000.00

The State appropriation was one of the top three funding sources for every center. Indeed, for sixteen of the twenty-five centers that provided budget information, the appropriation was the primary funding source. Other significant funding sources included city government, county government, county school systems, donations, in-kind contributions, the North Carolina State Bar Plan for Interest on Lawyers' Trust Accounts (IOLTA),[15] non-State contracts and fees for services, non-State grants, State grants, Teen Court funds and the United Way.

For a more detailed view of each center's particular funding sources, please refer to section III of the individual activity reports.

PART VII: ITEMIZATION OF THE USE OF TOTAL FUNDING

The centers expend their funds for a variety of purposes. To follow is a summary of the three primary expenditures for each center:

Center	Total Expenditures	Three Primary Expenditures
1. Alamance County DSC	$78,402.00	salaries: $53,936.00 rent/mortgage: $7,200.00 FICA: $4,347.00
2. Albemarle DSC	$7,427.25	professional services: $4,800.00 "promoter expenses": $2,090.25 IRS application fee: $465.00
3. Blue Ridge DSC	$54,783.67	salaries: $32,484.38 rent/mortgage: $3,542.75 employee benefits: $3,373.54
4. Cabarrus County Med. Ctr.	$47,702.34	salaries: $28,344.85 rent/mortgage: $6,000.00 equipment rental: $3,651.36
5. Charlotte-Mecklenburg	$140,551.00	salaries: $94,031.80 employee benefits: $11,372.00 rent/mortgage: $9,004.00

[15] The North Carolina State Bar and the North Carolina Supreme Court established IOLTA in 1984 for the purpose of generating income from lawyers' trust accounts that in turn could be used to fund programs for the benefit of the public. Traditionally, lawyers' trust accounts were not interest-bearing accounts. Since 1984, however, the State Bar has allowed these accounts to earn interest in order to benefit the IOLTA program. The depository banks pay the interest directly to the IOLTA program. The program then uses these proceeds to fund grants for certain specified purposes.

6. Chatham County DSC	$67,440.00	salaries: $53,702.00 FICA: $4,107.00 employee benefits: $2,257.00
7. Cumberland County DRC	$145,363.00	salaries: $77,410.00 contractual services: $13,830.00 unemployment tax: $6,940.00
8. DSC of Cape Fear	$80,398.00	salaries: $41,624.00 rent/mortgage: $7,850.00 contractual services: $6,410.00
9. DSC of Durham	$182,752.00	salaries: $107,654.00 employee benefits: $18,695.00 rent/mortgage: $15,619.00
10. DSC of Moore County	$20,339.34	salaries: $14,535.00 rent/mortgage: $1,716.86 FICA: $1,341.96
11. Duplin County DSC	$518.86	IRS application fee: $465.00 bank fees: $53.86 no third expenditure
12. Foothills Mediation Center (formerly Polk)	$39,834.00	salaries: $21,127.50 volunteer development: $4,427.09 equipment purchase: $2,427.05
13. Henderson County DSC	$114,904.98	salaries: $77,917.96 rent/mortgage: $7,075.00 FICA: $5,871.29
14. The Mediation Center	$355,628.00	salaries: $229,425.00 employee benefits: $29,935.00 FICA: $17,832.00
15. Mediation Ctr. of Eastern Carolina	$286,847.00	salaries: $161,914.00 contractual services: $28,175.00 travel: $19,746.00
16. Mediation Ctr. of the So. Piedmont (formerly Gaston)	$96,479.00	salaries: $60,499.00 FICA: $4,185.00 employee benefits: $2,110.00
17. Med. Services of Forsyth County	$112,511.00	salaries: $65,173.00 rent/mortgage: $8,500.00 employee benefits: $8,179.00
18. Med. Services of Guilford County	$134,646.00	salaries: $98,063.00 FICA: $7,502.00 employee benefits: $7,050.00
19. Med. Services of Rockingham Co.	$48,190.00	salaries: $32,300.00 fundraising: $3,530.00 employee benefits: $2,745.00
20. Med. Services of Wake	$106,860.79	salaries: $56,338.44 rent/mortgage: $18,000.00 volunteer development: $6,055.00
21. Mountain DSC	$131,726.00	salaries: $71,295.00 rent/mortgage: $14,824.00 fundraising: $6,300.00
22. Orange County DSC	$237,328.00	salaries: $172,205.00 employee benefits: $16,157.00 FICA: $13,329.00

23. Piedmont Mediation Center	$46,537.00	salaries: $30,379.00 FICA: $4,449.00 utilities: $2,677.00
24. Robeson County DRC	late report	late report
25. Sandhills Mediation Center	$52,169.00	salaries: $30,275.00 rent/mortgage: $6,000.00 employee benefits: $5,045.00
26. Transylvania DSC	$87,541.00	salaries: $61,862.00 employee benefits: $5,146.00 FICA: $4,793.00

For twenty-three of the twenty-five centers that provided budget information, the primary expenditure was for employee salaries. Other significant expenditures included contractual services fees, employee benefits, equipment rental and purchase, FICA, fundraising costs, IRS fees, professional fees (for example, legal and accounting fees), rent or mortgage, and volunteer development costs.

For a more detailed view of the specific expenditures of each center, please refer to sections III and V of the individual activity reports. In section V of the activity report, each center has listed its salaried employees and their compensation.

PART VIII: ITEMIZATION OF THE USE OF STATE FUNDS

In addition to the expenditures of their total funding, section 7A-346.1 also requires the centers to report on their expenditures of State funds. To follow is a summary of the three primary expenditures of State funds for each center:

Center	Total Expenditures of STATE funds[16]	Three Primary Expenditures of STATE funds
1. Alamance County DSC	$25,000.00	salaries: $17,800.00 rent/mortgage: $2,376.00 FICA: $1,751.00
2. Albemarle DSC	$7,427.25	professional services: $4,800.00 "promoter expenses": $2,090.25 IRS application fee: $465.00
3. Blue Ridge DSC	$25,000.00	salaries: $14,822.62 rent/mortgage: $1,616.56 employee benefits: $1,539.35
4. Cabarrus County Med. Ctr.	$23,851.17	salaries: $23,851.17 no second expenditure no third expenditure
5. Charlotte-Mecklenburg	$50,000.00	salaries: $45,717.00 supplies and materials: $1,108.00 staff development: $1,000.00

[16] For some centers, the amount of State funds expended exceeds the amount of the center's 1996-1997 appropriation. This is because the center either (1) received State funds from sources other than the appropriation or (2) carried over a portion of its Fiscal Year 1995-1996 appropriation to the Fiscal Year 1996-1997.

6. Chatham County DSC	$37,716.00	salaries: $32,274.00 FICA: $2,148.00 professional services: $1,660.00
7. Cumberland County DRC	center did not report on the use of State funds	center did not report on the use of State funds
8. DSC of Cape Fear	$35,105.00	salaries: $19,244.00 rent/mortgage: $5,676.00 "program expense": $2,185.00
9. DSC of Durham	$60,000.00	salaries: $55,736.00 FICA: $4,264.00 no third expenditure
10. DSC of Moore County	$16,041.00	salaries: $14,535.00 FICA: $1,341.96 postage: $164.04
11. Duplin County DSC	$53.86	bank fees: $53.86 no second expenditure no third expenditure
12. Foothills Mediation Center (formerly Polk)	$23,900.00	salaries: $12,676.50 volunteer development: $2,656.95 employee benefits: $1,450.70
13. Henderson County DSC	$50,400.00	salaries: $38,314.08 FICA: $2,931.02 insurance: $1,249.04
14. The Mediation Center	$111,171.00	salaries: $80,163.00 employee benefits: $10,179.00 FICA: $6,133.00
15. Mediation Ctr. of Eastern Carolina	$148,272.00	salaries: $77,723.00 contractual services: $21,800.00 rent/mortgage: $9,740.00
16. Mediation Ctr. of the So. Piedmont (formerly Gaston)	$39,167.00	salaries: $39,167.00 no second expenditure no third expenditure
17. Med. Services of Forsyth County	$36,800.00	salaries: $21,690.00 rent/mortgage: $2,713.00 employee benefits: $2,610.00
18. Med. Services of Guilford County	$46,000.00	salaries: $34,500.00 FICA: $2,639.00 employee benefits: $2,408.00
19. Med. Services of Rockingham Co.	$15,000.00	salaries: $11,154.00 rent/mortgage: $710.00 telephone: $600.00
20. Med. Services of Wake	$79,186.43	salaries: $37,144.45 rent/mortgage: $18,000.00 contractual services: $4,562.52
21. Mountain DSC	$61,215.00	salaries: $42,777.00 FICA: $3,356.00 travel: $2,919.00
22. Orange County DSC	$68,023.00	salaries: $49,320.00 employee benefits: 5,425.00 FICA: $3,772.00

23. Piedmont Mediation Center	$25,620.00	salaries: $18,349.00 FICA: $2,002.00 utilities: $1,205.00
24. Robeson County DRC	late report	late report
25. Sandhills Mediation Center	$25,000.00	salaries: $15,138.00 FICA: $2,552.00 employee benefits: $2,520.00
26. Transylvania DSC	$37,500.00	salaries: $27,548.00 employee benefits: $2,258.00 FICA: $2,132.00

For twenty-two of the twenty-four centers that supplied information on their use of State funds, the primary expenditure was for employee salaries. Other significant expenditures included the following: contractual services fees; employee benefits; FICA; professional fees (for example, legal and accounting fees); and rent or mortgage.

For a more detailed view of each center's expenditure of its State funds, please refer to section III of the individual activity reports.

PART IX: LEVEL OF VOLUNTEER ACTIVITY

To follow is a summary of the activity of volunteers on behalf of each center:

Center	Total Number of Volunteers	Total Number of Volunteer Hours
1. Alamance County DSC	53	1155
2. Albemarle DSC	48	4072
3. Blue Ridge DSC	26	528
4. Cabarrus County Med. Ctr.	37	573
5. Charlotte-Mecklenburg	127	2306
6. Chatham County DSC	33	565
7. Cumberland County DRC	43	466
8. DSC of Cape Fear	60	1084
9. DSC of Durham	200	958
10. DSC of Moore County	30	541

11. Duplin County DSC	9	292
12. Foothills Mediation Center (formerly Polk)	41	1731
13. Henderson County DSC	60	4016
14. The Mediation Center	104	2982
15. Mediation Ctr. of Eastern Carolina	79	1960
16. Mediation Ctr. of the So. Piedmont (formerly Gaston)	333	456
17. Med. Services of Forsyth County	47	1384
18. Med. Services of Guilford County	864	1623
19. Med. Services of Rockingham Co.	49	1301
20. Med. Services of Wake	25	1294
21. Mountain DSC	35	1852
22. Orange County DSC	57	2110
23. Piedmont Mediation Center	39	1190
24. Robeson County DRC	late report	late report
25. Sandhills Mediation Center	23	885
26. Transylvania DSC	40	1972
TOTALS:	2462	37296

Thus, more than 2,400 volunteers provided over 37,000 hours of service to the dispute settlement centers. These volunteers served the centers in a variety of capacities, including the following:

- serving on boards of directors and advisory committees;
- providing mediation and conciliation services;
- providing facilitation, training and consultation services;
- providing court intake and court liaison services;
- providing community outreach and program development services;
- raising funds and engaging in promotional activities;
- providing clerical and other support services;
- providing grounds keeping and maintenance services;
- receiving skills training and attending educational programs;
- serving as presenters at informational meetings and instructional sessions; and
- engaging in center start-up activities.

For a more detailed view of the particular volunteer activities for each center, please refer to section IV of the individual activity reports.

PART X: FUTURE SERVICE DEMANDS AND BUDGET REQUIREMENTS

The final topic on which section 7A-346.1 requires the centers to report is the contemplated future demands for their services and their contemplated future budget requirements. To follow is a sampling of the information provided by the centers in this regard:

Center	Future Service Demands, Budget Requirements and Goals
1. Alamance County DSC	• hire a half-time administrative assistant • re-organize office staff responsibilities • raise additional grant funds to meet center needs and perhaps receive an additional $5,000.00 from the General Assembly
2. Albemarle DSC	• begin providing services (Albemarle is a new center that only recently has become fully operational) • conduct mediation sessions using community volunteer mediators • provide mediation training to businesses and agencies
3. Blue Ridge DSC	• continue to expand services in outlying counties • increase court-referred caseload (which may necessitate additional staff positions, additional volunteer training and additional travel expenses)
4. Cabarrus County Med. Ctr.	• develop a Teen Court program; center has received a $14,330.00 legislative appropriation for this program, but total estimated cost is $30,000.00 • develop classes on anger management, conflict resolution and communication for youth as part of the Teen Court program • offer classes on conflict resolution to area attorneys and health care professionals • expand family mediation services
5. Charlotte-Mecklenburg	• continue to provide existing level of services
6. Chatham County DSC	• institute a pre-warrant mediation program for criminal matters at an estimated cost of $1,500.00 • develop and implement a child custody program which focuses on decision making, conflict resolution and cooperative parenting; estimated cost of $10,000.00 - $12,000.00 • expand services offered to Latino population in order to keep pace with the increasing Latino population in the Chatham County area; estimated cost of $3,000.00 • expand programs directed at youth, including delinquency intervention and parent-child mediation; estimated cost of $40,000.00
7. Cumberland County DRC	• continue to provide existing level of services
8. DSC of Cape Fear	• expand provision of facilitation services (which will necessitate expenditures for staff training and publicity)

9. DSC of Durham	• begin mediating referrals from civil magistrates • begin providing victim-offender mediation
10. DSC of Moore County	• increase budget by vigorously pursuing grant funds • establish a worthless check program • provide youth and family services • provide more training for center mediators
11. Duplin County DSC	• secure non-State grant funding • hire an executive director • secure a facility • begin providing services on or before 1 December 1997
12. Foothills Mediation Center (formerly Polk)	• continue to implement dispute settlement initiatives in Rutherford County • expand program to include school peer mediation, truancy intervention, bad check mediation and pre-warrant criminal mediation • secure a larger office space
13. Henderson County DSC	• begin providing a pre-warrant worthless check program • collaborate with the Henderson County Emergency Shelter to provide conflict resolution services to at-risk youth and their families
14. The Mediation Center	• expand youth and family services (for example, life-skills training program, school-year activities program and mediation of juvenile abuse, neglect and dependency cases); estimated total cost of $109,000.00 • upgrade computer and photocopying equipment
15. Mediation Ctr. of Eastern Carolina	• maintain newly-created Teen Court program • implement a new RESOLVE program (RESOLVE is an eight-week family conflict resolution program created by the Eastern Carolina center; the center trains at-risk youth and their families in a variety of areas, including communication strategies, negotiation skills and parenting techniques) • continue to expand provision of services in Carteret and Craven Counties
16. Mediation Ctr. of the So. Piedmont (formerly Gaston)	• expand services into Cleveland and Lincoln Counties
17. Med. Services of Forsyth County	• continue to provide existing level of services
18. Med. Services of Guilford County	• expand family program to provide mediation services to divorcing or separating couples engaged in child custody and visitation disputes
19. Med. Services of Rockingham Co.	• continue to provide existing level of services
20. Med. Services of Wake	• provide on-site family mediation by a paid, certified family mediator • rekindle juvenile programs • follow up with previously established school programs • upgrade staff skill levels • increase outreach efforts
21. Mountain DSC	• open a satellite office in Jackson County, at a cost of approximately $25,000.00 per year

22. Orange County DSC	• expand Youth Program in order to provide parenting education and services to adjudicated youth; this expansion may require an additional full-time staff person, which would cost $32,000.00 in salary and benefits • expand Public Disputes staff, which also would cost $32,000.00, a portion of which would be covered by revenue from fees collected
23. Piedmont Mediation Center	• continue to develop HOTCAT program ("help our teens control anger today"), a training program for juveniles and their guardians • expand services to provide full coverage of criminal court in Mooresville
24. Robeson County DRC	late report
25. Sandhills Mediation Center	• develop a parent/child conflict resolution training program • hire an additional staff person to help meet the increasing demand for services • note: the Sandhills center submitted an addendum with its report that summarizes the center's objectives and accomplishments for the Fiscal Year 1996-1997; the Sandhills report and addendum are attached as Exhibit 25 to this annual report
26. Transylvania DSC	• expand family mediation services to meet increasing demand (the center recently received a non-State grant to assist with this expansion) • expand Community Collaboration program, which provides community building and group conflict resolution services

For a detailed view of each center's contemplated future service demands and budget requirements, please refer to section VI of the individual activity reports.

PART XI: CONCLUSION

As of 30 June 1997, there were twenty-six State-funded dispute settlement centers in North Carolina serving sixty-one counties. The centers provided these counties with a variety of services. In addition to mediation and conciliation, the centers also offered group facilitation, training and consultation services. Through their combined efforts, the centers served more than 36,000 persons during the past fiscal year.

The majority of these persons received mediation or conciliation services. More than 15,000 cases were referred to the dispute settlement centers for mediation or conciliation. Court officials referred the majority of these cases and most were criminal matters. The centers attempted to mediate or conciliate eighty percent of the referred cases. Of those cases the centers attempted to mediate or conciliate, ninety percent were resolved via mediation or conciliation. Specifically, the local dispute settlement centers resolved via mediation or conciliation more than 10,700 cases that otherwise may have required the significant attention of the court system.

In order to provide these services, the centers rely heavily on appropriations from the State of North Carolina. Indeed, the State appropriation was one of the top three funding sources for each of the centers that supplied financial information. For sixteen of the twenty-five centers that responded, the State appropriation was the primary funding source. The centers received assistance from a number of other sources, however, including city government, county government, county school systems, donations, in-kind contributions, IOLTA, non-State contracts and fees for services, non-State grants, State grants, Teen Court funds and the United Way. The centers also received non-monetary assistance in the form of in-kind contributions and volunteer service. With regard to the latter, more than 2,400 volunteers served the centers for more than 37,000 hours.

The centers will rely on all of these sources of income during the Fiscal Year 1997-1998. Several centers are attempting to maintain existing levels of services in the face of strict budget limitations. A number of other centers intend to expand their services into other substantive areas and geographic locations. Whatever their specific plans, all of the centers are seeking the continued support of the General Assembly and the local communities they serve.

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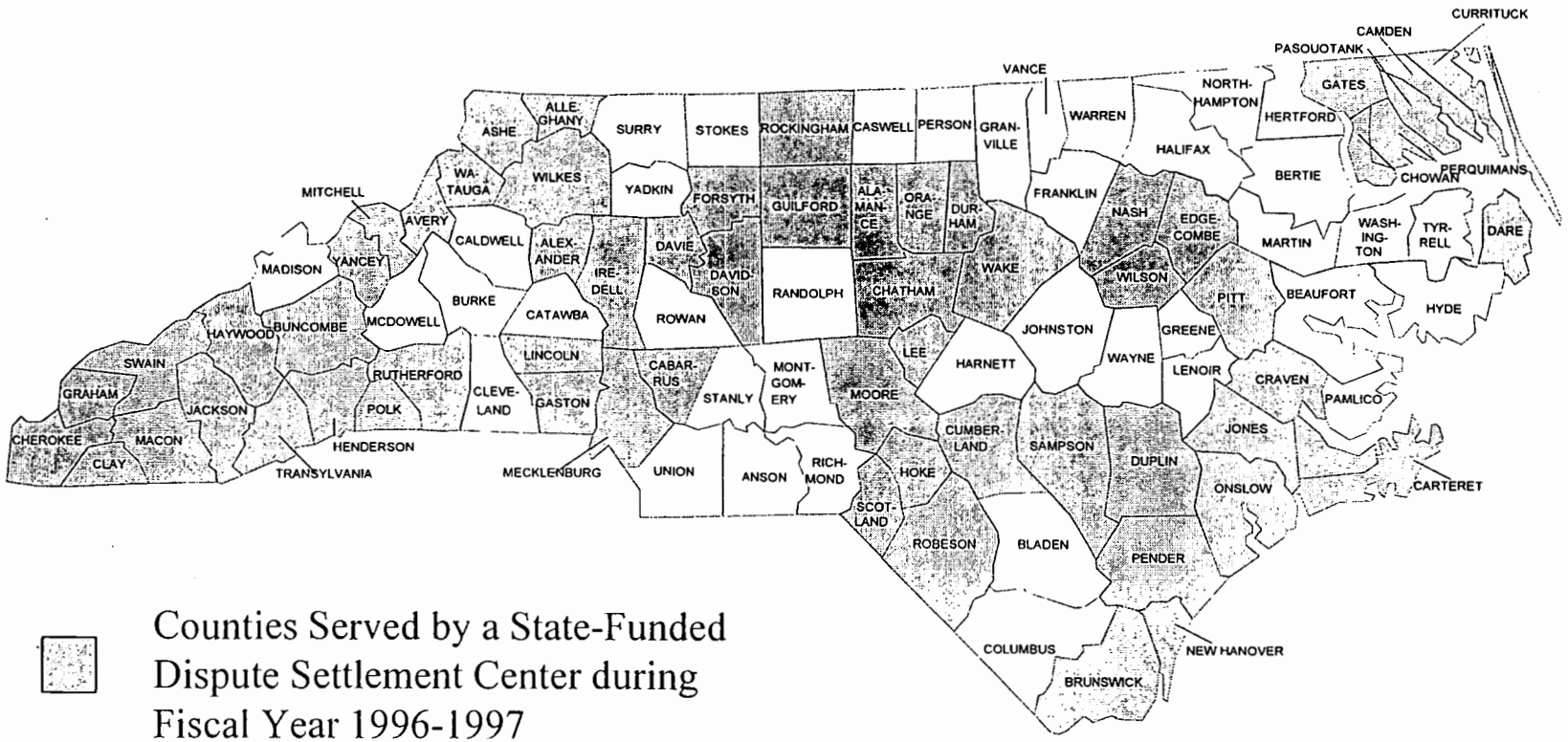
EXHIBIT 1

Local Dispute Settlement Centers

Fiscal Year 1996-1997



Counties Served by a State-Funded Dispute Settlement Center during Fiscal Year 1996-1997

Handout #4

SUMMARY REPORT ON THE FUNDING AND ACTIVITIES OF THE LOCAL DISPUTE SETTLEMENT CENTERS FOR THE FISCAL YEAR 1996-1997

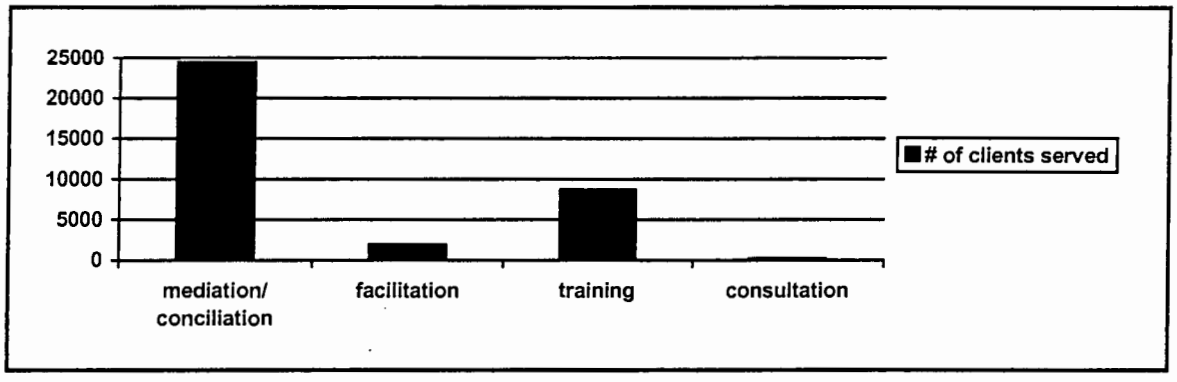
(February 1998)

General Information

- number of centers: 26
- number of counties served: 61
- centers that reported: 25
- centers that did not report: 1 (Robeson)
- centers that provided services: 24
- centers that did not provide services: 2 (Albemarle and Duplin)
- number of centers in FY 1995-1996: 24
- number of centers for FY 1997-1998: 27 (new center in Catawba)

Types of Dispute Settlement Services Provided

- primary services: mediation and conciliation
- other services: facilitation, training and consultation
- total number of persons served: 36,485
- this information may be represented graphically as follows:



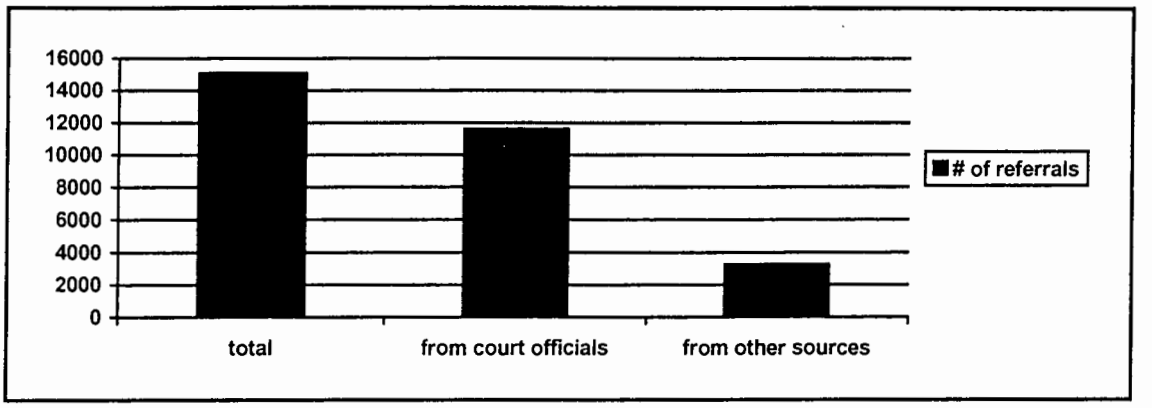
- persons served in FY 1995-1996: 43,284

Number and Type of Referrals Received

- total mediation and conciliation referrals: 15,075
- referrals from court officials: 77%
- criminal referrals: 72%
- commonly referred criminal casetypes:
  - ⇒ assault
  - ⇒ communicating threats
  - ⇒ consumer-merchant matters
- commonly referred non-criminal casetypes:
  - ⇒ consumer-merchant disputes
  - ⇒ domestic relations matters
  - ⇒ school-related problems

Number and Type of Referrals Received (continued)

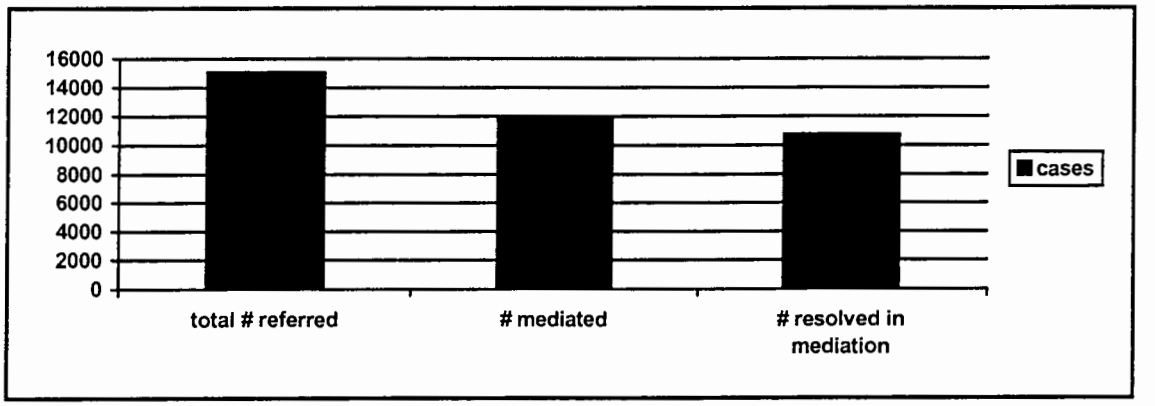
- this data may be represented graphically as follows:



- total referrals in FY 1995-1996: 16,983
- referrals from court officials in FY 1995-1996: 81%
- criminal referrals in FY 1995-1996: 75%

Cases Actually Mediated or Conciliated, Cases Resolved in Mediation or Conciliation, and Total Clients Served in the Cases Mediated or Conciliated

- total mediation and conciliation referrals: 15,075
- cases in which the centers attempted mediation or conciliation: 11,988 (83%)
- cases resolved via mediation or conciliation: 10,729 (90%)
- clients served via mediation or conciliation: 23,910
- these totals may be represented graphically as follows:



- total referrals in FY 1995-1996: 16,983
- cases in which the centers attempted mediation or conciliation in FY 1995-1996: 10,406 (61%)
- cases resolved via mediation or conciliation in FY 1995-1996: 8,790 (84%)
- clients served via mediation or conciliation in FY 1995-1996: 18,390

Total Program Funding and Funding Sources

- total amount of appropriations: $931,660
- range of appropriation amounts: $10,000 (Moore) to $72,000 (Bunc.)
- average appropriation amount: $35,833

Total Program Funding and Funding Sources (continued)

- primary funding sources:
  - ⇒ legislative appropriation
  - ⇒ city government
  - ⇒ county government
  - ⇒ donations
  - ⇒ in-kind contributions
  - ⇒ IOLTA
  - ⇒ non-State contracts and fees
  - ⇒ non-State grants
  - ⇒ State grants
  - ⇒ Teen Court funds
  - ⇒ United Way
- total appropriations for FY 1997-1998: $986,660
- range of appropriation amounts for FY 1997-1998: $10,000 (Moore) to $72,000 (Bunc.)
- average appropriation amount for FY 1997-1998: $36,543

Funding Ratios

- centers not in compliance:
  - ⇒ Albemarle (Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans)
  - ⇒ Blue Ridge (Alleghany, Ashe, Avery, Mitchell, Watauga, Wilkes, Yancey)
  - ⇒ Cape Fear (Brunswick, New Hanover, Pender)
  - ⇒ Duplin (Duplin, Jones, Onslow, Sampson)
  - ⇒ Foothills (Polk, Rutherford)
  - ⇒ Moore
  - ⇒ Mountain (Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain)
  - ⇒ Sandhills (Hoke, Scotland)
  - ⇒ Southern Piedmont (Gaston, Lincoln)
- centers not in compliance in FY 1995-1996:
  - ⇒ Cape Fear (Brunswick, New Hanover, Pender)
  - ⇒ Duplin (Duplin, Jones, Onslow, Sampson)
  - ⇒ Moore
  - ⇒ Mountain (Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain)
- note: new funding ratio scheme applicable beginning in FY 1997-1998

Use of Total Funds

- primary expenditure: staff salaries
- other common expenditures:
  - ⇒ contractual services fees
  - ⇒ employee benefits
  - ⇒ equipment rental and purchase
  - ⇒ FICA
  - ⇒ fundraising costs
  - ⇒ IRS fees
  - ⇒ professional fees (for example, legal and accounting fees)
  - ⇒ rent or mortgage
  - ⇒ volunteer development costs

Use of State Funds

- primary expenditure: staff salaries
- other common expenditures:
  - ⇒ contractual services fees
  - ⇒ employee benefits
  - ⇒ FICA
  - ⇒ professional fees (for example, legal and accounting fees)
  - ⇒ rent or mortgage

Level of Volunteer Activity

- number of volunteers: 2462
- total volunteer hours served: 37,296 hours
- types of volunteer services:
  - ⇒ serving on boards of directors and advisory committees
  - ⇒ providing mediation and conciliation services
  - ⇒ providing facilitation, training and consultation services
  - ⇒ providing court intake and court liaison services
  - ⇒ providing community outreach and program development services
  - ⇒ raising funds and engaging in promotional activities
  - ⇒ providing clerical and other support services
  - ⇒ providing grounds keeping and maintenance services
  - ⇒ receiving skills training and attending educational programs
  - ⇒ serving as presenters at informational meetings and instructional sessions
  - ⇒ engaging in center start-up activities
- number of volunteers in FY 1995-1996: 2189
- volunteer hours served in FY 1995-1996: 31,113 hours

Future Service Demands and Budget Requirements

- common responses:
  - ⇒ increased provision of youth and family services
  - ⇒ expansion into adjacent counties
- centers continue to rely heavily on their respective legislative appropriations

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Judicial Department

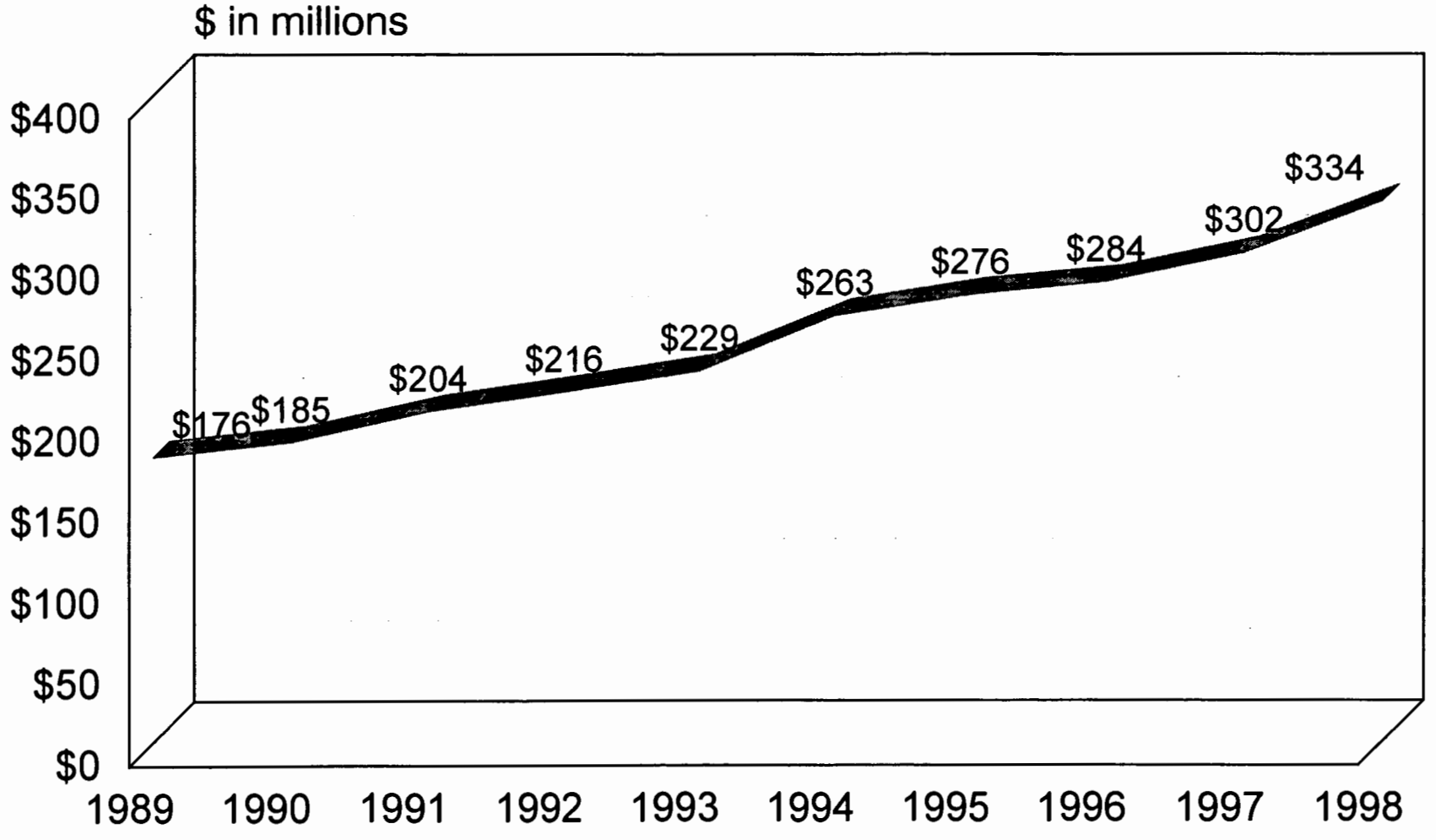
OVERVIEW OF KEY FISCAL TRENDS

Interim Meetings of Joint Appropriations Subcommittee on Justice and Public Safety
February 18, 1998

Handout #5

JUDICIAL DEPARTMENT

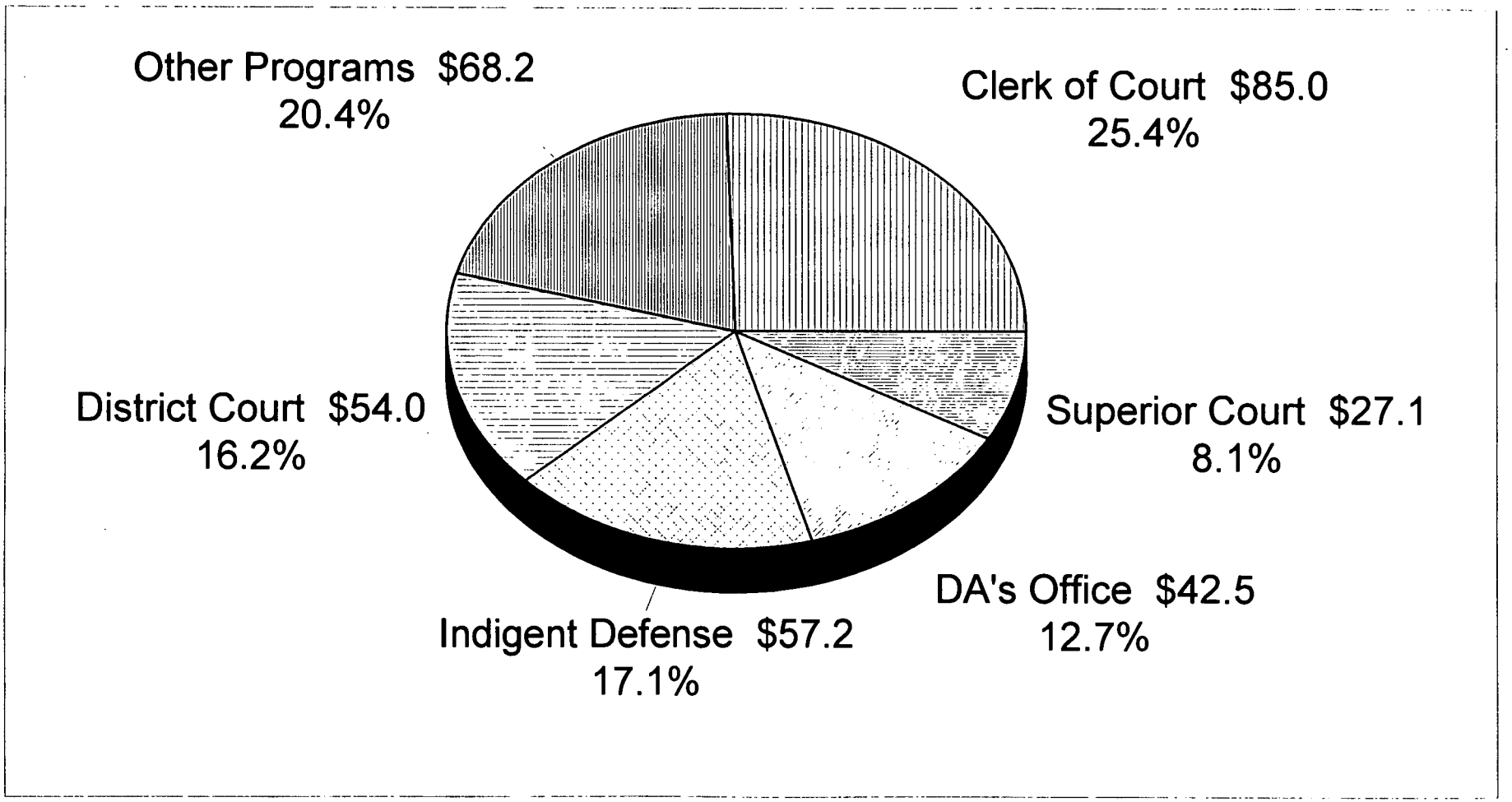
General Fund Expenditures FY 1989 - 1997



FY 1997-98 figure based on authorized budget as of 12/31/97 - Total State General Fund Budget has Increased Approximately 76% Over Same Period ($6.6 to $11.6 Billion)

Judicial Department

FY 1997-98 Authorized Budget by Major Program ($ in millions)



*Total Authorized Budget is $334m - Source: BD 701 Budget Report as of 12/31/97

Judicial Department

Review of Major Budget Increases Since 1995 Session

- Additional Court Personnel Statewide - Approximately $20m Annualized
  - 122 Assistant District Attorneys and 77 Support staff
  - 165 Deputy Clerks of Court
  - 6 Superior Court and 12 District Court Judges
  - 10 Court Reporters and 19 Magistrates
  - 25 Juvenile Court Counselors
- Technology - $12.7 m
  - DA / PD Case Management System
  - Magistrates Criminal Information System
  - Additional Intelligent Workstations
- Alternative Dispute Resolution / Case Management Programs - $4.2 m
  - Arbitration and Custody Mediation
  - Dispute Settlement Centers
  - Criminal and Civil Case Management Programs
- Indigent Defense for Private Attorneys - $6.6 m
- Legislative Salary Increases - Approximately $20 m Annualized
- Above Information Includes FY's 1995-96, 1996-97, and 1997-98

JUDICIAL DEPARTMENT

Growth in Personnel - - FY 1986-87 through 1997-98

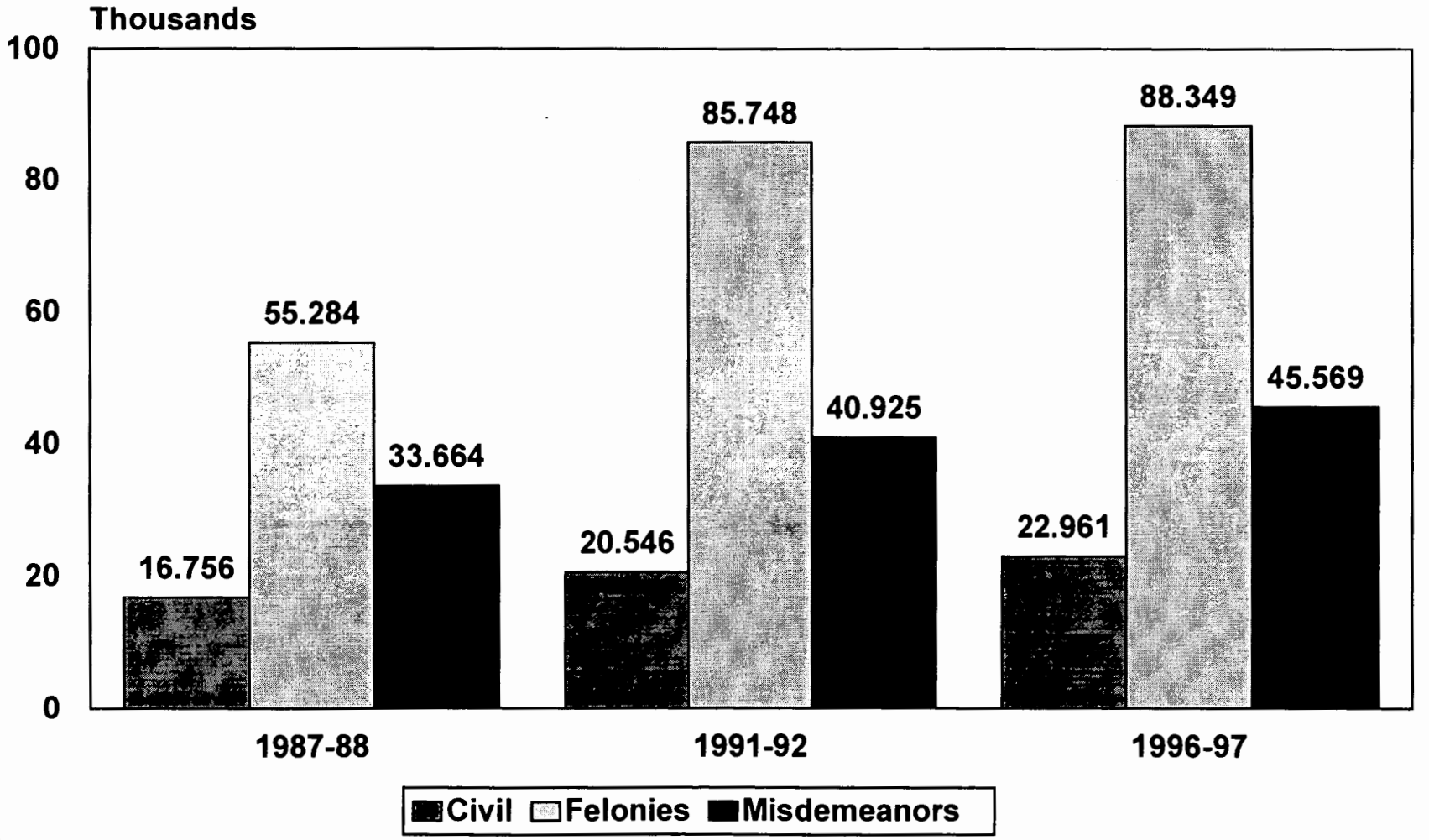
	FY 86-87	FY 87-88	FY 88-89	FY 89-90	FY 90-91	FY 91-92	FY 92-93	FY 93-94	FY 94-95	FY 95-96	FY 96-97	FY 97-98
# of Prosecutors	257	262	268	287	294	304	325	338	338	346	406	460
# of Clerks	1,726	1,746	1,757	1,820	1,825	1,864	1,914	2,025	2,022	2,049	2,078	2,178
# of District Court Judges	151	151	162	164	179	179	179	180	192	194	198	204
# of Superior Court Judges	72	74	77	77	82	82	82	92	93	95	99	99
# of Magistrates	637	640	644	654	659	653	658	659	676	679	687	695

Percentage increase in number of positions since FY 1986-87:
Prosecutors - 79%
Clerks - 26%
DC Judges - 35%
SC Judges - 38%
Magistrates - 9%

Percentage increase since FY 1994-95:
Prosecutors - 36%
Clerks - 8%
DC Judges - 6%
SC Judges - 6%
Magistrates - 3%

JUDICIAL DEPARTMENT

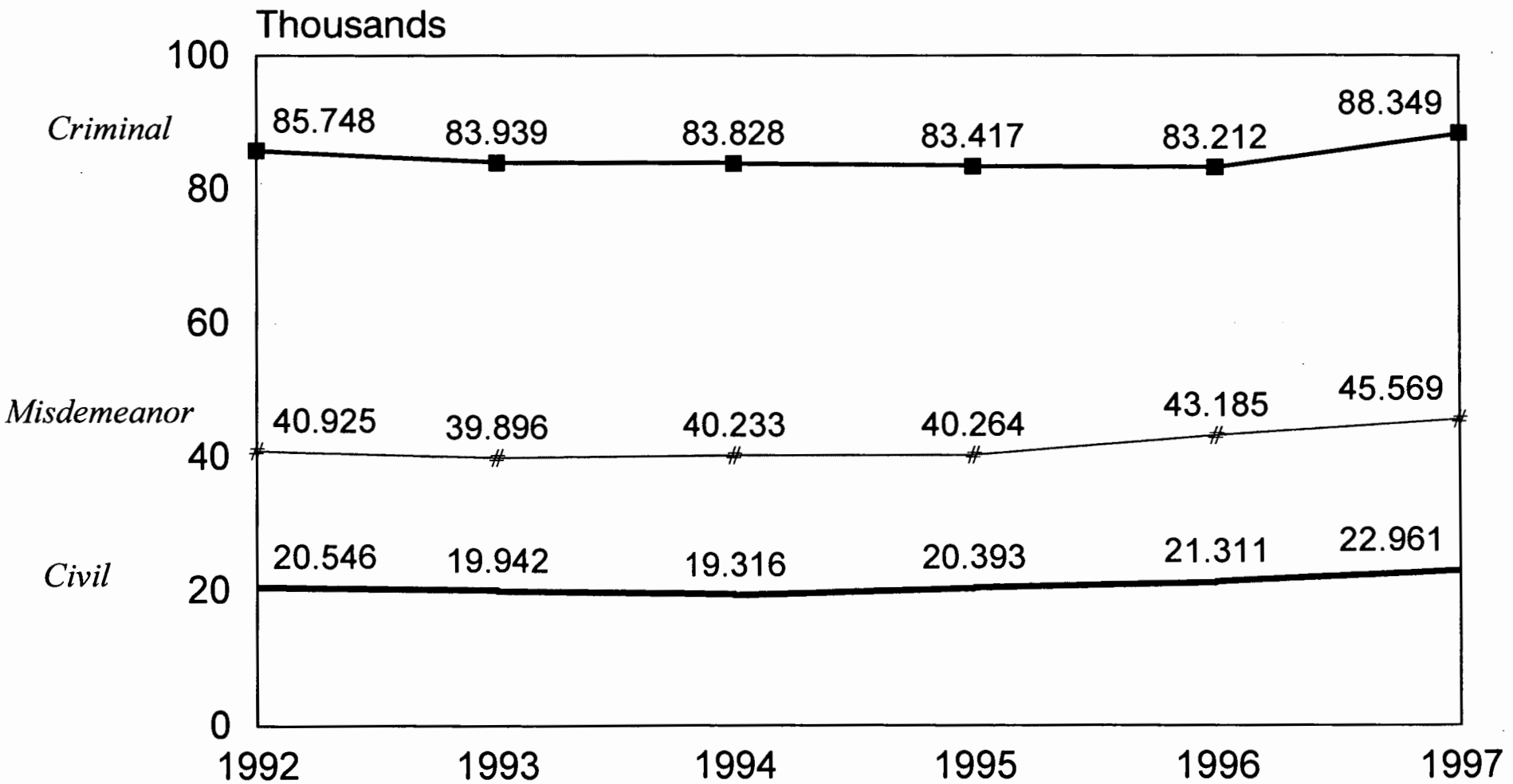
Superior Court Filings*



Notes:
* Excludes estates and special proceedings.

Judicial Department

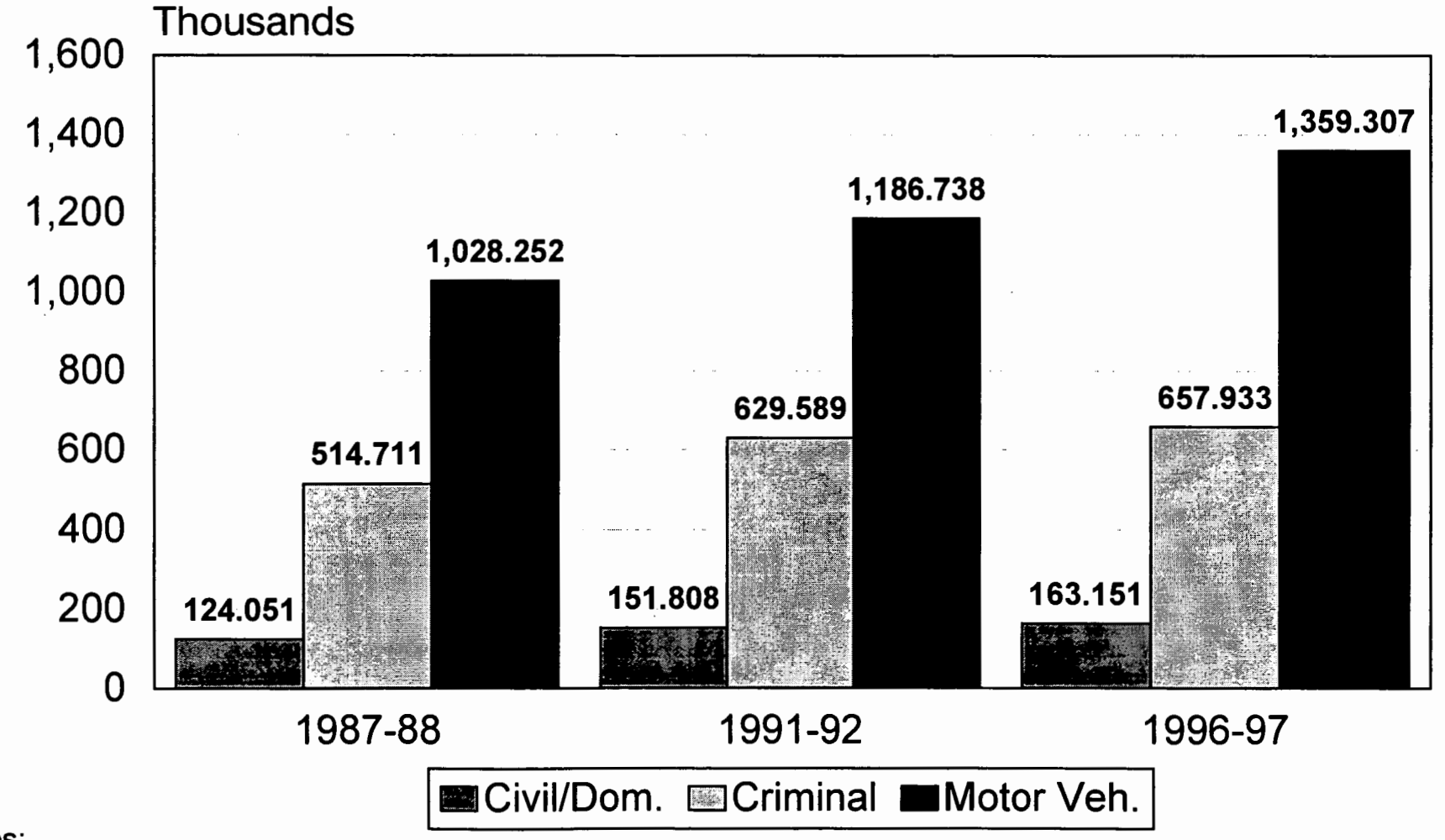
Changes in Superior Court Filings Since FY 1991-92



*Data Provided by AOC Research & Planning Office

JUDICIAL DEPARTMENT

District Court Filings*

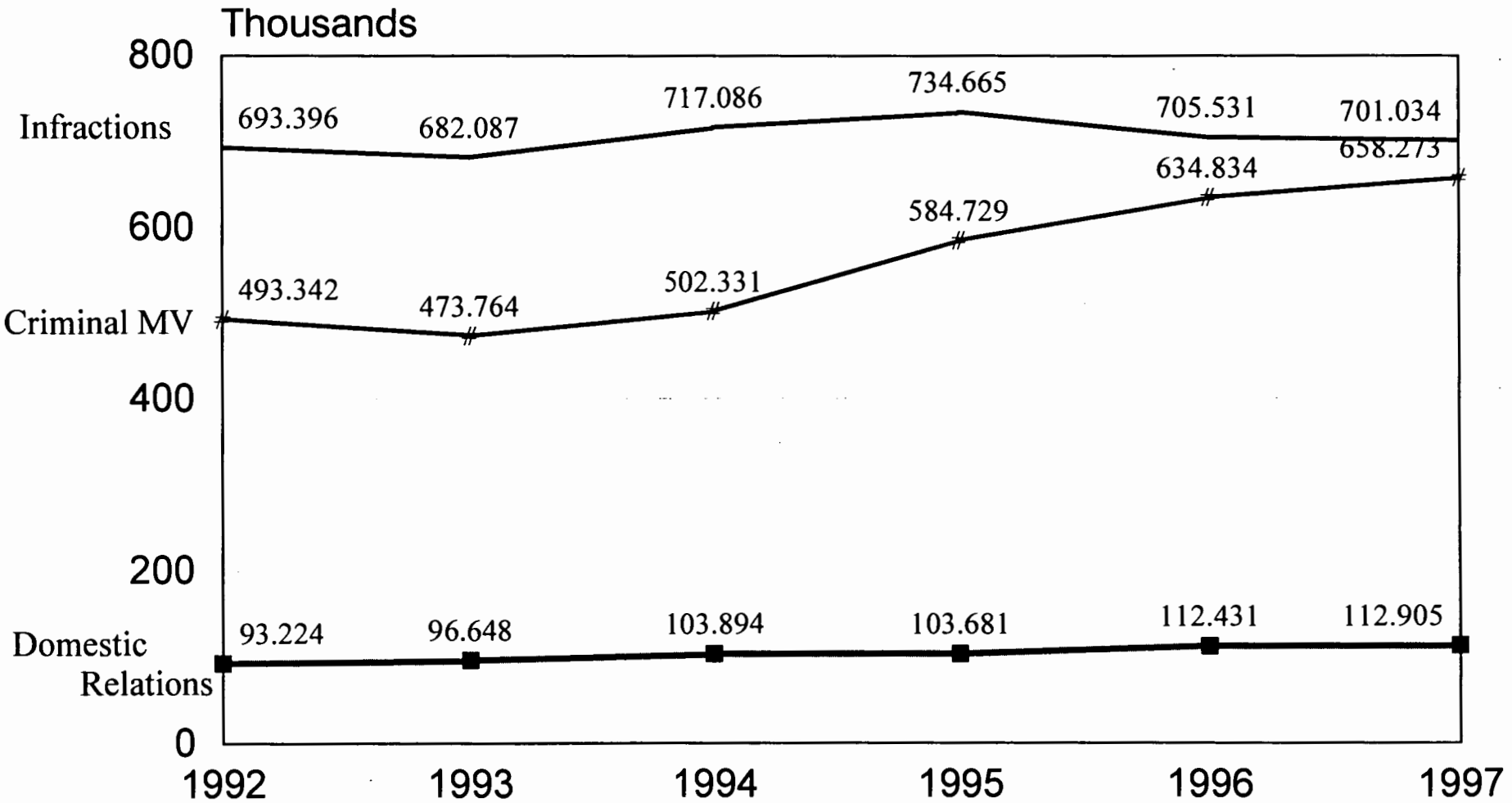


Notes:

* Excludes civil magistrate filings and civil license revocations.

Judicial Department

Changes in District Court Filings Since 1991-92



* Data Provided by AOC Research & Planning Office

Judicial Department

Future Policy and Budgetary Issues

- How is Judicial Workload Changing?
  - Effect of More Law Enforcement Personnel
  - More Complex Cases (Family, DWI, Drugs, Capital)
  - Does Additional Prosecutorial Personnel Allow:
    - More Pre-Charge Investigation
    - More Jury Trials / Fewer Pleas
- Possible Solutions to Changes in Judicial Workload
  - Continued Modernization of Court System Equipment
  - Additional Court Personnel
  - Alternatives to Litigation
  - Case Management Programs
- Indigent Defense Expenditures
- Court Futures Recommendations
- Victims' Rights Legislation Implementation

Handout #6

Judicial Branch of Government

February 19, 1998

Page 1-2	**JUDICIAL ADVISORY COMMISSION FOR COURT OPERATIONS** **Purpose: Develop a Business Plan for the Courts** **Appointments: Two-Years by the Chief Justice & AOC Director** **Chairperson: Justice Henry Frye**
Page 3	**Summary of New District Court Judgeships and Major Legislation that Affected District Court Workload (1988 - present)**
Page 4	**Survey Questions for Chief District Court Judges**
Page 5	**District 12 and District 19B: Comparison of Sessions of Court 1988/1989, 1997/1998 by Type**

Judicial Advisory Commission for Court Operations

Mission

Chief Justice Mitchell and Dallas Cameron, Director of the Administrative Office of the Courts, need you to become part of an effort to determine what our courts must do to ensure a successful future, the Judicial Advisory Commission for Court Operations.

The Commission will be charged with identifying new ways of serving the citizens of North Carolina. We need to determine better processes and procedures for handling the caseload of tomorrow in a more efficient and effective manner and we need guidance on setting budget priorities for the system overall.

Your knowledge, imagination, and vision will enable us to understand what it will mean to be a trial court judge, district attorney, clerk of superior court, magistrate, public defender, litigant, juror, or witness in the future.

We need your participation in order to successfully define the role of the Judicial Branch of Government in an era marked by intense public scrutiny, increased competition for limited public resources, and rapid changes in information technology.

Specifically, the Commission will be charged with the following tasks:

-advise the Chief Justice and AOC Director in setting priorities;
-appraise court operations;
-establish performance standards and goals;
-develop new procedures and processes; and,
-provide input into the budget development process based on priorities.

MEMBERSHIP

Chair
Justice Henry E. Frye, Supreme Court

Superior Court Judges

Judge Wiley F. Bowen	District 11 - Lee, Harnett
Judge G. K. Butterfield, Jr.	District 7B - Wilson
James L. Baker, Jr.	District 24 - Watauga, Avery, Mitchell, Yancey, Madison
Henry W. Hight, Jr.	District 9 - Franklin, Vance, Warren, Granville

District Court Judges

Judge John J. Snow, Jr.	District 30 - Haywood, Jackson, Swain, Graham, Macon, Clay, Cherokee
Judge William M. Neely	District 19B - Randolph, Montgomery, Moore
Judge Alfred W.Kwasikpui	District 6B - Bertie, Hertford, Northampton
Judge Kim Tucker	District 12 - Cumberland

District Attorneys

John E. Carriker	District 5 - New Hanover, Pender
David T. Flaherty, Jr.	District 25 - Caldwell, Burke, Catawba
Rex Gore	District 13 - Bladen, Columbus, Brunswick

Clerks of Superior Court

Georgia Lee Brown	Harnett County
Timothy L. Spear	Washington County
Martha H. Curran	Mecklenburg County
George T. "Tommy" Griffin	Cumberland County
John Kennedy	Wake County

Magistrates

James C. Cole	Harnett County
Jean Massengill	Johnston County

Public Defender

Angus B. Thompson II	District 16B - Robeson County
Wallace C. Harrelson	District 18 - Guilford

Summary of New District Court Judgeships and Major Legislation Enacted that Affects District Court Caseload
1988-present

1988	1989	1990	1991	1992
11 judgeships (1/89) Domestic Violence laws expanded Juvenile Code changes	2 judgeships (7/89, 12/89) Child Support changes Mental health commitment laws Domestic Violence changes Criminal law changes Juvenile Code changes Magistrate small claim jurisd. Child Custody mediation	15 judgeships (7/90, 12/90) Criminal law changes Juvenile law changes	0 judgeships Impaired Driving law changes Family law changes Juvenile law changes Criminal law changes	0 judgeships Family/Juvenile law changes Criminal law changes
1993	**1994**	**1995**	**1996**	**1997**
6 judgeships DUI law amended Juvenile Code amendments Family law amendments Magistrate small claim Jurisdiction Criminal law changes	7 judgeships Criminal law changes Family law amendments Juvenile law changes	2 judgeships DUI amendments Domestic Violence laws amended Actions for waiver of parental consent for abortion Child Support Enforcement Amendments Civil law changes District Court reporters Abolished Criminal law changes	4 judgeships (12/96) District Court criminal jurisdiction Criminal law changes Domestic violence law amendments Juvenile law changes	6 judgeships (12/97) DUI enhancements Victims Rights amendment pend. Mediation pilot Criminal law changes

Chief District Court Judges
Court Workload Survey

1) What is the typical number of cases on your calendar for a day?
Criminal? Civil?

2) Describe the cases by type over a period of one month. For example, describe the number of sessions or court days for juvenile cases: 2 sessions of court per week. (see example)

If possible, compare these categories to 10 years ago.

Please describe Juvenile sessions, DWI sessions, TPR sessions, domestic sessions and any other major categories. Provide additional anecdotal information. For example, Equitable Distribution cases typically lasted two hours ten years ago but today a typical case lasts 3 hours and involves 2 hours work outside court.

Do you need more judges/a judge? If so, justify based on the above information.

3) What is the single biggest resource problem you face -- support staff, technology, time, complexity of cases/need for more judges. Describe the other resource needs in priority order (please list any resource needs and describe; this list is not exhaustive).

4) If you could request and receive anything to alleviate the resource, what would it be (please be specific) -- another judge to handle ____ cases or ____ sessions of court, a law clerk, another judicial assistant, more clerks, interns, computers, trial court coordinator/administrator, etc. Please describe all that apply.

5) How has your job as CDCJ changed over the past two years/ past ten years?

6) Describe any techniques you have undertaken to "better manage" your caseload and that of your other judges. Has technology enhanced your ability to manage cases in your district? How could future technology assist you?

Comparison of Court Sessions by Case Type (over one month)
District 19B (Randolph, Montgomery, and Moore Counties)

YEAR	City	Type of Court	# sessions of court
1989 *	Asheboro	Civil	8 sessions of court
(3 judges)	Asheboro	Criminal	12 sessions of court (11 in Asheboro, 1 in Liberty)
	Asheboro	Juvenile	4 sessions of court
	Troy	Civil	4 sessions of court
	Troy	Criminal	8 sessions of court
	TOTAL		**36**

*** 3 judges for Randolph and Montgomery Counties only**

YEAR	City	Type of Court	# sessions of court
1998 *	Asheboro	Civil	12 sessions of court
(5 judges)	Asheboro	Criminal	18 sessions of court
	Asheboro	Juvenile	5 sessions of court (3 regular juvenile, 2 DSS)
	Troy	Criminal	8 sessions of court
	Troy	Civil	4 sessions of court
	TOTAL	**Civil**	**12**
		Criminal	**20**
New Courts			
	Asheboro	50B (Dom. Viol.)	4 sessions of court
	Asheboro	Child Support	3 sessions of court
	Troy	Child Support	1 session of court
	Troy	Juvenile	1 session of court

Total civil for both (not including Montgomery)	**16**
Total criminal	**26**
Total juvenile	**6**
Total child support	**4**
Total 50B	**4**
TOTAL	**56**

*** 5 judges for Randolph, Montgomery, and Moore Counties**

Comparison of Court Days by Case Type (over one month)
District 12 (Cumberland County)

YEAR	Type of Court	# days of court
1987/88	Juvenile	12 days (3 days/week)
	Domestic	10 days (2 weeks/month)
6 judges		
1997/98		
	Juvenile	23 days (5 days/wk + at least 1 special session per month 3 days)
	Domestic	50 days (2 1/2 courts/wk); does not include 2 days of 50B court per week - combined with criminal)
8 judges		

Civil sessions have remained the same - 2 weeks/month

Some Legislation Enacted Over Last Decade that Affected District Court Workload

AOC, Research Services, 2/98

1988 (eleven new district court judgeships created effective January 1, 1989)

-- Domestic violence laws expanded as regards violence against minors; additional hearings and finding required in certain circumstances for emergency orders

-- Juvenile Code changes include requirements for additional findings/procedures in certain cases

1989 (two new district court judgeships, one effective 7/1/89 and one effective 12/1/89)

-- Child support changes affecting application of guidelines, making of new findings in various actions, and income withholding

-- Mental health involuntary commitment laws amended in various respects, in some instances clarifying/easing the standards for commitment

-- Domestic violence changes make it easier to seek civil protective orders and enhance enforcement through contempt

-- Criminal law changes enhanced punishments and/or created new or expanded existing offenses (affecting, among others, certain credit card frauds, littering offenses, tax evasion, and more); a new commercial driver's license system was enacted, with various criminal penalties

-- Juvenile Code changes include requirements for additional findings/procedures in certain cases, including orders for treatment of parents, dispositional options, and expunction of records

-- Magistrate small claim jurisdiction increased from $1,500 to $2,000

-- Child custody mediation law enacted, after successful pilot in Mecklenburg and Gaston, providing for phasing in statewide

1990 (fifteen new district court judgeships, one effective 7/1/90, and 14 effective 12/3/90)

-- Criminal law changes included new house arrest provisions for certain DUI offenders

-- Juvenile law changes amend provisions affecting abuse and neglect cases, child support, and termination of parental rights

1991 (no new district court judgeships)

-- Impaired driving laws were amended in several major ways, including to lengthen revocation periods and increase penalties.

-- Family law changes included allowing summary judgments in divorces, interim equitable distribution orders, and other changes

-- Juvenile law changes included a new requirement for detailed findings before commitment of a juvenile to Youth Services

-- Criminal law changes (in addition to DUI) enhanced punishments and/or created new or expanded existing offenses (affecting various sentencing provisions and crimes, among others, worthless check, larceny, hunting, tobacco sales, ABC laws, littering, and more)

1992 (no new district court judgeships)

-- Family/juvenile law changes included a new action that a parent can bring for return of a runaway child; additional ground for termination of parental rights; and changes affecting equitable distribution, including trials before absolute divorce and distribution of retirement and similar benefits

-- Criminal law changes enhanced punishments and/or created new or expanded existing offenses (affecting stalking, prison escapes, the binding over of juveniles for trial as an adult, and more)

1993 (six new district court judgeships created effective during 1993-94)

-- DUI law was amended to reduce the alcohol threshold from .10 to .08; several other DUI-related changes expanded/enhanced offenses and penalties

-- Juvenile Code amendments were extensive, expanding the scope of juveniles subject to abuse/neglect/dependency definitions, changing several reporting requirements, expanding probation conditions, and more

-- Family law amendments changed certain substantive provisions affecting equitable distribution, child support, and paternity cases

-- Magistrate small claim jurisdiction increased from $2,000 to $3,000

-- Criminal law changes (in addition to DUI) enhanced punishments and/or created new or expanded existing offenses (affecting, among others, cocaine possession, certain weapons offenses by minors, certain assaults, and more)

1994 (seven new district court judgeships created effective during 1994-95)

-- Criminal law changes were highlighted by the October 1, 1994, effective date of the new Structured Sentencing law; other amendments enhanced punishments and/or created new or expanded existing offenses (affecting computer crimes, conditions for pretrial release of certain sexual offenders, handgun violations by minors, false reports to law enforcement, and more)

-- Family law amendments changed certain substantive provisions in areas of child support, paternity, and secure custody hearings; teen court program was funded

-- Juvenile law changes included legislation authorizing use of certain juvenile records for later adult sentencing; provisions requiring probable cause hearings for and trying a juvenile as an adult were expanded to 13-year olds

1995 (two new district court judgeships created)

-- DUI amendments were extensive, implementing the Governor's Task Force recommendations, affecting limited driving privileges, numerous youth provisions, sentencing, open container provisions, and many other areas

-- Domestic violence laws were amended to expand protective order authorities, add certain criminal sanctions, and establish new pretrial release procedures before judges

-- Actions for waiver of parental consent for a minor's abortion added to district court workload

-- Several amendments affected child support enforcement

-- Civil law changes included extensive amendments to landlord-tenant and summary ejectment laws, and changes affecting civil damages for worthless check and certain other property offenses

-- All district court court reporters were abolished and electronic recording equipment was purchased

-- Criminal law changes enhanced punishments and/or created new or expanded existing offenses (affecting, among others, assaults, concealed handgun laws, tobacco sales, welfare and various other frauds, and more)

1996 (four new district court judgeships created effective 12/15/96)

-- District court criminal jurisdiction was expanded to include guilty pleas to Class H and I felonies

-- Other Criminal law changes enhanced punishments and/or created new or expanded existing offenses (affecting, among other things, post-conviction proceedings, certain frauds, handgun violations, and more)

-- Domestic violence law was amended primarily affecting civil protective orders, expanding their availability and enhancing enforcement

-- Juvenile law changes included finger printing of juveniles, dispositional alternatives, and other matters

1997 (six new district court judgeships created effective 12/1/97)

-- DUI enhancements greatly expanded provisions for forfeiture of vehicles of repeat offenders, increased various DUI punishments, extended the period of civil license revocations, and enacted "zero tolerance" for young drivers

-- The voters approved an amendment to the N.C. Constitution for victims rights, and implementing legislation remained pending -- substantial impact on district courts anticipated from some aspects

-- Mediation pilot authorized for equitable distribution, alimony and support issues

-- Other criminal law changes enhanced punishments and/or created new or expanded existing offenses. Violation of a domestic violence protective order was made a misdemeanor, and other changes affected stalking, shoplifting, certain prison offenses, frauds, tobacco offenses, sex offender registration laws, and more

HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Tuesday March 17, 1998 10:00 a.m.
Room 612, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Wib Gulley

Representative Larry Justus, Presiding
Representative Gregg Thompson
Representative Joe Kiser

II. PRESENTATIONS

Morning

- Report on Custody Mediation and Arbitration Programs

  Jan Hood, Administrator, Custody Mediation Programs
  Miriam Saxon, Administrator, Arbitration Programs

- Report on the Tarheel Challenge Program in the Division of the National Guard

  Leslie T. Everett, Jr., Director

- Status Report on SAVIN Victims Notification System

  Rob Lubitz, Director, Governor's Crime Commission

Afternoon

- Annual Report on Project Challenge Program (AOC)

  Gordan Keith, Director, Challenge Program

- Other Topics (Highway Patrol)

III. OTHER BUSINESS

IV. ADJOURNMENT

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
INTERIM STUDY 1997-98
March 17, 1998

House Members Present: [10] Representatives Justus, Thompson, Kiser, McCrary, Hardy, Kinney Redwine, Sexton, Smith and Easterling

Senate Members Present: [5]

Call To Order

The Joint Appropriations Subcommittee on Justice and Public Safety met on Tuesday, March 17, 1998. Representative Justus called the meeting to order at 10:12 AM.

Presentations

Report on Custody Mediation and Arbitration Programs

Representative Justus recognized Jan Hood, Administrator, Custody Mediation Programs, for her presentation. Attachment 1 was distributed to committee members. Ms. Hood gave the history and program summary of the custody mediation program. Parents are referred to a class and shown a video. At the end of the class an appointment is scheduled with the mediator. The parties may not reach a settlement in mediation and may choose to take the matter to court. Senator Ballance asked if domestic violence cases are sent to custody mediation. Ms. Hood replied that domestic violence and substance abuse cases are not sent to mediation. Ms. Hood reported that there is a 55%-56% resolve rate of the cases handled. Senator Ballance questioned the costs to families. Ms. Hood replied that there is no cost once the case is in the court system. Representative Kiser asked if child support is included in mediation cases. Child support must go before the judge.

Representative Justus recognized Miriam Saxon, Administrator, Arbitration Programs, for her report. Attachment 2 was distributed. Ms. Saxon stated that the arbitration program is third party neutral. An arbitrator, who is an attorney, hears the case and renders a decision. This program has reduced trial rate twenty percent. The court ordered arbitration involves claims for money damages of $15,000 or less. Excluded from the program are property disputes, family law matters, estates, special proceedings, and class actions.

moved also. Representative Thompson asked that someone from DMV present the DMV side of the argument for this property.

Lt. Smith, Highway Patrol, responded to Representative Justus on the matter of wrecker service for trucks in the western part of the state. Representative Justus remarked that a wrecker bill can be as much as $15,000 for a severe accident. Lt. Smith said a list is kept of available wrecker services. This list is utilized by rotation unless the owner of the vehicle requests a specific operator. Representative Justus asked for the listings and rotations for two troops be provided to the committee. Senator Gulley requested a listing of wrecker calls for the last year and the business called.

Representative Justus asked for the total costs of highway patrolmen at special events. Representative Easterling suggested that off duty troopers could be used for special events. Joe Stewart stated that off duty troopers are not allowed to perform outside work. Representative Sexton asked for the formula to provide troopers for special events. Joe Stewart will provide this information.

The Meeting was adjourned at 3:20 PM.

Larry Justus
Representative Larry Justus
Chairman

Carolyn Justus
Carolyn Justus
Committee Clerk

Representative Sexton asked for the cost to have the arbitration program statewide. Chris Marks, Administrative Office of the Courts, replied the cost would be four million. Senator Wellons stated some consideration should be given to bring mediation and arbitration together. Senator Ballance remarked that six committee members are on the Future of the Courts Committee. The Futures Committee should consider these type programs to help the courts plan. They are designed to bring speedy resolutions to problems.

Senator Wellons asked for the costs of court cases if the cases settled by arbitration had been tried in court.

Report on the Tarheel Challenge Program in the Division of the National Guard

Joe Stewart, Department of Crime Control and Public Safety, introduced Leslie Everett, Director, Tarheel Challenge. Mr. Stewart reported that the department very strongly in this program. The Federal Government is changing their relationship with states on this program. March money will be required. Attachment 3 was distributed. Mr. Everett explained that the Tarheel Challenge is a voluntary program. Courts cannot order teens into this program. The program is a quasi-military style program for high school dropouts/expelees. A highly structured disciplined approach is focused toward changing behavior.

The Tarheel Challenge is comprised of a twenty-two week in-resident program and a one year post-resident/mentorship. Each attendee is required to complete sixty hours of community service. The cost per student is $12,403.00. For 1998, the match money required is $542,000.00. Representative Justus remarked that the Tarheel Challenge is a "bargain" when you consider that the juvenile detention centers costs some $48,000 per year.

Mr. Everett stated that 23%-36% of applicants tests positive for drugs on the day they report into the class. They are not allowed to stay if another drug test is positive. Mr. Everett continued that each student had received a stipend upon graduation from the program; however due to a reduction in funds, no stipend was given to two classes. Representative Easterling requested the statistics on the graduates from Mecklenburg County. Senator Wellons asked for the cost to provide the classes that did not receive stipends with the money. Col. Benson, National Guard, added that this is the most cost effective program of its type in the United States.

Mr. Everett covered the material on page 18 of Attachment 1. This covers one time additional funding needs for a total of $185,900.

The committee recessed for lunch at 12:30 PM to reconvene at 1:30 PM.

Representative Justus reconvened the meeting at 1:40 PM.

Status Report on SAVIN Victims Notification System

Representative Justus recognized Rob Lubitz, Director, Governor's Crime Commission, for this presentation. Attachment 4 -- Statewide Automated Victim Information and Notification System -- was distributed to members. Mr. Lubitz introduced Mary Lowery, Governor's Crime Commission. Mr. Lubitz explained that a special committee initiated an effort to design and implement a statewide automated victim information and notification (SAVIN) system. By linking computers at criminal justice agencies and telephone lines to a database suitable for supporting announcements to the public, SAVIN would deliver status information on inmates, probationers, and parolees under the North Carolina Department of Correction. SAVIN would also deliver status information on persons in North Carolina's county jails and pilot sites could be established to test an automated courts events system. The Victims Committee of the Governor's Crime Commission reserved one million dollars in Federal grant funds for SAVIN's implementation. Mr. Lubitz stated that the Department of Correction will be on-line first; followed by all jails; and two pilot programs for court systems. The initial costs will be:

DOC	*$20,000*
Jails	*$100,000*
Pilot program	*$20,000*

Attachment 5 -- Demonstration -- was distributed.

Annual Report on Project Challenge Program (AOC)

Representative Justus recognized Gordan Keith, Director Challenge Program. Attachment 6 was distributed. Mr. Keith explained that Project Challenge provides immediate restitution to the victim. The program is expanding into the 25th and 29th Judicial Districts. An arrangement with the Administrative Office of the Courts provides office space and local telephone service. The program provides direct service to youth involved in the juvenile court system. Referrals are made by the courts and Juvenile Court Counselors. The program requests a minimum of 65 hours of community service for each referral and facilitates monetary restitution to victims of juvenile crime.

Senator Gulley asked for the last three years of Project Challenge broken down by quarter as to the 1. Number of participants 2. The number completing the program. 3. The recidivism rate 4. The cost per participant.

Lt. Smith, State Highway Patrol, answered questions from committee members. Representative Thompson stated that he attended the ACC tournament in Greensboro. The traffic control was done entirely by Greensboro police. When he attended a Panthers game in Charlotte, there were sixty Highway Patrol cars there.

Representative Justus asked about the plan to use the track site for the Highway Patrol for a new DMV office building. Joe Stewart replied that Commissioner Faulkner has asked for this property for a new building. The Highway Patrol has responded that if the driving range is built at Butner on existing state property; the training center should be

CHILD CUSTODY AND VISITATION MEDIATION

History:

In 1983, the General Assembly enacted legislation establishing a child custody mediation pilot program in the 26th Judicial District. In 1987 the pilot program was expanded to include a second judicial district, District 27A. Charged by the General Assembly to report on the pilot program during the 1989 Session, the Director of the Administrative Office of the Courts (AOC) recommended statewide use of mediation in domestic cases where custody and visitation were at issue. Considering this recommendation and the experience in the pilot sites, the General Assembly enacted legislation during the 1989 Session authorizing mediation of custody and visitation disputes in domestic relations cases statewide.

Program Summary:

Under G.S. 50-13.1 and G.S. 7A-494, the court must refer contested custody and visitation issues to mediation before those issues are tried. (For good cause, the court may waive the mandatory setting of the case for mediation.) The mediation process is designed to provide a structured, confidential, nonadversarial setting that will facilitate the cooperative resolution of custody and visitation disputes and minimize the stress and anxiety to which the parties, especially the child, are subjected.

In mediation, the parties are required to attend two sessions. The first is an Orientation class that is provided to give participants an opportunity to learn more about the Program and the mediation process. Parents have the opportunity to ask questions, and to view North Carolina's award winning video, "Putting Children First".

The second session is the actual mediation session. In mediation parents, assisted by a neutral third party (the mediator), attempt to construct a custody and visitation plan that both reduces the conflict and focuses on their children's best interest. If the parents are successful in resolving some or all of the contested custody and visitation issues through mediation, the mediator assists them by drafting their resolutions into a parenting agreement. A draft of the agreement is sent to parties and their lawyers for review prior to signing. Once signed by the parties and the judge, the parenting agreement becomes an enforceable order of the Court. Approximately 55% of those cases mediated result in a Parenting Agreement. These results are equivalent to national norms for court mandated programs. Anecdotal reports indicate that after mediation, the remaining contested divorce issues frequently settle prior to trial.

The mediator's role is one of facilitator and conflict manager. Professionally trained in mediation techniques, the mediator is balanced and objective in approach. The primary responsibilities of the mediator revolve around managing conflict, facilitating parenting discussions, exploration of options, and assisting parents to remain focused on their children at a time when their entire lives are in crisis. Due to the focus on parenting, the mediator is required by statute to hold a graduate degree in a human relations field such as counseling or psychology and to have experience in child development and family dynamics.

In addition, custody mediators are also required by statute to have successfully completed 40 hours of divorce mediation training. The Administrative Office of the Courts then requires that each new mediator complete a two level "Training Progression" consisting of observations, co-mediations, and a designated number of mediation sessions. Participation in quarterly training sessions sponsored by the AOC is a requirement of all mediators regardless of experience level. The Court takes seriously its responsibility to provide the most qualified mediators when parents are mandated to participate.

Program Operation:

Since statewide expansion of custody and visitation mediation programs was authorized by the General Assembly, the number of programs operating throughout the state has grown significantly. During the 1996-97 fiscal year, 17 districts were operational. FY '97-'98 will see the expansion of eight new districts, with completion of statewide implementation projected by the year 2000.

District programs operate under umbrella policies set by the Custody Mediation Advisory Committee. Judge Clarence E. Horton, Jr. has chaired this committee since its inception during the latter part of the pilot years. Other members of the Committee are attorneys representing both the dispute and family law sections of the bar, judges, private mediators, community leaders, and mediators representing the Custody Mediation Program.

Local rules for the Program are designed by the Chief District Court Judge. These rules address such issues as timing and method of referrals, how exemptions to mediation will be handled, and the consequences of non-compliance with the mandate to attempt mediation. Statewide policies address issues such as the number of sessions (one orientation class and one mediation session minimum), return to mediation for those who so choose, and confidentiality.

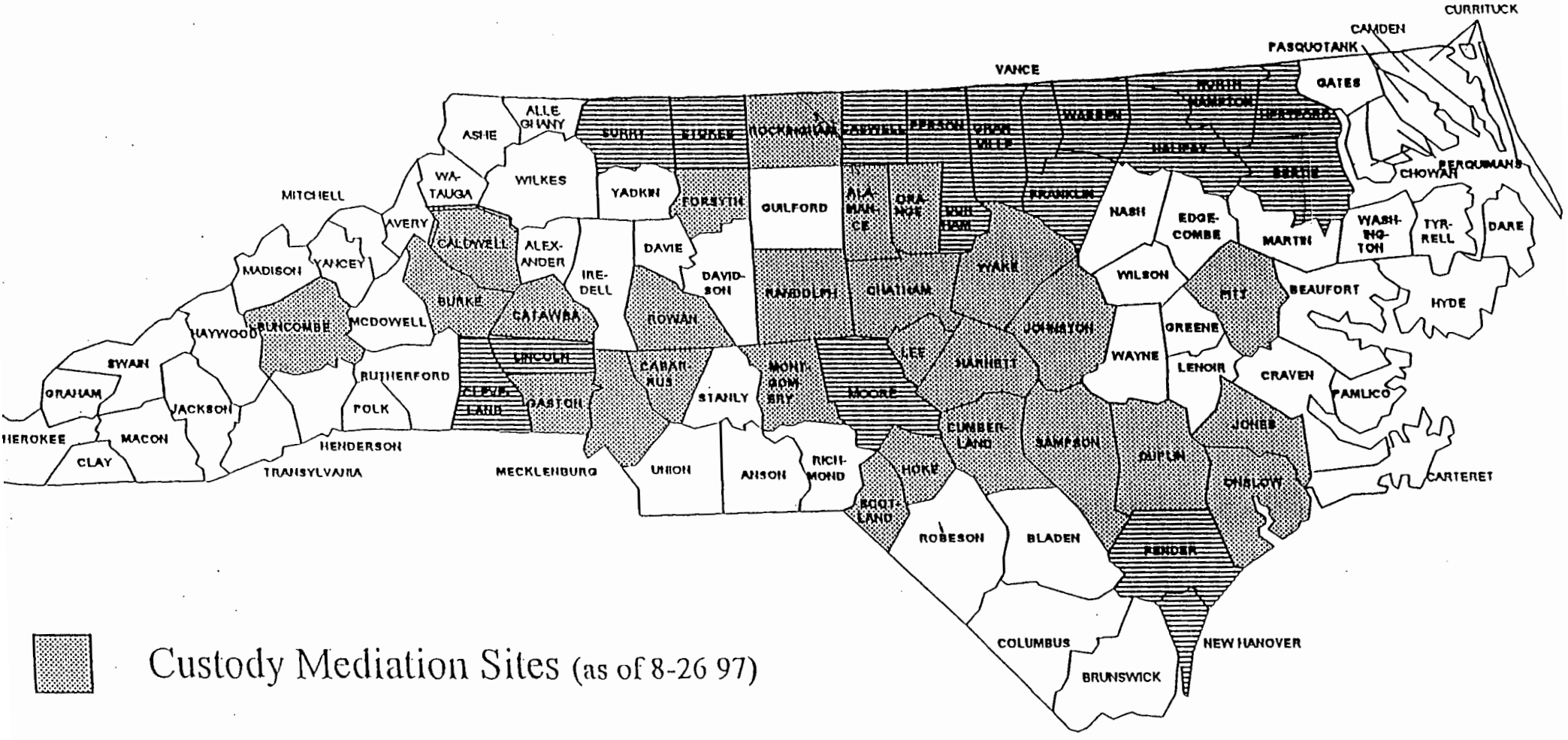
Conclusion:

The success of the Custody Mediation Program is based on three factors: the quality and commitment of the mediators, the support of the district court judges, and the guidance of the Advisory Committee. A strong working relationship with the local Bar is also critical.

Completion of statewide implementation requires establishing Custody Mediation services in fourteen remaining districts. With a small amount of administrative staff, such expansion can be accomplished in one year, or phased in over a two year period. Nearly half of the remaining districts have filed requests with the Administrative Office of the Courts to expand the Program into their local district as soon as possible.

The Administrative Office of the Courts

Custody Mediation



Custody Mediation Sites (as of 8-26 97)

Custody Mediation Expansion Sites (as of 10-28-97)

CHILD CUSTODY AND VISITATION MEDIATION ACTIVITY
July 1, 1996 – June 30, 1997

			Cases Mediated				Cases Not Mediated				
	Cases Pending 7/1/96	Cases Referred	Parenting Agreement Reached	No Parenting Agreement Reached	Settled After First Session[1]	Total Mediated	Removed[2]	Settled Prior to First Session[1]	Total Not Mediated	Total	Cases Pending 6/30/97
District 3A[3] Pitt	0	37	3	8	2	13	11	4	15	28	9
District 4 Duplin, Jones, Onslow, Sampson	10	221	109	80	19	208	19	0	19	227	4
District 10 Wake	98	641	149	130	21	300	350	24	374	674	65
District 11[3] Harnett, Johnston, Lee	0	296	88	48	17	153	40	100	140	293	3
District 12 Cumberland	54	620	149	114	0	263	294	88	382	645	29
District 15A[3] Alamance	0	250	26	34	14	74	24	9	33	107	143
District 15B Chatham, Orange	9	151	83	29	19	131	18	0	18	149	11
District 17A[3] Rockingham	0	60	7	13	3	23	12	5	17	40	20
District 19A Cabarrus	70	115	53	67	5	125	45	2	47	172	13
District 19B[4] Montgomery, Randolph	10	156	75	34	21	130	23	3	26	156	10
District 19C Rowan	43	232	101	73	13	187	44	3	47	234	41

CHILD CUSTODY AND VISITATION MEDIATION ACTIVITY, July 1, 1996 – June 30, 1997
(continued)

			Cases Mediated				Cases Not Mediated				
	Cases Pending 7/1/96	Cases Referred	Parenting Agreement Reached	No Parenting Agreement Reached	Settled After First Session[1]	Total Mediated	Removed[2]	Settled Prior to First Session[1]	Total Not Mediated	Total	Cases Pending 6/30/97
District 21											
Forsyth	0	350	46	93	39	178	81	21	102	280	70
District 25											
Burke, Caldwell, Catawba	57	695	61	84	26	171	118	145	263	434	318
District 26											
Mecklenburg	170	423	152	194	12	358	107	11	118	476	117
District 27A											
Gaston	41	297	93	118	4	215	34	22	56	271	67
District 28											
Buncombe	35	273	76	87	13	176	67	24	91	267	41
TOTALS	**597**	**4,817**	**1,271**	**1,206**	**228**	**2,705**	**1,287**	**461**	**1,748**	**4,453**	**961**

[1] "Settled" cases include those reported settled through consent agreement and those in which the parties reconciled.

[2] "Removed" cases include: (a) cases in which the mediator determined the case was inappropriate (e.g., allegations of domestic violence); (b) cases in which the parties chose not to mediate after going through the orientation session; (c) cases in which one or both parties failed to appear for mediation; (d) cases in which parties were deployed for military action; and (e) cases exempted because a party resided more than 50 miles from the courthouse.

[3] Fiscal 1996-97 is this program's first year of operation; due to startup efforts, first-year caseload data may not be representative.

[4] Although Moore County was transferred from District 20 to District 19B in January 1997, resource limitations did not permit the program in District 19B to provide mediation services in Moore County during 1996-97.

NOTE: The mediation program was expanded into District 3B during fiscal 1996-97, but was removed at the request of the newly-elected chief district court judge.

Program Title

Court-Ordered Arbitration

History

In 1986, the General Assembly enacted legislation authorizing the Supreme Court to establish a pilot program of court-ordered, non-binding arbitration for claims for money damages of $15,000 or less. On January 1, 1987, a controlled experiment in arbitration began in the three pilot sites designated by the Court: Judicial Districts 3, 14, and 29. Based on the success of the pilot, the General Assembly enacted legislation during the 1989 Session authorizing arbitration statewide.

Description

Under G.S. 7A-37.1 and the Supreme Court Rules for Court-Ordered Arbitration in North Carolina, all cases involving claims for money damages of $15,000 or less are eligible for arbitration. Specifically excluded from arbitration are certain property disputes, family law matters, estates, special proceedings, and class actions. Parties may, however, voluntarily submit any other civil dispute to arbitration.

By rule, the arbitration hearing is conducted within 60 days of the filing of the last responsive pleading. Parties may stipulate to an arbitrator, but in the absence of a stipulation, the court appoints an arbitrator from its list. To appear on this list, an arbitrator must: have been licensed to practice law for at least five years, with the last two as a member of the North Carolina State Bar; undergo arbitrator training; and be designated by the senior resident superior court judge and chief district court judge. The arbitrator is paid a $75 fee by the court for each arbitration hearing.

Arbitration hearings are limited by rule to one hour and take place in the courthouse. The hearings are conducted in a serious but relaxed atmosphere, with the rules of evidence serving as a guide. Once concluded, the arbitrator renders an award, which is filed with the court. A party dissatisfied with the award may proceed to a trial de novo by filing a written request with the court within 30 days of the award. If no action is taken during this time, the court enters judgment on the award.

Status

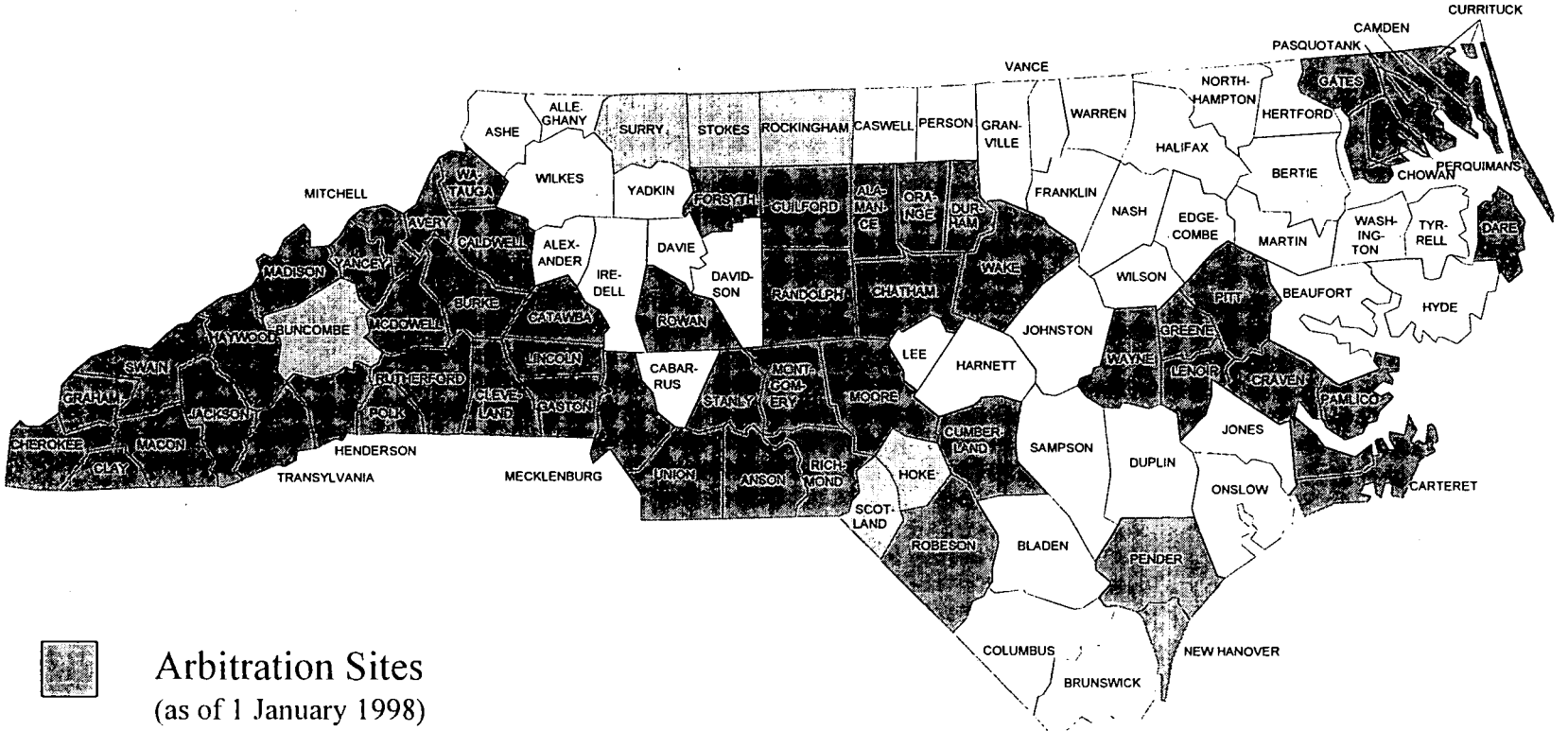
As of January 1, 1998, arbitration operated in 27 superior court districts. Funding has been appropriated for expansion into at least four more districts during this fiscal year.

March 1998

3-17-98 2

The Administrative Office of the Courts

Arbitration Sites



Arbitration Sites
(as of 1 January 1998)

Arbitration Sites Pending
(completion planned 30 June 1998)

ARBITRATION ACTIVITY
July 1, 1996 – June 30, 1997

	Cases Noticed for Arbitration[1]				Summary of De Novo Appeal Activity			
	District Court	Superior Court	Total	Cases Arbitrated	Appeals Filed	Trials	Dismissal/ Other	Pending 6/30/97
District 1								
Camden	0	0	0	2	3	0	1	2
Chowan	18	0	18	14	1	0	0	1
Currituck	3	0	3	6	2	0	0	2
Dare	3	0	3	23	8	0	5	3
Gates	5	0	5	9	2	0	0	2
Pasquotank	17	0	17	30	9	5	0	4
Perquimans	5	0	5	3	0	0	0	0
District Totals	51	0	51	87	25	5	6	14
District 3A								
Pitt	155	10	165	153	57	9	20	28
District 3B								
Carteret	63	3	66	74	23	5	7	11
Craven	101	2	103	76	23	5	9	9
Pamlico	10	0	10	8	5	1	2	2
District Totals	174	5	179	158	51	11	18	22
District 5								
New Hanover	186	1	187	145	24	11	8	5
Pender	25	0	25	20	5	1	2	2
District Totals	211	1	212	165	29	12	10	7
District 8A								
Greene	19	0	19	12	1	0	1	0
Lenoir	56	0	56	53	7	0	1	6
District Totals	75	0	75	65	8	0	2	6
District 8B								
Wayne	160	3	163	145	21	2	8	11
District 10								
Wake	607	0	607	417	119	21	54	44
District 14								
Durham	225	15	240	182	72	7	27	38
District 15A								
Alamance	58	0	58	42	8	1	1	6
District 15B								
Chatham	12	0	12	14	0	0	0	0
Orange	95	0	95	64	6	0	0	6
District Totals	107	0	107	78	6	0	0	6
District 16B[2]								
Robeson	0	0	0	0	0	0	0	0
District 18								
Guilford	471	3	474	317	94	15	18	61
District 19B								
Montgomery	12	0	12	14	1	1	0	0
Moore[3]	26	0	26	3	1	0	0	1
Randolph	43	0	43	41	7	5	1	1
District Totals	81	0	81	58	9	6	1	2

Arbitration Activity, July 1, 1996 – June 30, 1997
(Continued)

	Cases Noticed for Arbitration[1]				Summary of De Novo Appeal Activity			
	District Court	Superior Court	Total	Cases Arbitrated	Appeals Filed	Trials	Dismissal/ Other	Pending 6/30/97
District 19C[4]								
Rowan	96	0	96	49	11	1	2	8
District 20A[4]								
Anson	10	0	10	5	1	0	0	1
Richmond	16	0	16	7	3	0	0	3
District Totals	26	0	26	12	4	0	0	4
District 20B[4]								
Stanly	2	0	2	0	0	0	0	0
Union	11	2	13	3	1	0	0	1
District Totals	13	2	15	3	1	0	0	1
District 24								
Avery	10	0	10	5	2	1	0	1
Madison	13	0	13	6	0	0	0	0
Mitchell	7	0	7	1	0	0	0	0
Watauga	33	0	33	16	2	0	1	1
Yancey	9	0	9	1	1	0	0	1
District Totals	72	0	72	29	5	1	1	3
District 25A								
Burke	78	0	78	42	8	2	0	6
Caldwell	75	0	75	42	15	1	3	11
District Totals	153	0	153	84	23	3	3	17
District 25B								
Catawba	160	1	161	97	31	1	4	26
District 26								
Mecklenburg	1,499	0	1,499	1,138	428	91	248	89
District 27A								
Gaston	216	221	437	372	156	19	80	57
District 27B								
Cleveland	86	0	86	39	9	2	2	5
Lincoln	45	0	45	16	4	1	1	2
District Totals	131	0	131	55	13	3	3	7
District 29								
Henderson	56	3	59	48	2	2	0	0
McDowell	27	0	27	15	1	1	0	0
Polk	9	0	9	6	0	0	0	0
Rutherford	63	0	63	64	9	5	1	3
Transylvania	5	0	5	5	2	2	0	0
District Totals	160	3	163	138	14	10	1	3
District 30A								
Cherokee	39	0	39	21	2	0	2	0
Clay	3	0	3	0	0	0	0	0
Graham	12	0	12	9	0	0	0	0
Macon	16	0	16	18	6	1	2	3
Swain	2	0	2	0	1	1	0	0
District Totals	72	0	72	48	9	2	4	3

Arbitration Activity, July 1, 1996 – June 30, 1997
(Continued)

	Cases Noticed for Arbitration[1]				Summary of De Novo Appeal Activity			
	District Court	Superior Court	Total	Cases Arbitrated	Appeals Filed	Trials	Dismissal/ Other	Pending 6/30/97
District 30B								
Haywood	61	0	61	36	13	1	4	8
Jackson	33	0	33	32	4	1	1	2
District Totals	94	0	94	68	17	2	5	10
TOTALS	**5,067**	**264**	**5,331**	**3,960**	**1,211** (30.6% of cases arbitrated)	**222**	**516**	**473**

[1] Cases in which parties are notified that a case has been assigned to court-ordered arbitration. Such notification occurs at the conclusion of the pleadings phase, or upon the filing of a small claims appeal, for all arbitration-eligible cases.

[2] Court officials in District 16B report that no arbitration-eligible, contested cases were filed during FY96-97.

[3] In January 1997, Moore County was transferred from District 20A, which has a program that started during FY96-97, to District 19B, which had a pre-existing program.

[4] FY96-97 is this program's first year of operation; due to startup efforts, first-year data may not be representative.

3-m-98
3

NORTH CAROLINA

TARHEEL CHALLENGE ACADEMY

7780 Hobbton Highway Clinton, NC 28328

VOICE: 1-910-592-2322

FAX: 1-910-592-1396

ADDING VALUE TO NORTH CAROLINA....

One student at a time

Tarheel Challenge Academy

Quasi-military style program for High School Dropouts/Expellees

Highly Structured Disciplined Approach

focused towards changing behavior

Two Phases

-22 week in-resident

-one year post-resident/mentorship

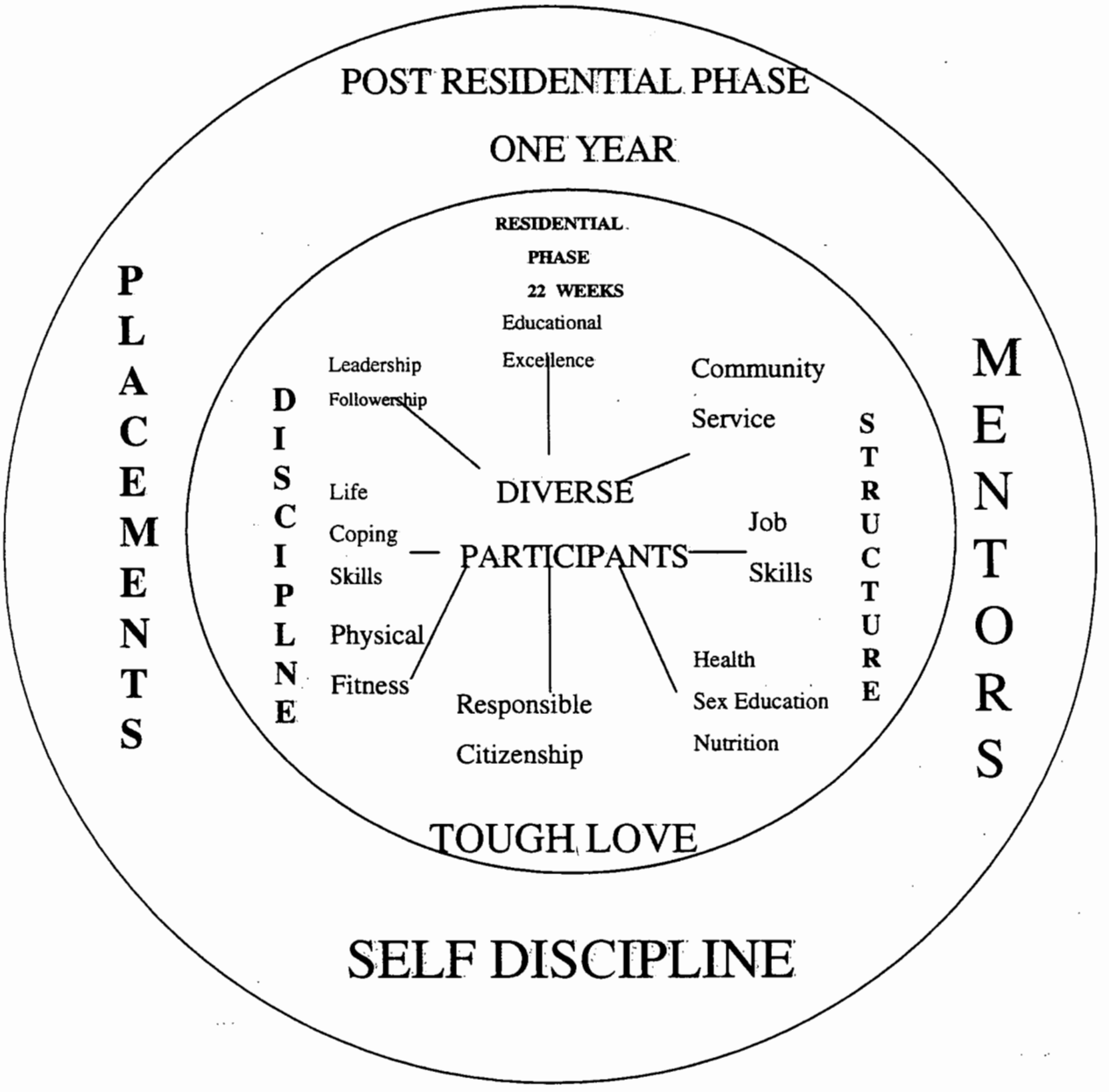
Emphasis On

Life Coping Skills	**Values**
GED	**Work Ethics**
Physical Fitness	**Leadership**
Community Service	**Teamwork**

NOTE: Tarheel Challenge Academy is one of 15 nationwide Challenge programs and each one is sponsored by the National Guard of their respective state.

ChalleNGe Intervention Model

Core Components



Mentor phase = approximately 15 months
(first three months during residential phase)

EIGHT CORE COMPONENTS

CORE COMPONENT	PERFORMANCE MEASURE	CHALLENGE
Leadership Followership	Performance in leadership and followership positions within student command structure	Everyone placed in leadership positions during the 5 month period
Community Service	Number of hours per corps member	60 hours average per corps member
Job Skills	Personal Resume Interviewing skills Job Shadowing	98% completion Practice for positions within program Available upon completion of GED
Educational Excellence	TABE test	Math Gain = 2.0 Reading Gain = 1.3 Overall = 1.6 GED = 82.3% Pass rate
Responsible Citizenship	Student Government Register to Vote Selective service Registration	Students practice the democratic process All 18 Yr. Olds given opportunity to register Opportunity for 18 yr. old males
Life Coping Skills	Life Plan Development Money Management	Life plans developed - 100% Experimental learning with weekly allowance
Health, Sex Education, Nutrition	First Aid Training CPR Training	Certificates awarded to more than 90% of graduates
Physical Fitness	Presidents Council on Physical Fitness Test	98% earned President's Council awards

PROFILE OF A CHALLENGE CORPSMEMBER

Gender	83% Male 17% Female
Age	40% 16 Years 42% 17 Years 18% 18 Years
Race	32.5% African American 3.1% Asian American 8.4% Hispanic 2.4% Native American 53.6% White
High School Dropout	100%
Highest Grade Completed	Lower than 8th 2.6 % 8th 17.4% 9th 30.1% 10th 32.8% 11th 15.0%
Had children of their own	10.2%
Employed Prior to Challenge	80% (average wage $5/hr.)
TABE Gains during Residential Phase	Math: 2.0 grade levels Reading: 1.3 grade level
GED or High School Diploma	74.1% in Residential Phase 8.2% in Post-residential Phase
Placements at Graduation	96%

Independent Congressionally Directed Assessment Found Through Six Classes:

* 13,017 Graduates

- 9,331 Obtained a GED Diploma,

  Equal to a 72.0% GED Attainment Rate

- The 72.0% GED Attainment Rate is

  Equal to the National GED or

  High School graduate Percentages.

- Significant Because 100% of Our

  Graduates Were Dropouts or Expelled

Results

* **Breakdown of 5,000 Most Recent Graduates is:**

- **Employed**	**43.3%**
- **Attending College:**	**22.4%**
- **Attending Vocational College or Center:**	**13.8%**
- **Returned to High School:**	**11.9%**
- **Serving in Military:**	**8.6%**

INFORMATION ON NC NATIONAL GUARD

TARHEEL CHALLENGE

PROGRAM SUCCESS

* **Findings (from Classes I-VII)**

** 519 Graduates

** 64% (334) of all graduates obtained the GED during resident place.

** 94% retention rate in class VIII (current class)- *higher than the national high school average significant because 100% OF OUR YOUTH ARE DROPOUTS OR EXPELLEES.*

* **Results (from Classes I-VII)**

** 91% of our graduates end up employed, in High School Programs, College, Vo-Tech, etc.

** 42% (219) are employed full time.

** 11% (58) employed part-time.

** 9% (45) are attending college.

** 16% (82) joined in the military.

** 6% (33) attending Vocational Colleges/High School Programs.

** 7% (39) awaiting employment or college enrollment.

* **What does the Guard get from the program:**

** Superb NCO and Junior officer leadership training

** Recruits who succeed and don't quit

** Meet a community and National need performing a mission at which it has expertise-training, discipline, motivation, and changing behavior.

* **Class VIII**

Class VIII is scheduled to graduate approximately 100 additional young men and women on July 1,1998. An estimated 75% will earned their GED.

Current as of March 13, 1998

Tarheel Challe*NG*e Academy
Youth Program Information Sheet

The Tarheel Challe*NG*e Academy Youth Program is a quasi-military style program for high school dropouts, and is sponsored by the North Carolina National Guard. The Tarheel Challe*NG*e Academy (TCA) is located in Sampson County near Clinton, North Carolina. The Tarheel Challe*NG*e Program is divided into two distinct phases: a 22-week in-resident phase at the Academy and a post-resident phase of one year.

During the in-resident phase, cadets will attend school, eat, sleep, wear uniforms, and learn to work within a structured and disciplined organization. During this phase of Challe*NG*e, emphasis is placed on self-discipline, teamwork, leadership and followership, team building, work ethics, physical fitness, respect for others, self-esteem, honesty, and integrity. A major part of the TCA curriculum provides for General Education Development (GED) schooling and testing and possible adult education training. During this phase, cadets receive a weekly allowance of $15 to offset personal care items and to develop/practice financial responsibility.

During the post-resident phase, graduates will be assigned a trained, volunteer mentor. The mentor will assist the graduate in seeking employment and/or enrolling in college or vocational schooling/training. The primary goal of the mentor will be to assist the graduate in successfully continuing his/her chosen career or educational path.

Qualifications for entry into the Tarheel Challe*NG*e Academy are as follows:

a. **At least 16 years old, but less than 19 years old at the time of entry.**
b. **A high school dropout without a GED certification completion.**
c. **A U.S. citizen with legal residence, and a resident of the State of North Carolina.**
d. **Free from illegal substances, and any serious involvement within the criminal justice system.**
e. **Physically and mentally capable of completing the program.**
f. **Unemployed or underemployed and successfully pass a medical screening exam.**

As important as obtaining the cadet's GED is, the GED obtainment is not the primary thrust of TCA. Our primary focus is on learning and developing the necessary life coping skills to succeed after the cadet completes the in-resident phase. The Academy teaches and enforces what society expects from its young adults: i.e., giving back of one's self to the community, state, nation, and much more.

Tarheel Challe*NG*e works! Classes I-VII graduated 519 proud young men and women. Of these, 334 obtained their GED while in the residential phase. An additional 42 graduates are pursuing their GED in the post-resident phase through the community college system, 45 are enrolled in college courses, 33 are in vocational courses and 82 have joined the military, 60 of whom are National Guard Members. Two hundred nineteen (219) graduates are employed full-time and 58 are employed part-time. These young men and women seized their 'Second Chance' and made it work.

Class VIII is expected to graduate approximately 100 young men and women on July 1, 1998. An estimated 75% will have earned their GED.

Even though the North Carolina National Guard sponsors TCA, there are no "Military obligations" for attending. Cadets are free to choose the military services as one of their options. There is no cost to parents/guardians or the cadet for this program other than the cadet's personal items, i.e., underclothes, tennis shoes, and "start-up" items such as toothbrush, toothpaste, etc.

Tarheel Challe*NG*e is a volunteer program. Anyone can recommend and assist; however, the applicant must volunteer for the training. An applicant must be motivated and committed to turning his/her life around through this "Second Chance."

For additional information, application procedures, etc., please call or write: Tarheel Challe*NG*e Academy, 7780 Hobbton Highway, Clinton, North Carolina 28328, 1-800-573-9966 or 1-910-592-2322. (Current as of 02/07/98)

"A Cadet's Response"

May 11, 1997

Dear Mr. Everett:

How are you? First of all, I must thank you for your help and tell you how happy I was to hear from you! Also, I was glad to hear you had a safe trip.

I am extremely flattered to know you'd like for me to speak to your cadets. I'd love to, it's the least I could do! If it wasn't for Tarheel ChalleNGe Academy, I would not be here. If there is any way that I can help, or give back in anyway, be sure to let me know. Between the academy and my parents, I owe everything! I thank God for you both.

In closing I must inform you of the fact that my grades are all above average and I am continuously improving.

Again, thank you!

"A Grandparent's Response"

January 20, 1998

Dear Mr. Everett:

I am the grandfather and mentor of one of your cadets from the January 9th Graduation. I want you to know how much your academy, its service and personnel, means to our entire family.

We thought we were in a hopeless situation with our first grandchild, who was also our first grandson. He was essentially abandoned by his biological father. His mother had reached here end. We, as grandparents tried and tried, but with little results. Then Tarheel ChalleNGe Academy was offered as a suggestion and, seemingly, our option to preventing him from getting into deeper trouble.

We want to thank God for what the academy has meant to him, to his family, and to us, his grandparents. He is back with his family in Colorado, has received a car from us for good behavior and performance, and is just before going to work and enrolling in a community college in Blanding, Utah. We look forward to visiting with him this coming weekend. We can look forward to our visit with great expectations and joy because of what you and your cohorts have provided. We will always be grateful.

We do not want to let the matter rest, but want to offer our help to further your work in any way we can afford. Plesae accept our gratitude and let us know what we can do to aid your services through the academy.

Also, please have your secretary to send me the addresses of Chief Joe Padilla and Major General Rudisill. I want to share my commendations with them.

GOALS OF THE MENTOR

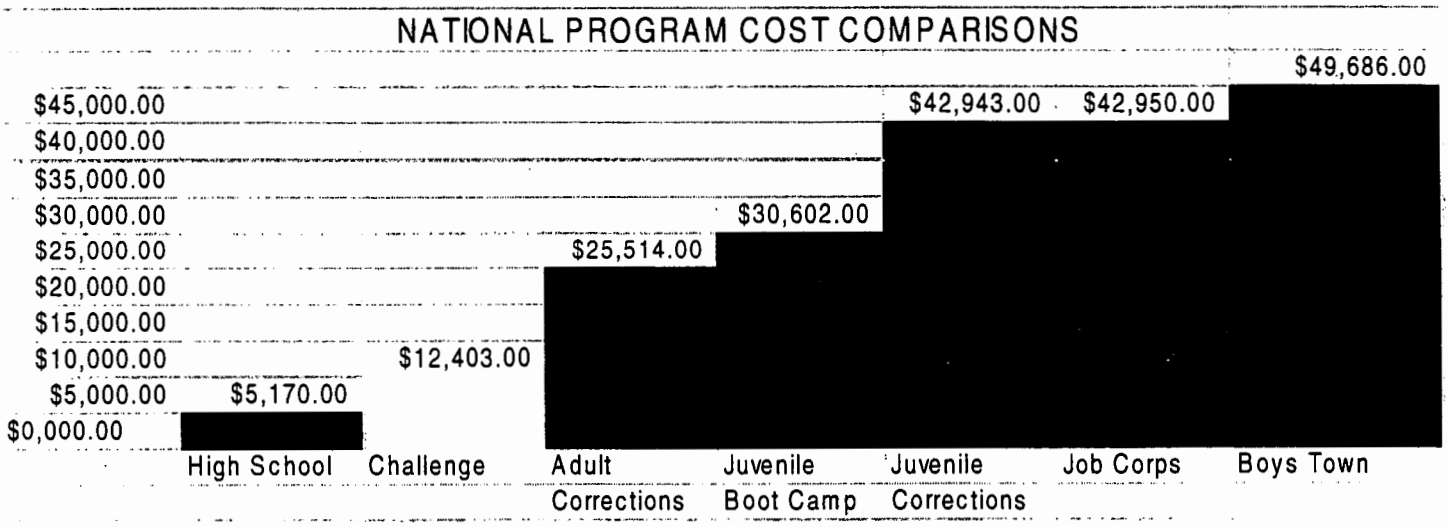
HELP ESTABLISH AND REFINE THE GRADUATE'S EDUCATION, CAREER GOALS AND OBJECTIVES.

PERIODICALLY EVALUATE THE GRADUATE'S PROGRESS AND MODIFY GOALS AS NECESSARY.

ESTABLISH A POSITIVE RAPPORT WITH GRADUATE AND GRADUATE'S FAMILY.

ASSIST GRADUATE IN OBTAINING AND MAINTAINING SUITABLE EMPLOYMENT.

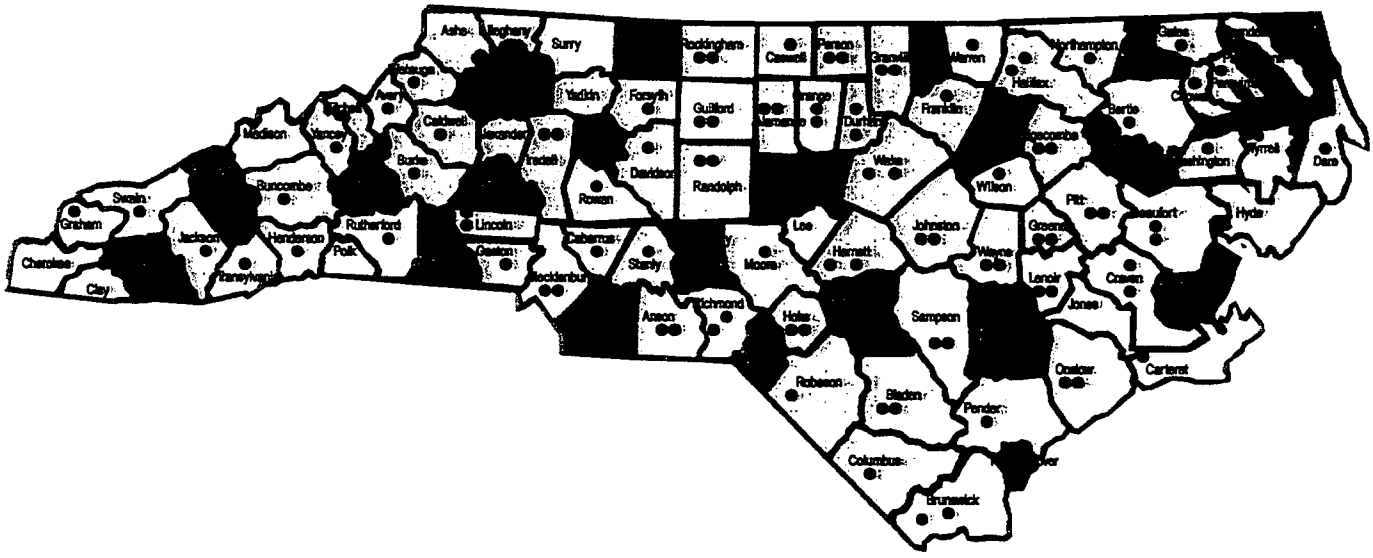
ENCOURAGE AND ASSIST THE GRADUATE WITH CONTINUING EDUCATION PLANS.



WHEN COMPARING THE COST OF CHALLENGE WITH THE COST OF JUVENILE CORRECTIONS, THE CHALLENGE PROGRAM IS SAVING IN EXCESS OF $35,000.000.00 ANNUALLY IN JUVENILE CORRECTIONS COST ABOVE THE COST OF RUNNING THE CHALLENGE PROGRAM

Source: Boys Town, Sep 1994; Department of Corrections Year Book, 1994, Juvenile corrections; Department of Corrections Year Book, 1994, Adult Corrections; U.S. Department of Labor, Job Corps Annual Report, Sep 1995, National Guard Bureau, Dec 1996; U.S. Department of Education, Sep 1995

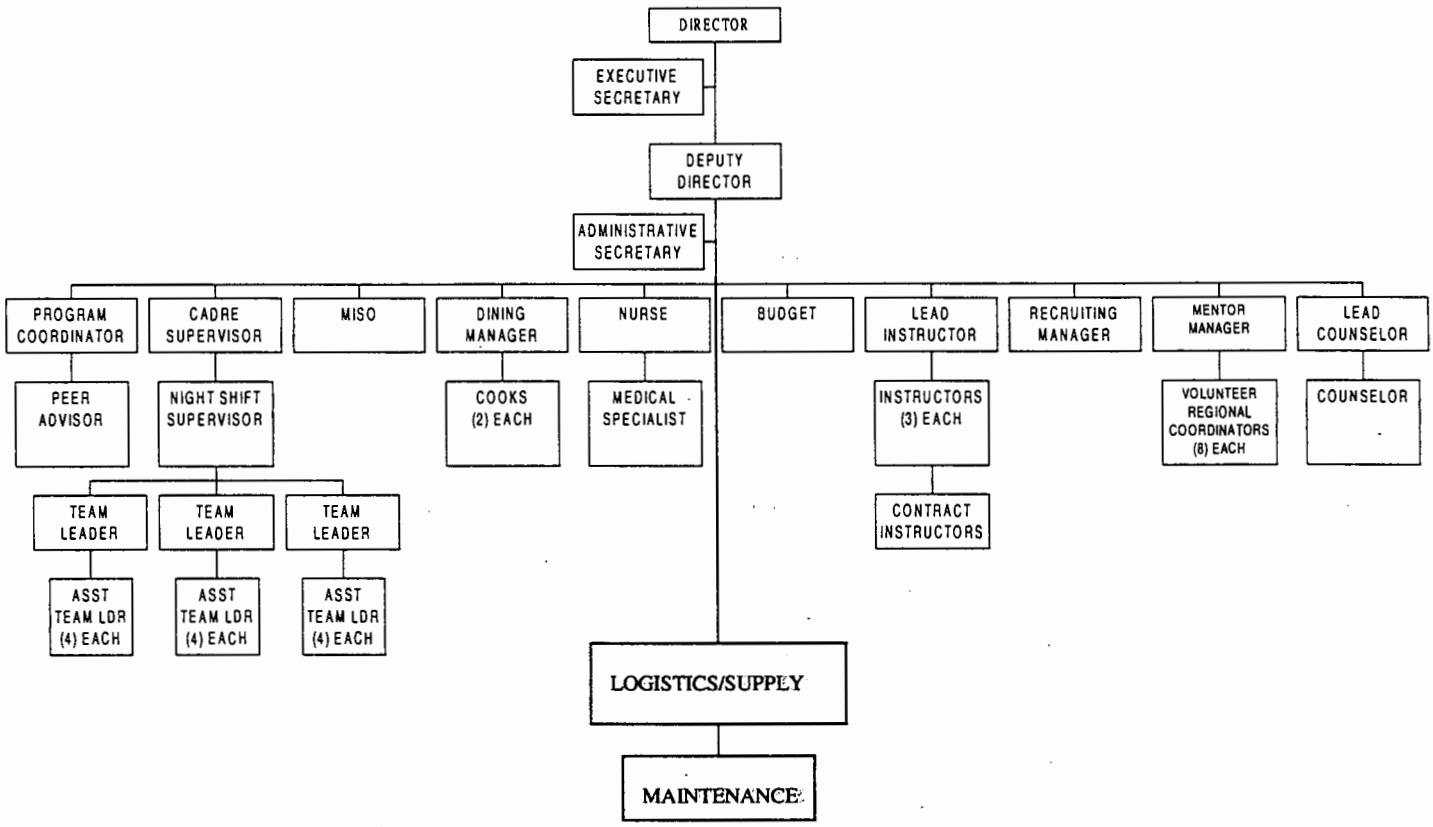
County Roster for Classes I - VIII



- **Classes I - VII (65 counties)**
- **Class VIII (35 counties)**
- **Classes I - VIII [nongraduates]**

  Classes I - VIII [combined] (88 counties)

Tarheel Challe*NG*e Academy



* Indicates discretionary staff position

EFFECTIVE AS OF 15 MARCH 98

CONTRACT PERSONNEL	NUMBER	GS LEVEL	GS RANGE
PROGRAM DIRECTOR	1	GS-12	$48,326 - $55,432
SECRETARY	1	GS-06	$24,516 - $28,121
DEPUTY DIRECTOR	1	GS-11	$40,321 - $46,249
PROGRAM COORDINATOR	1	GS-10	$36,702 - $42,102
MENTOR COORDINATOR	1	GS-10	$36,702 - $42,102
RECRUIT/PLACEMENT ASSISTANT	1	GS-08	$30,170 - $34,605
LEAD INSTRUCTOR	1	GS-10	$36,702 - $34,605
INSTRUCTOR	3	GS-07	$27,241 - $31,245
LEAD COUNSELOR	1	GS-10	$36,702 - $42,102
COUNSELOR	1	GS-09	$33,326 - $38,228
NURSE PRACTITIONER	1	GS-10	$36,702 - $42,102
MIS/ACTIVITIES SPECIALIST	1	GS-07	$27,241 - $31,245
SUPPLY SPECIALIST	1	GS-07	$27,241 - $31,245
MEDIC (DISCRETIONARY)	1	GS-06	$24,516 - $28,121
BUDGET OFFICER (DISCRETIONARY)	1	GS-06	$24,516 - $28,121
MAINTENANCE TECH (DISCRETIONARY)	1	GS-06	$24,516 - $28,121
ADMIN. SECRETARY (DISCRETIONARY)	1	GS-06	$24,515 - $28,121
TEAM LEADER	4	GS-06	$24,515 - $28,121
TEAM LEADER, ASSISTANT	14	GS-05	$21,996 - $25,223
CADRE STAFF SUPERVISOR	1	GS-08	$30,170 - $34,605
DINING FACILITY MANAGER	1	GS-05	$21,996 - $25,223
COOK	1	GS-04	$19,658 - $22,547

BUDGET CHANGE ROLL-UP

		FY-94	FY-95	FY-96	FY-97
A	STAFF	$1,219,829	$1,408,088	$1,190,438	$1,053,907
B	STIPEND	$346,600	$501,705	$235,179	$62,700
C	FACILITY REQUIREMENTS	$270,000	$51,859	$66,403	$71,023
D	FURNISHINGS	$69,119	$3,962	$1,360	$0
E	TRANSPORTATION & TRAVEL	$37,200	$56,400	$39,811	$48,967
F	DINING OPERATION	$417,800	$158,800	$189,613	$184,580
G	SUPPLIES	$103,070	$36,072	$13,897	$35,400
H	EQUIPMENT	$120,099	$5,283	$2,299	$21,967
I	CLOTHING	$57,443	$35,774	$76,182	$36,275
J	RECREATIONAL EQUIPMENT	$8,130	$3,100	$0	$0
K	SERVICES	$33,750	$44,536	$36,080	$17,400
L	MEDICAL	$92,360	$37,200	$32,490	$23,850
M	COMMUNICATIONS	$11,600	$25,114	$31,798	$33,688
N	SECURITY	$5,000	$1,317	$572	$1,000
O	OUTREACH	$28,407	$14,800	$1,207	$12,400
P	COMPUTERS	$0	$24,290	$182	$4,000
	FEDERAL TOTAL	$2,820,407	$2,408,300	$1,917,511	$1,607,158
	SAMPSON COUNTY LONG-TERM BUILDING LEASE	$110,000	$7,000	$10,000	$30,000
	SAMPSON COMMUNITY COLLEGE	$0	$8,000	$26,290	$46,261
	IN-KIND SERVICES	$0	$0	$0	$0
	TARHEEL CHALLENGE, INC. (501c3) INITIATED ON	$0	$0	$0	$0

Funding History

FY-94 - FY-95 Two year Pilot Program (Fenced)

FY-96 - FY-97 Two year extension of Pilot Program (Non-Fenced)

FY-98 - (1) 75 / 25 Matching Funds with 5 % increase (State) thereafter until 40% match attained (2001)

(2) Permanent line items

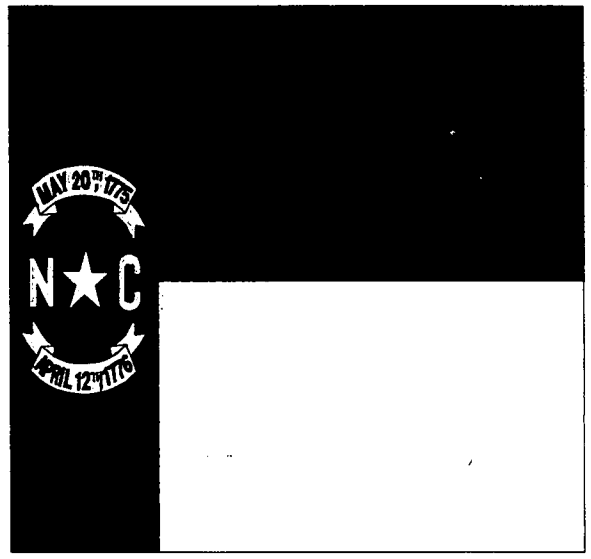
(3) Non-combat mission of National Guard

TARHEEL CHALLENGE

State matching funds will be required as shown below

1998	$542,000	25%
1999	$650,400	30%
2000	$758,800	35%
2001	$867,200	40%

WHAT DOES AMERICA AND NORTH CAROLINA GET



* A MORE PRODUCTIVE YOUTH POPULATION.

* COST SAVINGS - JAIL, WELFARE, MEDICAL COST, UNEMPLOYMENT, AND DRUG TREATMENT

* A HEALTHIER POPULATION OF FUTURE PARENTS.

* LESS VIOLENCE, CRIME AND MORAL DECAY.

* AN IMPROVED QUALITY OF LIFE FOR GRADUATES AND THEIR FAMILIES.

* INCREASED TAX BASE.

* MOST COST-EFFECTIVE PROGRAM OF ITS TYPE.

"One Time Additional Funding Needs"

Existing Needs

* Sewer Drain Field	$ 94,000
* Computer & Software Upgrades	$ 26,323
Total	$120,323

Requirements For Growth

* Additional Housing (Modular) (per 50 cadets)	$ 96,500
* Additional Classrooms (Modular) (per 50 cadets)	$ 41,000
* Additional Bath/Toilet Facilities	$ 48,400
Total	$185,900

COUNTY OF SAMPSON

BOARD OF COMMISSIONERS
Raeford Daughtry, Chairman
Norman Wayne Naylor, Vice Chairman
Larry M. Bell
John A. Blanton
H. Quincy Edgerton

COUNTY MANAGER
Jerry D. Hobbs

COUNTY ATTORNEY
Ted B. Lockerman

March 16, 1998

To Whom It May Concern:

Sampson County is extremely fortunate to have the Tarheel ChalleNGe program. The program is a definite asset in giving teenagers another chance -- not only those teenagers here in Sampson County, but those across from across the State as well.

A great deal of civic pride has been created in that the cadets participate in community activities such as directing traffic at major events, participating in parades and also performing odd chores for civic groups across the County ... to mention just a few.

Sampson County originally proposed to host the Tarheel ChalleNGe program in 1992, contributing approximately $110,000 to assist in renovating the Halls School where the program is currently housed rent free. Since the inception of the program, the Sampson County Board of Commissioners has continued to support the program both publicly and financially, with the our latest fiscal year contribution allocated at $30,000. The Board has also campaigned with congressional and State representatives to encourage their continued support for the ChalleNGe program.

As one can tell with these brief comments, there is a great deal of support for the North Carolina Tarheel ChalleNGE Program, and it is almost impossible to place a value on just what the program has meant to our community and to its young graduates here in Sampson County and across the State. The Sampson County Board of Commissioners will continue to support the program, and we urge everyone to join us in support of this most worthy program.

Sincerely,

Raeford Daughtry, Chairman
Sampson County Board of Commissioners

sjh

cc: Board of Commissioners
Jerry D. Hobbs, County Manager

435 Rowan Road • Clinton, North Carolina 28328 • Telephone (910) 592-6308 • Fax (910) 592-1945

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sjh

cc: Board of Commissioners
Jerry D. Hobbs, County Manager

435 Rowan Road • Clinton, North Carolina 28328 • Telephone (910) 592-6308 • Fax (910) 592-1945

Sampson Community College

P. O. Box 318 • Clinton, NC 28329-0318 • (910) 592-8081

March 16, 1998

Committee Members
Justice and Public Safety Committee
Raleigh, North Carolina

Dear Members:

This is a letter of support for the Tarheel Challenge Academy located in Clinton, North Carolina. The college has worked very closely with the students from the Academy and has seen what a difference this alternative educational setting has made for its students.

The Academy is presently conducting its eighth class and has had 519 students to graduate. We have been very impressed with the services Tarheel Challenge is providing to students and the success rate these students are having. Due to a decrease in federal funds, the Academy is in need of additional funding. The college has provided as much assistance as possible by administering educational classes to some of these students. While we realize the Academy's budget is extremely tight, we have certain limitations which make it difficult for us to provide all of their needed additional services.

I am convinced that these academy classes are needed and are successful. The future for some of these students would be bleak without the Academy. Some students would be high school dropouts and some would lead a life of crime. Tarheel Challenge is making it possible for these students to become disciplined, hardworking, taxpaying citizens, contributing to a better society for North Carolina.

If I can provide any additional information, please let me know.

Sincerely,

Clifton W. Paderick
President

Town of Newton Grove

Incorporated 1935
Newton Grove, N. C. 28366

P. O. Box 4

Phone 594-0827

March 12, 1998

Tarheel Challenge Academy
Leslie Everett, Director
7780 Hobbton Highway
Clinton, North Carolina 28328

Dear Mr. Everett:

This letter is in regards to the great works observed at the Tarheel Challenge Academy over the years. We have always tried to keep up with, as well as help out in the school's efforts to restructure the lives of our area youth. In return, we have been able to observe what an enormous impact the program can make to a troubled teen.

In the past, the school has assisted the town in clean up efforts, such as straightening up our local park and replacing trees lost in past hurricane damage. Demonstrations such as these make the town as a whole appreciate what is being done. I have also had the great pleasure of attending several graduations at the school, and have been impressed with the changes that are evident in each person's life.

In conclusion, we feel that many youth deserve a second chance to turn their lives around, and Tarheel Challenge Academy is providing such an environment. This should be the "Challenge" of more structured programs throughout the state.

Sincerely,

William E Wilson

William E. Wilson
Mayor

TOWN OF AUTRYVILLE

Post Office Drawer 10
Autryville, North Carolina 28318

Mayor Patricia A. Williams

910-525-4567

March 13, 1998

Mr. Leslie Everett, Director
Tarheel Challenge Academy
7780 Hobton Highway
Clinton, NC 28328

Dear Mr. Everett:

I would like to extend my appreciation to you and the Academy for the outstanding job you contribute to Sampson County and the young people of today.

Being elected as Autryville's new Mayor in November, I was inspired when I attended the graduation ceromony in January. I understand there have been several students from Sampson County that have attended the school and I know of some in our community. I've learned they have help the town on community projects before and were very cooperative.

I support the work of the North Carolina National Guard and the NC Tarheel Challenge Academy and wish you all the encouragement to keep the program active. I feel there are students that need another chance in life and this program could be the answer for them.

I look forward in working with you and if you need my assistance please call. My business number is 483-4393, home 525-5117 as well as the town office. Good Luck in the future.

Sincerely,

Patricia A. Williams

Patricia A. Williams
Mayor

PAW/dha

Town of Salemburg

Bobby Strickland
Mayor

Juanita Faircloth
Town Clerk

COMMISSIONERS:
Earl Honeycutt
George Lockamy
Delbert Naylor
Bea Tew
Ottis Tyndall - Pro Tem
Joe Warren

March 16, 1998

Mr. Leslie Everrett, Director
Tarheel ChalleNGe Academy
7780 Hobbton Highway
Clinton, North Carolina 28328

Dear Mr. Everrett:

It is a sad reality that any county needs an institution such as the Tarheel ChalleNGe Academy, but a more disturbing thought is to need this kind of service and not have it.

The Tarheel ChalleNGe Academy is needed and welcomed in Sampson County. They are providing a much needed service to a group of young people in Sampson County.

I believe disciplined education and commitment are the keys to a successful and productive life. I believe Tarheel ChalleNGe is doing a good job teaching these fundamentals and giving young people a second chance to achieve these goals and become an asset instead of a liability in their community.

Sincerely,

Bobby Strickland

Bobby Strickland
Mayor of Salemburg

100 Methodist Drive
Post Office Box 190

Salemburg, NC 28385

Phone: 910-525-5650
Fax: 910-525-3023

1/E

Williams – 200 Infinity Road Durham, NC. 27712 (919)471-1381

April 16th, 1997

To: Mr. Autry & Staff

From: Willie Gray Williams, Jr.

Re: Cadet Todd S. Turner

Dear Mr. Autry,

First and foremost let me extend a heart felt thank you to you and your staff for the outstanding job that you have done in giving direction to my son Todd. When I came down for family day I was thoroughly impressed with what I saw. I realize that it has been a very bumpy road at times but mere words can not express the appreciation that I have for the men and women of Tarheel ChalleNGe. On yesterday Todd's grandfather received a phone message from Todd basically saying he was okay and he sent his love. I must admit this concerned me for I found it odd that Todd would be calling on a Tuesday. I was in my office this morning and it still was on my mind and I did not have the main number with me so I thought I would fax a quick note just to check and make sure everything was okay. It is not necessary to respond if you have no concerns and Todd is doing okay. Furthermore I had promised Mr. Autry I would do some work on obtaining some Corporate Sponsorship. Do to make work schedule I had not been able to schedule a meeting at the Academy to review what exactly was needed. I would apologize for the delay. I would like to meet with Mr. Everett and officials at his earliest convenience to see how I may be able to help. If you or your staff could contact me, I will be more than happy to come down and meet at the Academy. I did manage to send a couple of letter to my District Senator's office and my local Congressman's office following the format of the information we received at family day. Once again thank-you for everything you and your staff are doing. Feel free to contact me if needed.

Sincerely,

Willie Gray Williams, Jr.

Willie Gray Williams, Jr.

Office - (919) 479-3333
Pager - (919) 405-6023
Home - (919) 471-1381

FOR YOUR INFORMATION

Former Dropout Surpasses National Guard Challenge

ROY 'B.J.' HARDIE

By LEIGH WILLS

A Scotland County teen-ager, who was taking part in a unique military-style boot camp for high school dropouts, was one of the program's top graduates.

Tarheel Challenge, a program sponsored by the North Carolina National Guard, graduated 52 cadets on Friday in ceremonies held in Clinton. Among the graduates was Roy "B.J." Hardie, 16, a Scotland County native. Hardie's mother, Diane, said she could not believe it was her son graduating.

Hardie said she sat in the audience thinking her son had gone through some major changes.

"I think the change period and how much he excelled was fantastic," she said. "They (Tarheel Challenge) did things for B.J. that Scotland High couldn't do."

Hardie, 16, was the only person to represent Scotland County in the first-year program. The school, which takes in high school dropouts from across the state, is a 22-week program that gives kids a second chance. Cadets accepted into the program attend regular classes and go through a regimented fitness program.

Cadets can earn their GEDs while at the school.

Hardie's mother said her son has taken on a new attitude since his enrollment in the school and subsequent graduation. In particular, she says, he wants to stay with the National Guard.

"He's signed on with the National Guard," she said. "On Wednesday he'll leave for Raleigh and be sworn in."

Tarheel Challenge was begun in 1994. Hardie was one of the school's top graduates. His mother said her son received a couple of certificates and scored well in science. Hardie also did well in mathematics.

"He took a two-week class at Fort Bragg in mechanics," she said. "They held a graduation ceremony at Fort Bragg for that."

According to Mike Fedak, who is Scotland High School's dropout prevention coordinator, Hardie's marks at the school were so impressive that the Tarheel Challenge organizers wanted to Hardie to come back to the school as a counselor. Diane Hardie said her son turned down that offer so he could move forward with plans to join the National Guard.

"He is so much more mature now," she said. "I don't think I could have asked for anything better. He's got his whole life mapped out, and he says he wants to fly helicopters in the Army."

Much of Hardie's family made the trip to Clinton to see him graduate.

Hardie dropped out of Scotland High after a dispute over course credits. His mother said her son let his temper get the best of him when Hardie was told he could not receive credit for a course he had taken.

This year, Tarheel Challenge is slated to begin another 22-week school in March. Applications were being taken up until Jan. 31.

Fedak said there are three Scotland County natives who have applied to the school this year. Fedak feels the school is a good idea.

"For us and for Scotland County, I think it has worked real well," he said.

Tarheel Challenge only takes in students who are 16 to 18 years of age, are high school dropouts without GED requirements and are free of drugs and any involvement in the criminal justice system.

The Difference

Charles V. Bryant, D.Min.

327 Wiggins Point Road

Oriental, N.C. 28571

(919)249-1669

(20 January 1998)

Mr. Leslie T. Everett, Jr.
Tar Heel ChalleNGe Academy
7780 Hobbton Highway
Clinton, N.C. 28328

Dear Mr. Everett:

I am the grandfather and mentor of one of your January 9th Graduating Class of 1998, Cadet Charles Brandon Phinney. I want you to know how much your academy, its service and personnel, means to our entire family.

We thought we were in a hopeless situation with our first grandchild, who was also our first grandson. He was essentially abandoned by his biological father. His mother had reached her end. We, as grandparents tried and tried, but with little results. Then Tar Heel ChalleNGe Academy was offered as a suggestion and, seemingly, our only option to his getting into deeper trouble

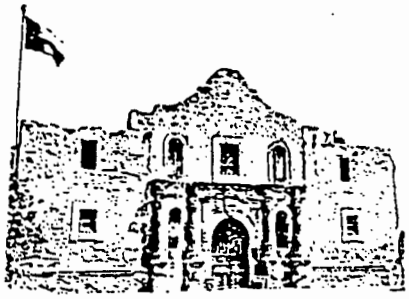
We want to thank God for what the Academy has meant to him, to his family, and to us, his grandparents. He is back with his family in Colorado, has received a car from us for good behavior and performance, and is just before going to work and enrolling in a Community College in Blanding, Utah. We look forward to visiting with him this coming weekend. We can look forward to our visit with great expectations and joy because of what you and your cohorts have provided. We will always be grateful.

We do not want to let the matter rest, but want to offer our help to further your work in any way we can afford. Please accept our gratitude and let us know what we can do to aid your services through the Academy.

Also, please have your secretary to send me the addresses of Chief Joe E. Padilla and Major General Rudisill, Jr. I want to share my commendations with them.

Sincerely,

Charles V. Bryant, D.Min.



MICAJAH

The outdoor drama

Vinson Memorial Amphitheatre
Autryville, N.C.

Written and staged by
Fred Burgess

Produced by
Donna Cashwell

Costumes
Kathleen Barrows

June 3, 1997

Mr. Leslie Everette, Director
North Carolina Tarheel Academy
7780 Hobbton Highway
Clinton, NC 28328

Dear Mr. Everette:

The Town of Autryville and the Micajah Autry Society wish to thank you and the Tarheel Challenge Program for your support Micajah Autry Day.

The Cadets were a great deal of help with games, concessions, and Parking. Their drills were a delight!!

We really appreciate all the Academy, you, and the Cadets, do for Sampson County, and especially Autryville.

Please come and visit!

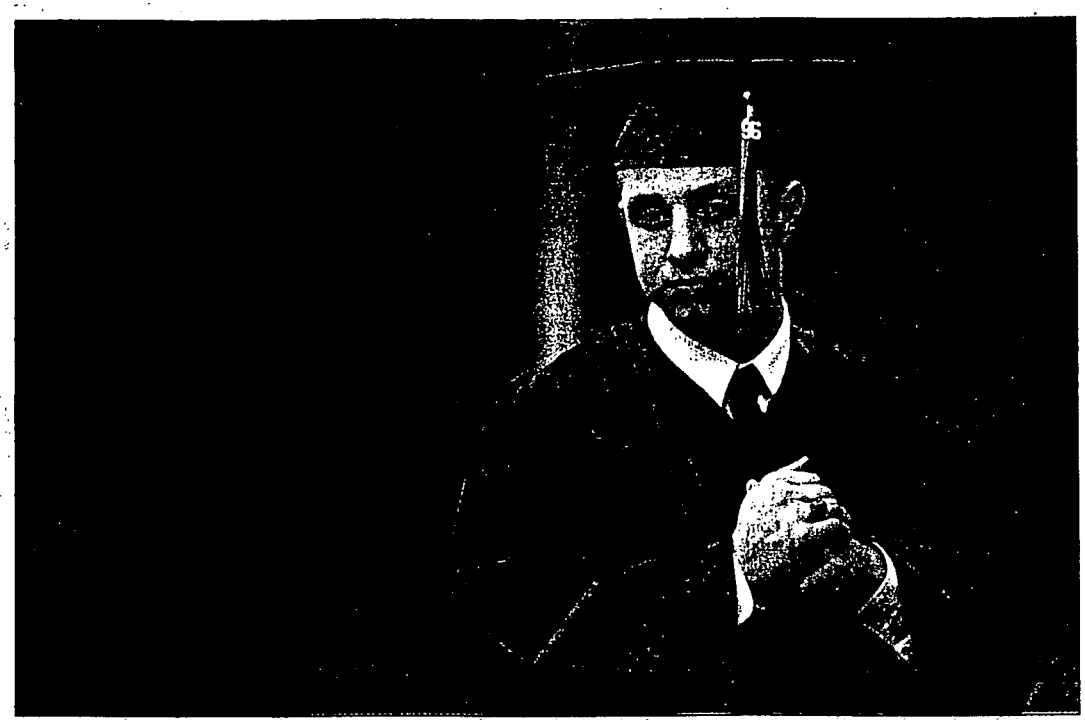
Sincerely,

Donna N. Cashwell

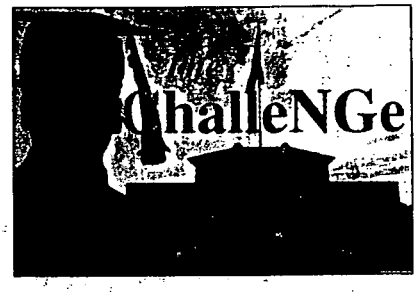
Donna N. Cashwell
DNC/ss

Daily Reflector Greenville, NC
6/12/96

Home: The real challenge



Photos by Greg Eans/The Daily Reflector



Jeremy Gardner

By Lloyd Whittington
The Daily Reflector

Jeremy Gardner needed a refuge.

The academy proved to be just the place.

"The reason I left, I had a lot of my friends that were dying for different reasons," Gardner, 18, of Greenville, said. "They taught me here to always think positive. To make the best of a bad situation."

Those who know him can see a difference.

"What I see that maybe he didn't have before was self confidence and security," Darin Gibbs, Gardner's youth minister and mentor, said. "He walks with his shoulders back. Before, he seemed downtrodden."

Gardner rededicated his life to Christ during his first week in Tarheel Challenge. By the time his 22-weeks were up, Gardner earned the respect of his peers and administrators. He was named "Distinguished Graduate" of the 70-member class.

"Maybe he lacked some direction, but that could be typical of most," Gibbs said. "Now he has self-confidence. Not arrogance, but a sense of 'If I set out to do it, I can do it.' That's something I don't think he would have said before."

His parents were pleased with his initiative and changes in attitude. Being the distinguished graduate was the icing, they said at graduation.

"With your children, you always feel like they've got the ability," his father, Keith Gardner, said. "Sometimes you don't feel like they put forth as much effort. So that award is sort of a recognition that there has been some effort put forth without us being around. Sort of on his own."

Gardner said he didn't have discipline problems at the academy. His biggest problem was getting used to living with 39 other teen-age males whom he knew little about. Luckily, his cousin, Chad Langley, was in the program.

"With me being a quiet person, probably the biggest challenge was getting to know everybody. I had no idea that we'd get so close before we got ready to graduate, but we did," he said.

Months after graduating, he still thinks about what life was like at the academy. Every minute was occupied, and he continues to work at managing time wisely.

He has gone from being a J.H. Rose dropout to a teen-ager with two jobs. He is an account representative handling materials for Southland Medical Supply and also works at Greenville Fun Park. Gardner is considering enrolling in college in the fall, possibly to study computer programming.

"It seems like he cares about what he does," Mike Hall, Southland's warehouse manager, said. "He'll do anything you ask him to do. And he doesn't complain. This is a lot to take in for anybody. He does seem to be catching on."

Getting away showed Gardner what he was taking for granted.

"When you come here, you don't have anything," he said at the academy. "You never realize what you have you until it's gone. Like .. the love from your parents. It's almost like not having them anymore, unless they write you. Some of the people here didn't get letters from their parents much."

He also learned to appreciate the cadre.

"At first, I thought they maybe just wanted to get us turned around to make life easier for them," he said. "As I look back now, they care about us. They wanted us to succeed."

On their own

Class clowns. Gang members. Teen-age parents. Products of abusive and broken homes. Students battling depression and boredom.

Each story is different, but the graduates of Tarheel Challenge have a common denominator — they were high school dropouts who took advantage of a second chance.

"If you don't shed a tear when you see these kids and the transition they're making, you don't have a heart," Gregory Boone, commandant of cadets, said recently. "This is saying to a lot of them, 'I've finally got some measure of success.'"

For many of the cadets, earlier failures had led to low self-esteem and a reluctance to put a best foot forward. If they tried, they might fail. So why try?

Inside, they wanted to succeed; they just needed to know they could.

"They've come this far and decided to do something better with their lives," Cadre Monica Sommerhauser said. "They committed for five months and saw it all the way through. When they walk across the stage, that warm fuzzy (feeling) is going to keep them from quitting other things in life."

They struggled. They cried. They hurt, but they stuck it out and met a hard "corps" challenge.

"The cadre, the instructors, the support staff ... they understand they are here to provide an opportunity and we try to coax the kids along as best we can, but there comes a point when you can only coax so much," Joe Padilla, chief of the National Guard's Youth Programs Division, said.

"You really have to rely on the corps members to take their lives into their own hands and go from there," he said.

Following are the stories of several local youths who graduated the Tarheel Challenge Academy in February.

Meet Jeremy Gardner, Chad Langley, Tonya Darden and Marcus Williams.

Juanita Bryant
P.O. Box 728
Oriental N.C. 28571

Dear Director and Staff of Tarheel Challenge:

I wanted to write to all of you and commend you of the wonderful job that you are all doing with the students of N.C. Tarheel Challenge Academy. I was visiting my son Sunday Aug. 31st and was truly impressed with all of the Cadets as they marched outside in the heat. It was such a pleasure visiting with my son that day and seeing the change in him in just three weeks. My son did not once ask to come home during our visit. In fact all he could talk about was how wonderful things are going for him there, and how he may join the military after his completion of Tarheel Challenge. He also talked very highly of the staff there at the Academy. I cannot express enough the Thanks I have to every one of you. I was sad to hear of the funds being cut for these Cadets that are working so hard, and the fact they will not receive any funds after graduation for school after the hard work they have done, and when they graduate.

I would like to know whom I need to write for your program and the Cadets, to try to change this for your program and for the Cadets as well. I would appreciate it if you could write me to give my family the information, so that we can write the letters that we need to do for everyone there now and for the Cadets of the future. You could also call me on the phone as well to give me the information. Again thank you sincerely for the wonderful job that you all are doing for these kids future. The day I came there to see my son Cadet Charles Brandon Phinney it was my birthday, and I must say it was the best birthday I have ever had. There is not enough money in the world that could have bought a better present than seeing the positive attitude of my son, and the direction he has picked for his future.

Please write to: Juanita Bryant P.O. Box 728 Oriental, N.C. 28571 or call me at 919-249-1953 collect is fine to give me the information all parents need to write these letters. If there is anything, I can do besides this please let me know, I would be more than willing to help any way that I can.

Sincerely,
Juanita Bryant
Juanita Bryant

3-n-98
4

STATEWIDE AUTOMATED VICTIM INFORMATION AND NOTIFICATION SYSTEM

SAVIN

Report to the Justice and Public Safety Subcommittee of the Appropriations Committee

March 17, 1998

by

The North Carolina Governor's Crime Commission

BACKGROUND

STATEWIDE AUTOMATED VICTIM INFORMATION AND NOTIFICATION SYSTEM (SAVIN)

A special Study Commission composed of local and state criminal justice agencies as well as victim advocates initiated an effort to design and implement a Statewide Automated Victim Information and Notification (SAVIN) System. By linking computers at criminal justice agencies and telephone lines to a database suitable for supporting announcements to the public, SAVIN would deliver status information on inmates, probationers, and parolees under the North Carolina Department of Correction. SAVIN would also deliver status information on persons in North Carolina's county jails and pilot sites could be established to test an automated courts events system. The toll-free hotline number will be accessible 24 hours a day, seven days a week. In support of automated notification, the Victims Committee of the Governor's Crime Commission (GCC) reserved one million dollars in Federal grant funds for SAVIN's implementation.

To ensure the state's compatibility with a statewide automated notification system, a feasibility study conducted by Dr. David Strevel of the Technology, Planning and Management Corporation analyzed the preparatory research from the SAVIN study commission and compiled a report on the current criminal justice system infrastructure and prepared recommendations for implementation, including a Request for Proposal. Dr. Strevel reported that the most cost effective and efficient way to implement SAVIN in North Carolina was to contract with an existing vendor capable of supporting interfaces with North Carolina's inmate databases. Dr. Strevel also recommended that SAVIN be implemented in three stages: The Department of Correction, Sheriff's and Court notification pilot sites. Although automated notification is the most efficient, cost-effective means to notify victims, the system still requires interim personnel support.

Dr. Strevel conducted a nationwide survey for possible vendors who maintained computer systems capable of storing databases suitable for supporting announcements to the public. Those surveyed, some of which include the Office for Victims of Crime, the Office for Victims of Crime Resource Center, the National Victims Center and the National Criminal Justice Resource Center, could identify only one company as offering both systems integrations programming and assistance for victims through an automated notification system on a statewide level.

Victim Information and Notification Everyday (VINE), based in Louisville, Kentucky currently provides automated notification to all its 83 counties through interfaces to the county jails and the Department of Correction. VINE provides both incoming and outgoing call service 24 hours per day with operator assistance available for those who need it. VINE also provides notification services to 30 other states and nearly 350 counties. Upon hearing Dr. Strevel's findings, The Governor's Crime Commission (GCC) submitted a request for direct procurement to VINE and received approval for that request in February of 1998.

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CURRENT STATUS

A proposal comprised of an executive summary, technical approach and cost proposal has been submitted by VINE and is currently under review by the GCC and lead staff of the SAVIN study commission. Contract negotiations are scheduled to begin in March with representation from Purchasing and Contracts, the SAVIN Study Commission and GCC. Once contract negotiations are completed several systems design meetings will follow with VINE and computer support services from within DOC, A.O.C., and sheriffs.

OPERATION

SAVIN shall provide automated interfaces to the computers operated by the DOC, county jails and pilot-test sites necessary to gather the offender information which the service is to provide.

The DOC currently stores all data on inmates, probationers, parolees and post-release cases on an IBM mainframe running MVS, CICS, and DB/2. Interfaces to this one computer are expected to provide all the information required for SAVIN.

The second phase of the project will prove to be somewhat more difficult. Sheriff's currently store their data on inmates within booking systems. In order to interface with SAVIN a computerized booking system is required. Of the 96 operating jails only 55 are currently using computers and jail booking software to which interfaces can be designed and installed to communicate with SAVIN. Eleven counties have no personal computers or computerized booking system and nine counties have at least one PC but do not have a computerized booking system. Fourteen counties have at least one PC and operate a simple-in-house booking system, such as Microsoft Works or Excel and seven counties operate one-of-a-kind third-party booking systems. These counties must be automated and upgraded before installation of SAVIN is possible. The cost estimate for a commercial booking package is $13,000. To upgrade 41 counties with adequate booking software in order to support SAVIN's implementation will cost $539,900.

The final phase of the project will require designing and developing interfaces capable of providing court notification. The pilot test will serve to identify exactly what court events can be successfully handled via automated voice announcement. The pilot-test will establish the interface and control mechanisms necessary to manage and control the automated notification process.

OPERATION-Victims

A toll free phone number that covers the entire state will be made available to victims so they can register to be notified about events in their cases. For victims who need help with registration, operators will be available to provide assistance. Once a victims registers, SAVIN will link the victim's phone number to the offender's case file, so that when any information is entered into a criminal justice computer about an offender (e.g. upcoming court date, release, escape,) the automated system is triggered to notify the victim. Call-outs to registered victims are organized into two priorities. High priority applies to "Out of Custody-Released" and "Out of Custody-Escaped". Victims notification will begin 10 minutes after the information is downloaded to the call center and continue every 30 minutes for 24 hours. The call interval will be cut back to every two hours if the message has been placed on an answering machine, or someone has listened to the entire message but not provided the four-digit PIN code for acknowledgment. Normal Priority calls will be made between 7 a.m. and 9 p.m. at intervals of two hours, for up to 24 hours. Normal priority calls may be

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acknowledged and further calls stopped simply by entering a "1" in response to a prompt. Victims may also call the toll-free number any time day or night, to access information about their cases, such as the status of the offender or the next court date.

COST ESTIMATE

The cost estimate of installation and maintenance fees for SAVIN's implementation is broken down by major task and time from contract start date through 24 months. (Refer to table A)

As indicated on table A, initial start up fees for DOC will be $20,000, county jails $100,000 and court notification pilot sites $20,000. All start up fees provide the following program expenses:

*All equipment required for the interface
*All computer links to the call center
*Development of custom interface software for the identified booking system currently being utilized in sheriff's offices
*Installation and testing of interface equipment
*Startup costs for all telephone services
*Project management
*Script design, recording, translation and programming
*Call Center programming for all customer options
*System testing
*Development of customized training program
*Video training program for arresting agencies and other victim service providers
*Regional training program
*Development of brochures and VINE information cards (minus printing costs)
*Assistance with press conference presentation

A system support fee is used to cover the cost of providing VINE's service, monitoring the system 24 hours a day, maintaining all software and hardware, and supporting all system programming changes. This fee can be paid monthly, quarterly, or annually.

After SAVIN's installation is complete, monthly service fees for are estimated to be $4,000 for DOC, $39,130 for sheriff's statewide, and 4,500 for court notification pilot sites. (Refer to table A)

FOCUS ON THE FUTURE

SAVIN's implementation within DOC should be operational within 4 months of contract date, The court notification pilot sites operational within 9 months and 60 jails operational within 12 months. (Refer to table A for tentative time-line)

As SAVIN is introduced throughout North Carolina, police officers, sheriff's deputies, jailers, judges, prosecuting attorneys, Victim-Witness Coordinators, clerks of court, and shelter operators must be trained to understand how SAVIN works, and their part in making it work. In a collaborative effort with the GCC, VINE will produce written materials and television presentations to accomplish training tasks. Additional training will be conducted by staff of the GCC.

The SAVIN service must be introduced to victims and other members of the public as it becomes available to them. Under the guidance and supervision of the GCC, VINE will create and make available Public Service

Announcements for television, radio, and print media, and other printed materials which are suitable to inform the public. Staff of the GCC will be responsible for distribution of the PSAs.

Provided the court notification pilot-test sites prove successful, the GCC plans to oversee SAVIN's implementation in the remaining 37 District Attorneys Offices, the Court of Appeals and the Supreme Court. Installation is tentatively scheduled to begin in spring of 2000.

PROGRAM ACCOMPLISHMENTS

Overall SAVIN will improve the state's criminal justice system's efficiency and effectiveness by organizing and standardizing victims' access to case information. It will further the goals of CJIN, the Information Resource Management Council and the Governor's Crime Commission for better automation and increased interagency information sharing and access.

SAVIN will improve local response to victims of crime by providing the much-needed computer equipment. This will provide the foundation to enable jails and other agencies to link up to the SAVIN system so they can provide basic information to victims that will enable them to participate more fully in the criminal justice process. Knowing they will be notified by SAVIN when their offenders are released, victims will be able to take precautions for their own safety.

By handling the more routine notification tasks, it is anticipated that SAVIN will help ease the burden of notification placed on criminal justice agencies by the passage of the Victims' Rights Constitutional Amendment thus enabling criminal justice agencies to focus their attention on victims which require human contact and support.

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Table A
TENTATIVE TIME-LINE AND BUDGET

Month	Activity	DOC	County Jails	Courts	Expenses
April '98	Initial Startup fees paid	$20,000	$100,000	$20,000	$140,000
May	Systems Design Meetings	$-0-	$75,000	$-0-	$75,000
June	Design Specifications Approved	$-0-	$75,000	$-0-	$75,000
July	DOC comes on line Promotional materials delivered	$7,000	$56,250	$3,000	$66,250
August	5 jails on line	$4,000	$55,850	$-0-	$59,850
September	13 jails on line	$4,000	$59,450	$-0-	$63,450
October	21 jails on line	$4,000	$58,150	$-0-	$62,150
November	29 jails on line-Pilot Courts on Line	$4,000	$16,650	$-0-	$20,650
December	36 jails on line	$4,000	$20,250	$3,500	$27,750
January '99	44 jails on line	$4,000	$23,850	$3,500	$31,350
February	52 jails on line	$4,000	$27,450	$4,500	$35,950
March	60 jails on line 41 booking systems installed	$4,000	$31,050 $539,900	$4,500	$39,550
TOTAL	**First 12 Months**	**$59,000**	**$1,138,850**	**$39,000**	**$1,236,850**
April	68 jails on line	$4,000	$34,650	$4,500	$43,150
May	76 jails on line	$4,000	$36,000	$4,500	$44,500
June	84 jails on line	$4,000	$37,000	$4,500	$45,500
July	92 jails on line	$4,000	$39,130	$4,500	$47,630
August	96 jails on line	$4,000	$39,130	$4,500	$47,630
September	Project Maintenance	$4,000	$39,130	$4,500	$47,630
October	Project Maintenance	$4,000	$39,130	$4,500	$47,630
November	Project Maintenance	$4,000	$39,130	$4,500	$47,630
December	Project Maintenance	$4,000	$39,130	$4,500	$47,630
January '00	Project Maintenance	$4,000	$39,130	$4,500	$47,630
February	Project Maintenance	$4,000	$39,130	$4,500	$47,630
March	Project Maintenance	$4,000	$39,130	$4,500	$47,630
TOTAL	**Second Year**	**$48,000**	**$459,820**	**$54,000**	**$561,820**

(Time-line and budget are subject to change)

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8-17-98
5

DEMONSTRATION

The VINE demonstration line will allow you to get a general feel of how the VINE victim notification service will work in North Carolina. In order to use the demonstration you should be at a telephone that will accept direct incoming calls (no switchboards). Part of the demonstration incudes the VINE system calling you back and notifying you of an inmate release.

Simple steps to use the demonstration:

1. Dial 1-800-816-0490

2. The demo will allow you to search for an inmate using an inmate number or the inmates name. Either choice can be selected. The demonstration has three inmates. Use the information shown below.

INMATE NUMBER	**INMATE NAME**
5618463	*Mike Davis*
5611825	*Gail Hart*
5619122	*Tom Jones*

3. After the VINE system responds with the inmates status, you will be asked if you wish to register for notification. Select option 2 to register for notification.

4. When VINE tells you to enter the telephone numbers, enter one or two telephone numbers for VINE to call you back.

5. VINE will also have you enter a Personal Identification Code (Pin) to confirm the notification call.

After hanging up the VINE system will call the first number entered within 1 minute. When the notification call arrives, answer the phone as normal and follow the directions.

If the line is not answering, call 1-800-816-0491 and indicate that you wish to use the demonstration line.

3-17-98
6

Project Challenge North Carolina, Inc.

"Helping Youth Serve Their Community"

An Interim Report to the NC General Assembly

March 1, 1998

105 Link Street
Spruce Pine, NC 28777
704-765-0776

Fact Sheet

Immediate Restitution to the Victim. Since Project Challenge provides a restitution bank, victims are immediately compensated for their losses, instead of waiting weeks or sometimes months it would take an average young person to pay for their crimes.

Referral Source. Project Challenge receives 100% of its referrals from the Juvenile Courts and the Juvenile Court Counselors.

Typical Offenses. Offenses range from undisciplined infractions such as truancy and runaways to felony charges that include larceny, shoplifting and drug possession. Charges of a more severe nature are handled on a case by case basis.

Recidivism rate. Less than 40% of our participants have any further involvement with juvenile court.

Average Length of Service. Length of program service varies from 6 to 12 months depending on the term of Juvenile probation ordered by the court.

Cost per Client. The cost per client, including the three day wilderness adventure trip, and 65 hours of community service is less than $2000 per child.

Community Building. All of our participants work directly with the community, giving them each the opportunity to see, touch and feel just exactly what it means to give of themselves to others. This is of great benefit to the young people as well as the many community based organizations, churches, and individuals they serve.

Simplicity of program. Our program is designed to be simple and flexible. Every participant receives individual attention without a series of complicated steps or requirements, and should an unpredictable opportunity or problem arise we are able to absorb it and use it to the greatest benefit of the youth and to his or her community.

PROJECT CHALLENGE NORTH CAROLINA INC.

"HELPING YOUTH SERVE THEIR COMMUNITY"

TO: North Carolina General Assembly

FROM: Gordon Keath, Executive Director

SUBJECT: Fiscal Year 1997/98 Interim Report

Project Challenge North Carolina Inc. appreciates the opportunity to present an interim report to the General Assembly on the use of funds in the service of youth from July 1, 1997 to February 28,1998.

Project Challenge North Carolina Inc. provides community service and restitution program services to children involved in the juvenile justice system. When Project Challenge requested support from the General Assembly in the spring of 1997 the program was serving only one Judicial District, the 24th, (Avery, Madison, Mitchell, Watauga, and Yancey) with plans to begin operating in a second district, the 30th, (Clay, Cherokee, Graham, Haywood, Jackson, Macon, and Swain).

At the request of the Juvenile Service Division, and due in large part to the support of the General Assembly, we are now also providing program services in two additional judicial districts, the 25th, (Burke, Caldwell, and Catawba), and the 29th, (Henderson, McDowell, Polk, Rutherford, and Transylvania) for a total of twenty of the one hundred counties in North Carolina.

The program provides direct services to youth involved in the juvenile court system. Referrals are made by the courts and Juvenile Court Counselors. The program request a minimum of 65 hours of community service for each referral and facilitates monetary restitution to victims of juvenile crime. Results include the completion of over 6200 hours of community service in 36 months of which over 1900 have been done in the first seven months of this fiscal year by 111 youth with a recidivism rate of less than 40%.

Volunteer activities including peer tutoring, working with Habitat for Humanity, disaster relief, support of local food banks, volunteering in convalescent homes, and working with civic organizations. These activities enable our young people to use their time and talents, reinforcing their self worth, sense of community and personal responsibility.

Project Challenge also includes a three day outdoor experiential education component modeled on those utilized in the corporate world. This is designed to enhance motivation, social skills, and time management strategies. Special emphasis is placed on enhancing self esteem, and developing self confidence.

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PHONE: 704-765-0776 • FAX: 704-7657206

Program Narrative

The 24th Judicial District—Avery, Mitchell, Madison, Watauga, and Yancey Counties. This is where we first introduced Project Challenge. In this district two full-time program coordinators work with a maximum of 25 participants each. Some of the resources in the community that provide excellent restitution opportunities include: Food banks, Nursing homes, Animal shelters, Habitat for Humanity, Art councils, Red Cross, Blue Ridge Parkway and local trail maintenance, as well as all our activities performed for the local schools, Churches, and Civic organizations. In keeping with our commitment of service to the communities we serve, Project Challenge makes available the use of our equipment including our seven and fifteen passenger vans, and our camping equipment to local civic groups including scouts and local youth groups. In the rural communities of the 24th district these services are invaluable and irreplaceable.

The 25th Judicial District–Burke, Catawba, and Caldwell Counties. Project Challenge began operating in this judicial district in February 1998. We are very excited about our expansion and believe we are starting out with excellent tools, a great staff, and the years of experience earned in the 24th Judicial District. The 25th Judicial District employs a district supervisor and two program coordinators who each carry a maximum caseload of twenty-five participants. Due to the very large population of this district we expect this program to run at full capacity for most of the year. This district, like the 24th, has one fifteen and one seven passenger van (purchased with the funds made available by the General Assembly), which when not in use by our staff are made available to other community organizations. Program staff is housed with the juvenile court counselors. This collaborative effort reduces costs and produces better all around service for the courts, juvenile court counselors as well as program participants. With funds provided by the General Assembly Project Challenge has been able to provide the 25th district with computers to be used as a resource for not only Project Challenge staff, but for the juvenile court counselors as well.

The 29th Judicial District–Henderson, McDowell, Polk, Rutherford, and Transylvania Counties. Project Challenge began operating in the 29th judicial districts in February 1998. The 29th district employs a district supervisor and a program coordinator who each carry a maximum caseload of twenty-five participants. As in the case of the 25th district the 29th also has a very large population. We expect this program to also run at full capacity for most of the year. This district with the support of the funds provided by the General Assembly has one fifteen and one seven passenger van, which when not in use by our staff will be available to other community organizations. Here our staff will is housed with the juvenile court counselors. This level of cooperation is an invaluable asset to Project Challenge and the youth we serve. It also reflects the support and cooperative spirit that exists between Project Challenge and the Juvenile Services Division of the Administrative Offices of the Court. Once again the 25th district's new computer will be used as a resource for not only Project Challenge staff, but for the juvenile court counselors as well.

Program Narrative

The 30th Judicial District–Cherokee, Jackson, Clay, Macon, Graham, Swain, and Haywood Counties. This district operates as Compass Challenge (a collaborative effort between Project Challenge and an intensive motoring program, 'Compass'). We offer all of the same services in this district as the other three districts. This collaboration provides the 30th district with a complete menu of service that include the community service and restitution services provided by Project Challenge as well as intensive monitoring and Alternative to Detention provided by Compass. This district employees one district supervisor and four program coordinators. Here again our staff is being housed with the Juvenile Court Counselors. Currently we have one fifteen passenger van, and a seven passenger van.

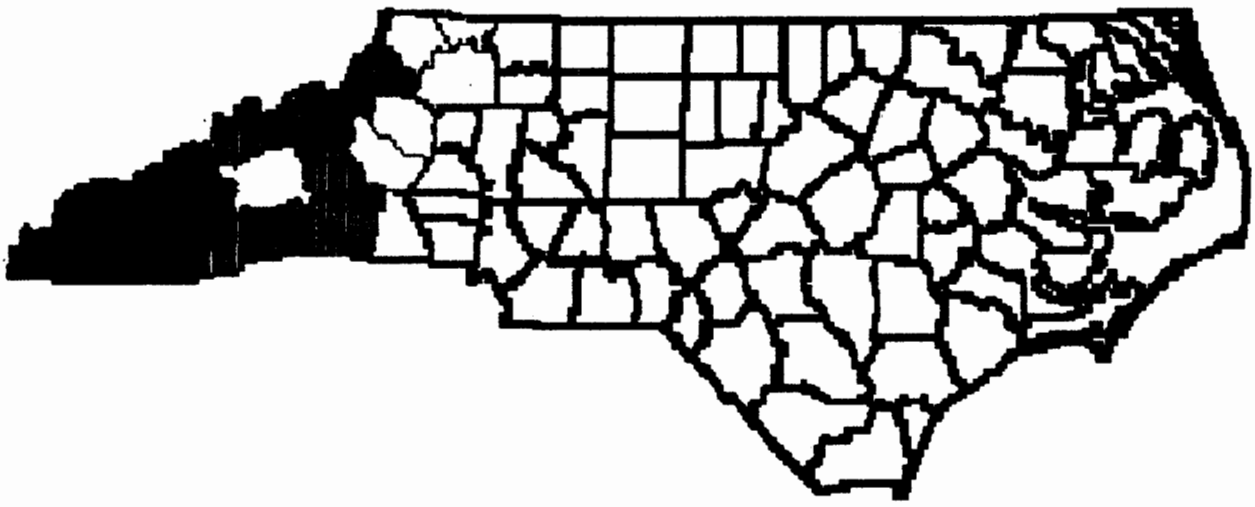
C.H.A.M.P.S. Program– (Changing Habits and Making Positive Steps) Avery County
In addition to our stated program objectives, Project Challenge is also involved in a collaborative effort with the Avery county school system in operating a program known as C.H.A.M.P.S. This community based alternative funded program targets a similar age demographic as Project Challenge, however these children are targeted before they enter the juvenile court system. C.H.AM.P.S. and Project Challenge share very similar components. Each program deals with troubled youth and both programs employ the use of community service as an agent for teaching children the value of stewardship and community action. In this collaboration Project Challenge supplies the use of its fifteen passenger van and the services of both of the 24th judicial district's program coordinators. None of this would've been possible without the funding we've received from the General assembly.

Avery S.O.S.–Avery County
Project Challenge has been able to support the S.O.S. program at Avery Middle School by providing the use of a 15 passenger van. Prior to this the S.O.S. program was spending in excess of $700.00 monthly on transportation for students. By providing this support they have been able to reduce this cost by more than 50%.

PROJECT CHALLENGE NORTH CAROLINA, INC.

"Helping Youth Serve Their Community"

CURRENT SERVICE AREA OF PROJECT CHALLENGE NORTH CAROLINA INC.



24th District	25th District	29th District	30th District
Avery	Burke	Henderson	Cherokee
Madison	Caldwell	McDowell	Clay
Mitchell	Catawba	Polk	Graham
Watauga		Rutherford	Haywood
Yancey		Transylvania	Jackson
			Swain

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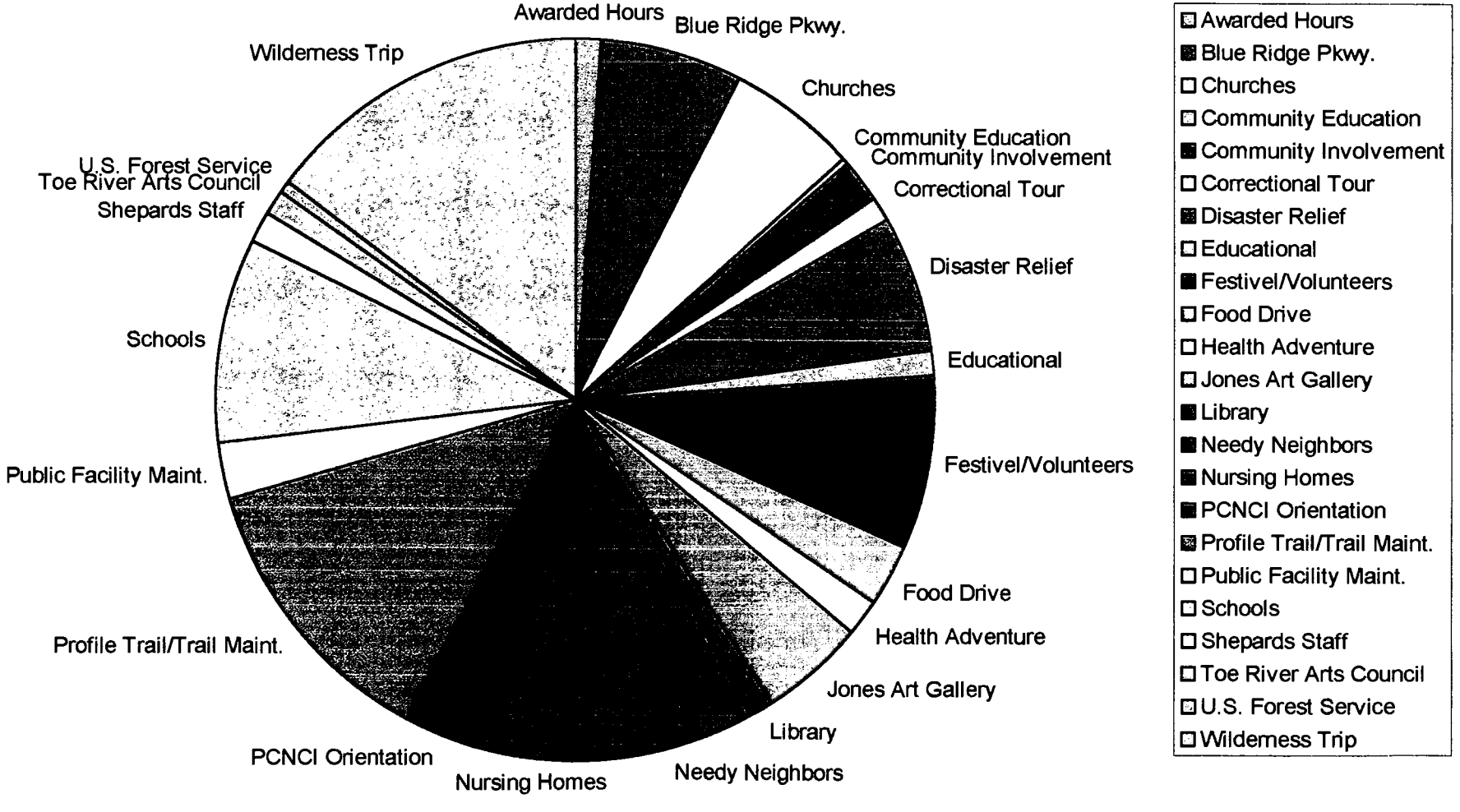
Community Service Activity Tracking



Project Challenge North Carolina, Inc.
General Assembly
Expenditures on First $50,000.00 Awarded

Expenditures	Amount
Salary/Wages/Benefits	14,366.65
Travel-Employee Mileage, Meals, Hotel	1,070.00
Supplies and Materials	3,360.00
Furniture/Equipment/Data Processing	13,973.29
Other Expenses/Misc. Items-Auto Repair/Maintenance-Debt Reduction	15,310.63
Total	48,080.90

Project Challenge North Carolina, Inc.
Profit and Loss
July 1997 through March 10, 1998

		Jul '97-Mar '98	Awarded 97/98 Not Yet Rec'd
Ordinary Income/Expense			
Income			
4020	CBA Grants	44,846.35	119,952.33
4030	Contributions Income	450.00	
4080	Federal	56,970.84	82,506.69
4110	Legislative Funds	100,000.00	
4150	Miscellaneous Income	80.00	
4170	Program Fees	1,200.00	
4190	Sales Tax Reimbursement	854.34	
Total Income		204,401.53	406,860.55
Expense			
5001	30th District Federal Reimb.	5,505.86	
5000	30th District CBA In-Out	353.67	
6105	Advertising	179.18	
6110	Automobile Expense	24,815.90	
6113	Automobile Fuel	3,467.30	
6120	Bank Service Charges	36.00	
6135	Checking	79.95	
6190	Contract Labor	325.00	
6140	Contributions	50.00	
6160	Dues and Subscriptions	1,305.10	
6180	Insurance	5,529.60	
6200	Interest Expense	859.67	
6550	Office Supplies	10,778.11	
6560	Payroll Expense	72,338.70	
6250	Postage and Delivery	407.31	
6270	Professional Fees	850.00	
6670	Program Expense	907.15	
6290	Rent	1,575.00	
6710	Sales Tax	895.05	
6770	Supplies	1,761.56	
6340	Telephone	3,379.18	
6345	Training/Education	513.00	
6350	Travel & Ent	1,791.63	
6390	Utilities	614.99	
		138,318.91	138,318.91
Total Expense			
Net Ordinary Income		66,082.62	268,541.64
Other Income/Expense			
Other Income			
7010	Interest Income	79.43	
Total Other Income		79.43	
Net Other Income		79.43	79.43
Net Income		66,162.05	268,621.07

"How it goes in Project Challenge"

"So what happens when they call my name mom?", Johnny asked with what could be considered less than minimal enthusiasm. "I don't know sweetie I'm sure they'll let you know."
"Oh yes, oh yes, oh yes, this honored court is now in session for the dispatch of its business the honorable judge John J. Judge presiding God save the state of North Carolina."
"You maybe seated." The judge said as he adjusted his robes and sat down in the leatherback chair behind the bench. "Ladies and gentleman today is a session of juvenile court. In just of few minutes I'll call the court calendar and try to set an order in which to take up today's cases. As I call your name, if you don't have an attorney stand and let me know you are in the court room, if you do have an attorney he or she will answer for you."
After about a half hour the judge called Johnny's name and his attorney answered for him. It was strange Johnny had been a little nervous but as he herd the judge call his name he felt his heart start to beat faster and he went just a little flush. 'What are they going to do to me', he thought to himself.
The judge and the attorneys talked back and forth to each other for what Johnny thought must have been an hour, but in reality was probably on 10 or 15 minutes. Then the judge asked Johnny several questions, which Johnny just answered yes or no to without really even listening, it was all quite a frightening experience. "Do you have anything else you would like to say Johnny?", the judge asked. "Huh, umm, No, no sir." Johnny stuttered. The judge talked to the lawyer some more and to the court counselor, and then he said, he could go it was over, before he even knew what had happened.

"Hey Johnny," I said, "My name is Jason, from Project Challenge, I need to talk to you and your parents and explain how we will be working together for the next few months OK?"
Our intake conversation went by pretty smooth, Johnny just sat there trying to figure me out while his parents asked questions not really designed to get answers but to see if they would get along with me or not and then Johnny was free to go, I had completely explained our program both verablly and in writting, but I knew as time went on I would need to explain every thing two or three more times, that's how it ussally goes, but even though they misssed what I had to say I feal pretty confindent they want what's best for their child and I'm sure they will try to cooperate.

Today I called Johnny at home, "Hello this is Jason, from Project Challenge, is Johnny there?", I asked. "Yes, he is just a second." In the background I could here "Johnny telephone," "Who is it, ma?" "I think it's that guy who we met in court about your community service, just come down!" Clearer now I hear, "Jason, he'll be right down." "Hello", Johnny said in a small voice. "Hey buddy, what's up?" "Nothing", he replied. "I thought you were going to call me and let me know you were going to be able to attend community service tomorrow." "Oh yea, I guess I forgot.", he mumbled. "Forgot huh,

well I guess I can understand that but you got to remember for next time alright. So I'll pick you up after school tomorrow for community service, will you be ready?" "I guess so," Johnny said. "Alright man I'll see you tomorrow." "Bye", he said as he hung up the phone.

The next day I rounded every one up for community service, we're going to pick up trash in the park, four of the five kids I had scheduled showed up, Johnny was among them. He was quite at first but started talking with me and then the other kids, by the end of the day he had found his place in the group. "So how long have we been out here", Johnny asked. "About two and a half hours". I replied. "That's cool, we sure got a lot of trash up in such a sort time." "Well, bubba that's the idea", I said to him.

About two weeks went by and I had to call Johnny again. "Hey Johnny, why didn't you call?" "Sorry man, I was gonna later on tonight." "I see", I said, "Anyway don't forget about community service this Saturday, I'll pick you up at 9:30, at the Hardee's in Burnsville." "Alright Jason, I'll see you then, hey what are we gonna be doing?", he asked. "We're gonna be shoveling mud out of peoples yard from the flood", I said. "Man, do we have to, can't we pick up more trash or something else?" "Don't worry I'll make sure you get to pick up more trash but tomorrow we shovel!"

The next day Kent and I (Kent is my coworker) picked up the kids and headed down to Bakersville to shovel mud. Nobody was excited but everyone worked real good, and when Mrs. Crantz came out with lemonade and thanked us for all of our hard work, they were all very polite. After lunch however, everyone was getting tired and starting to whine. "Man, this sucks!", Johnny blurted out. "Well it's not really that fun, but it needs to be done Mrs. Crantz can't do this herself and besides who put you here?" "Well, I guess I put me here", Johnny said. "I guess you did partner", I said.

Johnny called me today, "Hey Jason, listen I can't make community service tomorrow, my folks and I are going to Tennessee to visit my grandma." "Well sorry to here you can't make community service this week but I wouldn't want you to miss your grandparents, but don't forget you've got the wilderness adventure next weekend, you got all your stuff ready?" "Well I'm not really looking forward to it but I am ready." "I'm sure you'll have a good time.", I said, "I'll see you then."

The Wilderness Adventure started off pretty good, Kent and I gave the kids a little motivational speech, we discussed, respect and how we expected the participant's to act on the trip. We showed them how to adjust and how to pack their backpacks, and we set out to conquer the trail. The trail was very challenging we hiked an average of six miles a day. On the first night it rained but we all stayed pretty dry and had a pretty good time anyway. The second afternoon we all went swimming and after lunch we learned a little orienteering from Tarver our lead guide. The rest of the trip was mostly hiking, but when it was all over Johnny came to me and said he'd never had such a good time.

After the Wilderness Adventure I never had a problem with Johnny calling for community service and he always did a pretty good job. His parents were very cooperative, and Johnny actually began to enjoy helping out. Today I went to juvenile court and was happy to be able to report that Johnny had completed seventy-one hours and he had only been ordered sixty-five. He was finished with wilderness adventure and had paid his restitution. His parents, the judge the court counselor, and myself were all very pleased when Johnny walked out of the court room off probation with his parents and a clean slate.

By:

Jason Nicholson
Program Coordinator
Project Challenge North Carolina Inc.

VISITOR REGISTRATION SHEET

APP. /Sub. Justice & Public Safety — Name of Committee

March 17, 1998 — Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Chris Marks	AOC
Chuck Crann	State Planning
Jeanne Bonds	AOC
Miriam Jason	AOC
Jan Hood	AOC
Deborah Ross	ACLU
Joe Stewart	
Mary Lowry	GCC
Gretchen Kast	Project Challenge

HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Wednesday March 18, 1998 9:00 a.m.

Room 612, Legislative Office Building

I. CALL TO ORDER

Chairmen: Senator Wib Gulley, Presiding

Representative Gregg Thompson
Representative Larry Justus
Representative Joe Kiser

II. PRESENTATIONS

Morning

- Joint Appropriations Meeting 8:30 to 10:00?

- Report on the Department of Correction's Plan to Handle Potential Bed Shortage in Fiscal Year's 1997-98 and 1998-99

  Dan Steineke, Director, Division of Prisons

- Report on Projected Prison Bed Need by Custody Level

  Gregg Stahl, Assistant Secretary, Department of Correction

SOME AGENDA ITEMS MAY BE MOVED TO AFTERNOON IF FULL APPROPRIATIONS MEETING IS LONGER THAN ANTICIPATED

Afternoon

- Discussion of Integrated Criminal Justice Information System

  Pat McCrory, Mayor, City of Charlotte
  Sheriff Jim Pendergraph, Mecklenburg County
  Chief Dennis Nowicki, Charlotte Police Department
  Jerry Fox, Mecklenburg County Manager
  Members from other urban districts

- Report on the Attorney General's Response to Private Prison Expansion

  Jane Gray, Deputy Attorney General

III. OTHER BUSINESS

- If time allows, Departments comments on proposed Continuation Budget reductions

IV. ADJOURNMENT

SENATE AND HOUSE JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
March 18, 1998

The Senate and House Joint Appropriations Subcommittee on Justice and Public Safety met at 10:00 am on Wednesday, March 18, 1998 in Room 612 of the Legislative Office Building. Representatives Justus, Thompson, Kiser, McCrary, Hardy, Redwine, Sexton, Crawford, Easterling, and Smith; and six Senators were present. Senator Gulley, Co-Chairman, presided.

Senator Gulley first asked Ms. Jane Gray, Deputy Attorney General, to present the Attorney General's advisory opinion regarding the private prison expansion (Handout #1 attached). She told the Committee that there were two provisions that would prohibit expansion of the two private prisons from 500 to 1,000 beds each without changing the law. Also, the original RFP did not call for 2,000 so there might be a contractual problem, because other bidders did not have the opportunity to bid on 2,000 beds. Representative Justus voiced his opinion that the state missed an opportunity to get 1,000 more beds for $5 million because of a technicality. Representative Kiser asked if it would still be permissible to expand in the future and Ms. Gray replied yes.

Next, Mr. Dan Steineke, Director of the Division of Prisons, gave the Department of Corrections (DOC) report on how it planned to handle the bed shortage that was anticipated this year (Handout #2 attached). Representative Kiser asked if this plan was the best way to handle the bed deficit. Mr. Steineke replied that he would like to continue the county jail contracts rather than eliminate then by June 1999. Senator Wellons opened a discussion about DOC's long term goals to have fewer inmates in the future with regard to prison programs, such as substance abuse and literacy programs, and the problem of recidivism. Mr. Mills, Fiscal Analyst, reported that an assessment of the substance abuse programs is due May 1 and DOC would also be giving suggestions on lowering the recidivism rate. Mr. Steineke assured the Committee that the current bed deficit was not as bad as DOC had experienced in the past and he was confident it could be handled adequately. **Representative Thompson asked DOC to give the Committee the percentage of capacity the thirteen units listed on page 2 of Handout #2 would be operating at with the additional beds and how many of the segregation beds**

would be used. Representative Kiser further asked DOC to give the Committee the number of positions that had been funded and have not been filled as of today.

Next, Mr. Gregg Stahl, Assistant Secretary with the Department of Correction, began his report on the projected prison bed need by custody level (Handout #3 attached). Mr. Stahl stated that this reported was based on the adult, male population and did not include approximately 8,000 youth, males under the age of 22 and women inmates. The pie charts on page 3 of the Handout showed that the violent offenders would go from 1/3 of the prison population in 1997 to 2/3 of the population by 2006.

The Committee recessed for lunch at 11:45.

After lunch, Senator Gulley reconvened the meeting and asked Senator Odom to introduce the Charlotte Mayor. Mayor Pat McCrory, Mecklenburg County Sheriff Jim Pendergraph, Charlotte Police Chief Dennis Nowicki, Mecklenburg County Manager Jerry Fox, Mecklenburg County Assistant District Attorney Steve Ward and Wake County Deputy County Manager David Cook all spoke to the Committee about the serious problems that the court systems were facing because there is not a statewide criminal information system. After their presentations and Committee discussion, Senator Odom suggested that the Committee allow Mecklenburg County, Wake County, a medium size county and a small county be given the opportunity by the state to establish a pilot criminal information system. After they got the bugs out, it could become a statewide system. Also, Senator Odom suggested that the Criminal Justice Information Network (CJIN) Committee needed Clerks, Judges and Magistrates on it so all the players would have input for effective information system.

Representative Easterling asked if there was one state agency to oversee the whole system. Mr. Ron Hawley of the CJIN Governing Board stated that it was their job to oversee and coordinate the developing system. He assured the Committee that as CJIN built on the current system, they would get input from all parties. There was further Committee discussion with regard to helping Mecklenburg County alleviate the problems they were experiencing. Also, Mr. Taylor with the Administrative Office of the Courts gave an update on the Magistrates Computer System.

Representative Smith voiced concern at the $400 million figure that was reported as being needed to complete a statewide criminal information system and where this money would be coming from. Mr. Hawley replied that it would be state appropriated money and federal money. Senator East asked Mr. Hawley what was the timeline for the CJIN project. Mr. Hawley stated that it was a five-year plan if fully funded, but it had not been fully funded so the time had lengthened.

Next, Mr. Stahl was asked to finish his custody level report from the morning meeting (Handout #3 attached). Mr. Stahl told the Committee that 1986 was used in the figures because that was the last full year of data prior to getting a cap on the prison population. Pages 8, 9 and 10 showed the projections for needed beds. The 1995 projection for close

custody beds for the year 2006 is 7,800 which is 4,000 short of the current number. For medium custody the projection was 10,500 beds needed which would give a 5,000 bed overage by 2006. With regard to minimum custody bed capacity, the 1995 projection for 2006 was 8,400 beds needed which would give a 3,200 bed overage.

Representative Kiser asked Mr. Stahl would could be done about the need for more close custody beds without building more prisons. Mr. Stahl replied that 620 double bed medium custody cells at Central, Marion and Pasquotank could be made single bed close custody cells and the two private prison facilities with 500 single cells could be sent close custody prisoners instead of medium custody prisoners as planned. This might require a renegotiation of the contract. These two options would create 1,600 close custody beds. Also, with the surplus of medium and minimum custody beds, DOC could move towards Standard Operating Capacity rather than Expanding Operating Capacity which the prisons were are currently operating at.

The meeting was adjourned at 3:30 p.m.

Senator Wib Gulley, Co-Chair

Carol Resar, Committee Clerk

Handout #1

MICHAEL F. EASLEY
ATTORNEY GENERAL

State of North Carolina
Department of Justice
P. O. BOX 629
RALEIGH
27602-0629

March 4, 1998

MEMORANDUM

TO: Co-Chairs, House and Senate Justice and Public Safety Appropriations Subcommittee

FROM: Jane P. Gray
Deputy Attorney General

T. Buie Costen
Special Deputy Attorney General

RE: **Private Prisons Under Construction by U. S. Corrections Corp.**

Your recent letter to Attorney General Easley on the above-referenced subject has been referred to us for reply.

1. Does the original RFP require only the construction and operation of the private prisons as 500 bed units or is *significant* expansion allowed? (NOTE: *Prisons will actually have 528 beds each when complete).*

RFP 505590 does not speak in terms of "beds." It calls for 500 housing "cells" in each prison facility plus 48 separate segregation cells. (RFP p 14) The "Standard operating capacity" for each prison unit is stated as 500 inmates (RFP p 18) and supporting medical service facilities are to be designed so as to "meet the needs of 500 inmates." (RFP p 19)

G.S. § 148-37(g) as it appeared when the RFP was issued authorized only 1000 beds to be placed under contract with the private sector and it is clear that the RFP called for only 500 housing cells in each prison facility.

However, the RFP did note that the facility could "be operated above capacity as approved by" DOC. (RFP p 18, § A2) Vendors were informed that DOC "does not

anticipate the use of these facilities for multiple occupancy" but also told that if the vendor proposed multiple occupancy, housing unit cells must be sized at a minimum of 80 square feet." (RFP p 67, § 2B) These provisions led to questions at the mandatory preproposal conference. Question 33 asked the meaning of "above capacity" and the response was "Facility designed for 500 inmates unless adjusted later by DOC." Question 68 asked about "flexibility to go double cell" and the response was that each housing unit within the facility had a "minimum design limit of 50 single cells and a maximum limit of 64 single cells."

From the foregoing we conclude that the RFP required only 500 single cells but left vendors free to propose cell sizes sufficient to accommodate multiple occupancy (80 square feet). U. S. Correction Corporation's (hereinafter USCC) response proposed single housing cells of 63 net square feet (Volume 2) but we are informed present shop drawings for the projects show cell size as 80 square feet which is sufficient under the RFP to allow multiple occupancy.

2. Would a contract that expands the operation of the two facilities beyond the original 500 bed units create a significantly different operation than called for in the original RFP? Would an expanded contract significantly alter the terms and conditions under which the current operations contract is being negotiated? If so, would this expansion violate any state laws and/or subject the state to legal action by or liability to vendors that were not selected, or expose the state to any other legal liability?

It is our understanding that the operations contract is still being negotiated with USCC even though it was planned that it would be executed contemporaneously with the lease agreement. We nevertheless conclude that in terms of the RFP an expansion of each facility to 1000 inmates would require a "significantly different operation" than a facility of 500 inmates. Prospective vendors could not have reasonably anticipated from the RFP that the resulting contracts would involve double occupancy nor would the statute as it then existed have authorized DOC to enter into such a contract. Thus, an expansion of the existing contracts of the proposed magnitude could subject the State to the risk of litigation from unsuccessful vendors.

While G.S. § 148-37(g) has now been amended to authorize DOC to contract with the private sector for up to 2000 beds upon DOC's determination that a need exists, it also expressly directs DOC's course of action when such a determination has been made:

> Once the Department has made a determination to contract for additional private prison beds, it shall issue a request for proposals within 30 days of the decision.

This clear mandate appears to preclude negotiation with USCC to amend existing contracts in order to provide the additional capacity. That same statute further provides that the Secretary of Correction may contract with private for-profit or nonprofit firms for those 2,000 beds at "four or more confinement facilities....". To expand to 2,000 beds at only two facilities conflicts with this language as well.

3. If the Department of Correction and the State of North Carolina have the legal authority to expand the number of beds and operations of the two private prisons currently under construction, should any expansion negotiations be handled as part of the current contract or should any expansion be handled through negotiation of a second and separate contract with USCC?

In light of our response to Question 2, any contracts with the private sector for additional capacity could only occur after G.S. § 149-37(g) was amended to permit the beds to be located in fewer than four facilities and would have to result from a new competitive procurement process as required by that same statute.

We hope these responses are helpful to you in your discussions. This is an advisory opinion and has not been reviewed and approved in accordance with the procedures for issuance of a formal Attorney General's Opinion.

Handout # 2

STRATEGIES TO HANDLE DEFICIT CAPACITY PROJECTIONS FOR DIVISION OF PRISONS JULY 1998 - JULY 1999

1. Add temporary beds to 13 Division of Prisons Institutions (see attached Exhibit #1).

2. On a temporary basis, use up to 50% of vacated regular population beds of inmates assigned to segregation (see attached Exhibit #2).

3. Utilize the total number of beds gained through "CONTRACT JAIL CAPACITY" (see attached Exhibit #2).

4. Add "CONTRACT JAIL CAPACITY", "½ OF SEGREGATION CAPACITY" AND "TEMPORARY BED CAPACITY" will equal "TOTAL CAPACITY AVAILABLE ABOVE EOC" (see attached Exhibit #2).

5. By comparing the numbers indicated in the "DIFFERENCE" column (Exhibit #2) with the number in the "TOTAL CAPACITY AVAILABLE ABOVE EOC" column (Exhibit #2) it reflects sufficient bed capacity to accommodate deficient projections.

EXHIBIT 1

BREAKDOWN OF TEMPORARY BEDS ADDED TO EOC

UNIT	TEMPORARY BEDS
Caledonia CI	72
Central Prison	123
Eastern CI	54
Hoke CI	12
Nash CI	96
NCCIW	142
Neuse CI	120
Odom CI	48
Piedmont CI	56
Rowan CC	24
Southern CI	72
Western YI	164
Wilmington RFW	10
TOTAL	**993**

c:\Danny\DRBeds.wpd
Rev 3/17/98

NEWCAPC4.WK4 17-Mar-98 DIVISION OF PRISONS **EXHIBIT 2**

COMPARISON OF SENTENCING COMMISSION PROJECTIONS
AND DIVISION OF PRISONS CAPACITY WITH COLUMNS TO SHOW HOW DOP MANAGES ANY DEFICITS

DATE	1/98 SENTENCING COMMISSION PROJECTIONS	DOP EOC CAPACITY	DIFFERENCE (deficit)	HOW DOP MANAGES THE DEFICIT: CONTRACT JAIL CAPACITY	1/2 OF SEGREGATION CAPACITY	TEMPORARY BED CAPACITY	TOTAL CAPACITY AVAILABLE ABOVE EOC
6/30/97	32,849	30,924					
1/15/98	**32,073**	31,224	(849)	322	670	993	1,985
3/13/98	**32,458**	31,224	(1,234)	322	670	993	1,985
3/98	32,596	31,224	(1,372)	322	670	993	1,985
4/98	32,734	31,626	(1,108)	302	680	993	1,975
5/98	32,872	31,794	(1,078)	128	680	993	1,801
6/98	33,021	31,894	(1,127)	128	680	993	1,801
7/98	32,867	32,032	(835)	88	680	993	1,761
8/98	32,713	32,652	(61)	48	704	993	1,745
9/98	32,559	33,066	507	48	704	993	1,745
10/98	32,405	33,138	733	48	704	993	1,745
11/98	32,251	33,006	755	48	704	993	1,745
12/98	32,097	33,534	1,437	48	728	993	1,769
1/99	31,943	33,534	1,591	48	728	993	1,769
2/99	31,789	33,534	1,745	48	728	993	1,769
3/99	31,635	33,534	1,899	48	728	993	1,769
4/99	31,481	34,184	2,703	48	722	993	1,763
5/99	31,327	34,184	2,857	48	722	993	1,763
6/99	31,177	34,184	3,007		722	993	1,715

BOLD Is the actual DOP count for dates indicated, including backlog, contract jails and substance abuse.
Shaded blocks are actual Sentencing Commission Projections.
The other months are DOP estimates per month derived from Sentencing Commission annual projections

Handout #3

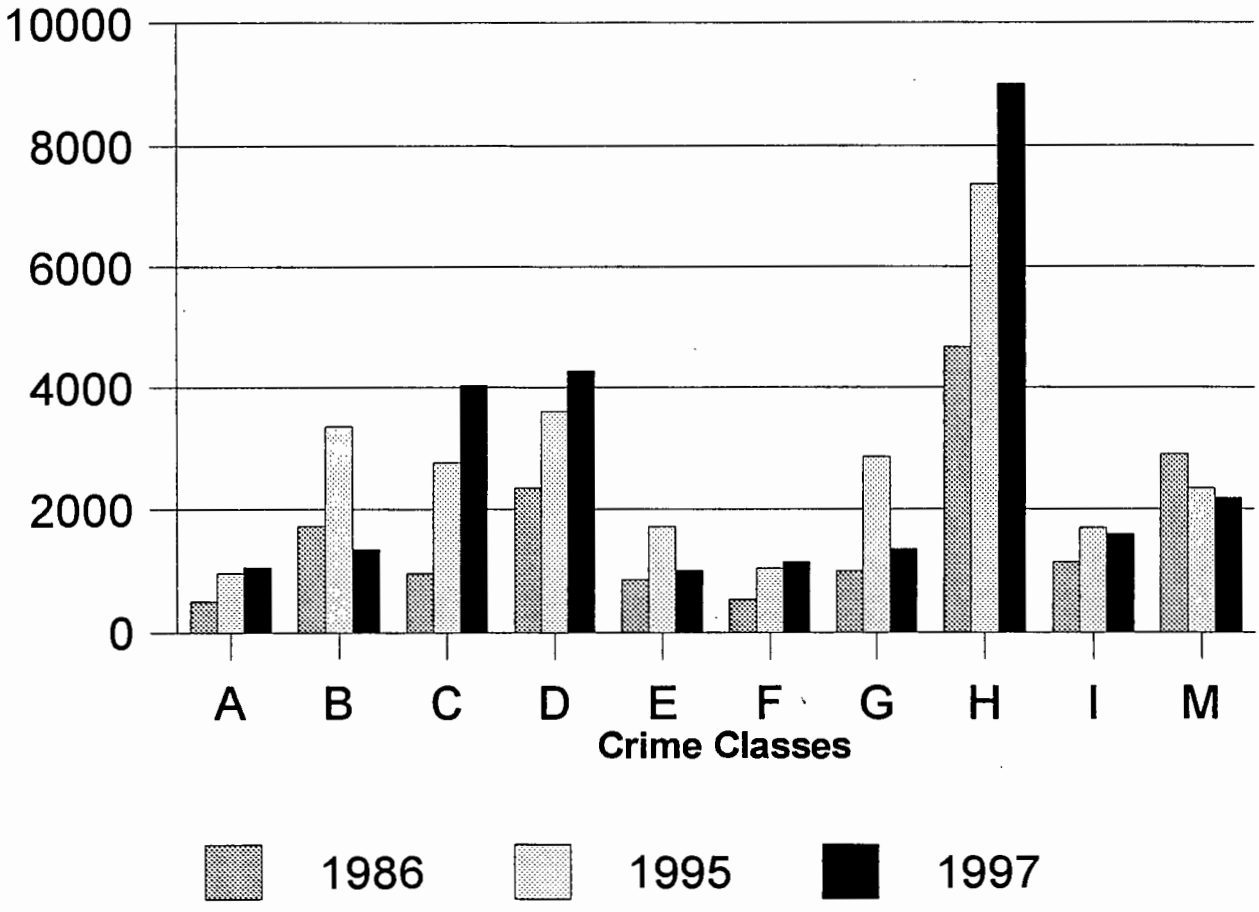
Department of Correction

Adult Male Prison Population
and
Capacity Projections
March 18, 1998

Data Contributed by
Sentencing and Policy Advisory Commission
Research and Planning Division, Department of Correction
Division of Prisons, Department of Correction

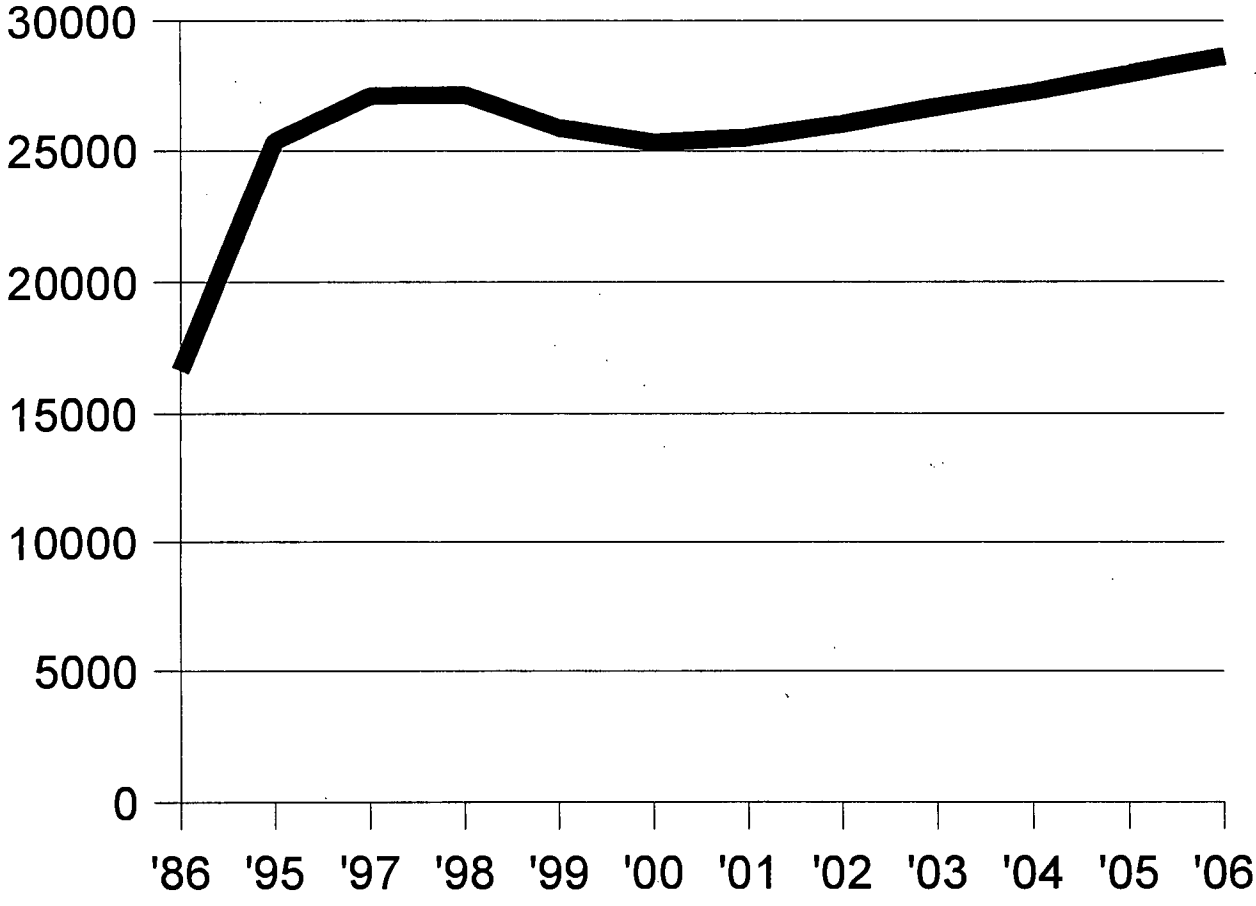
Prison Population Distribution by Crime Class

Males, Age 22 or Older, 1986, 1995 & 1997



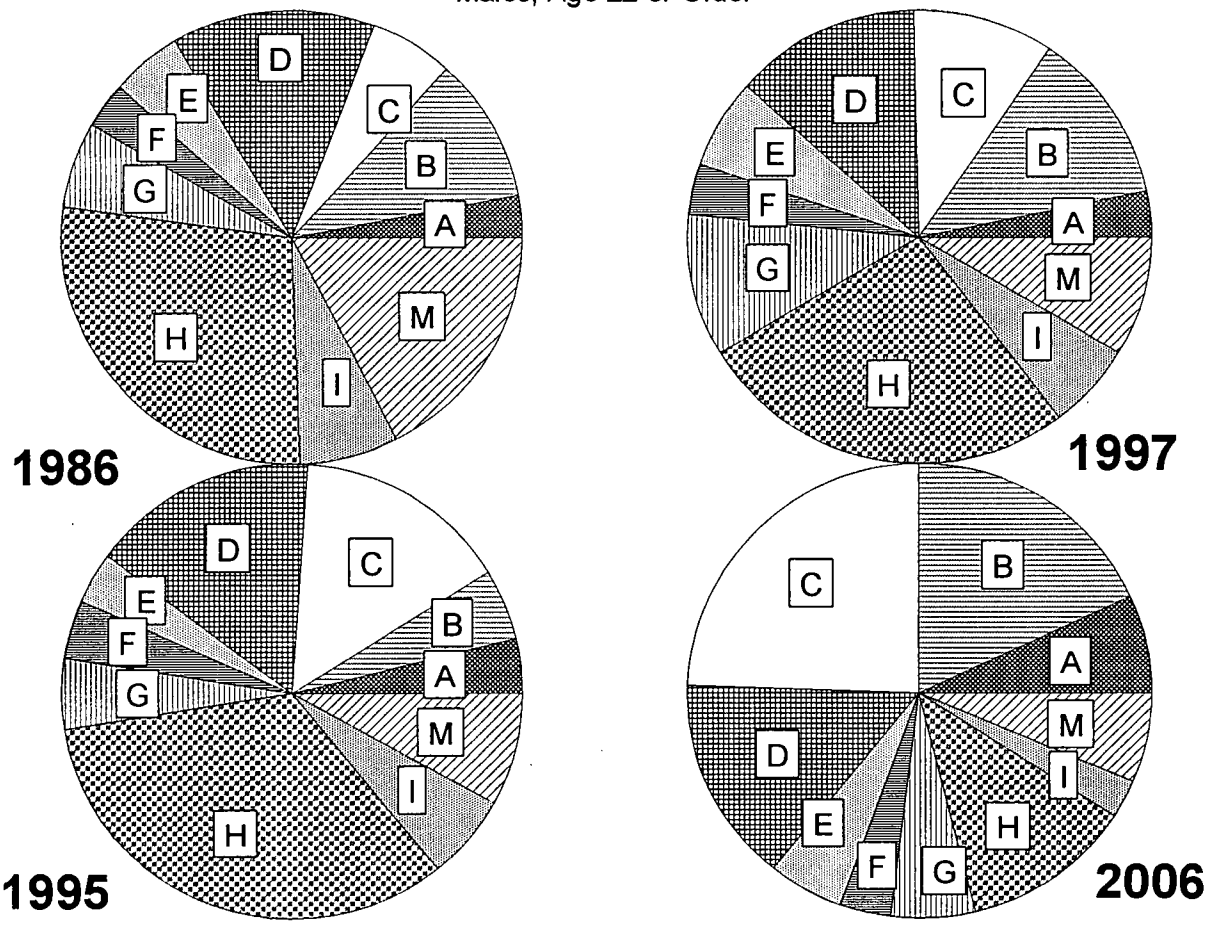
Trends in Prison Populations

Males, Age 22 or Older, 1986, 1995, 1997-06



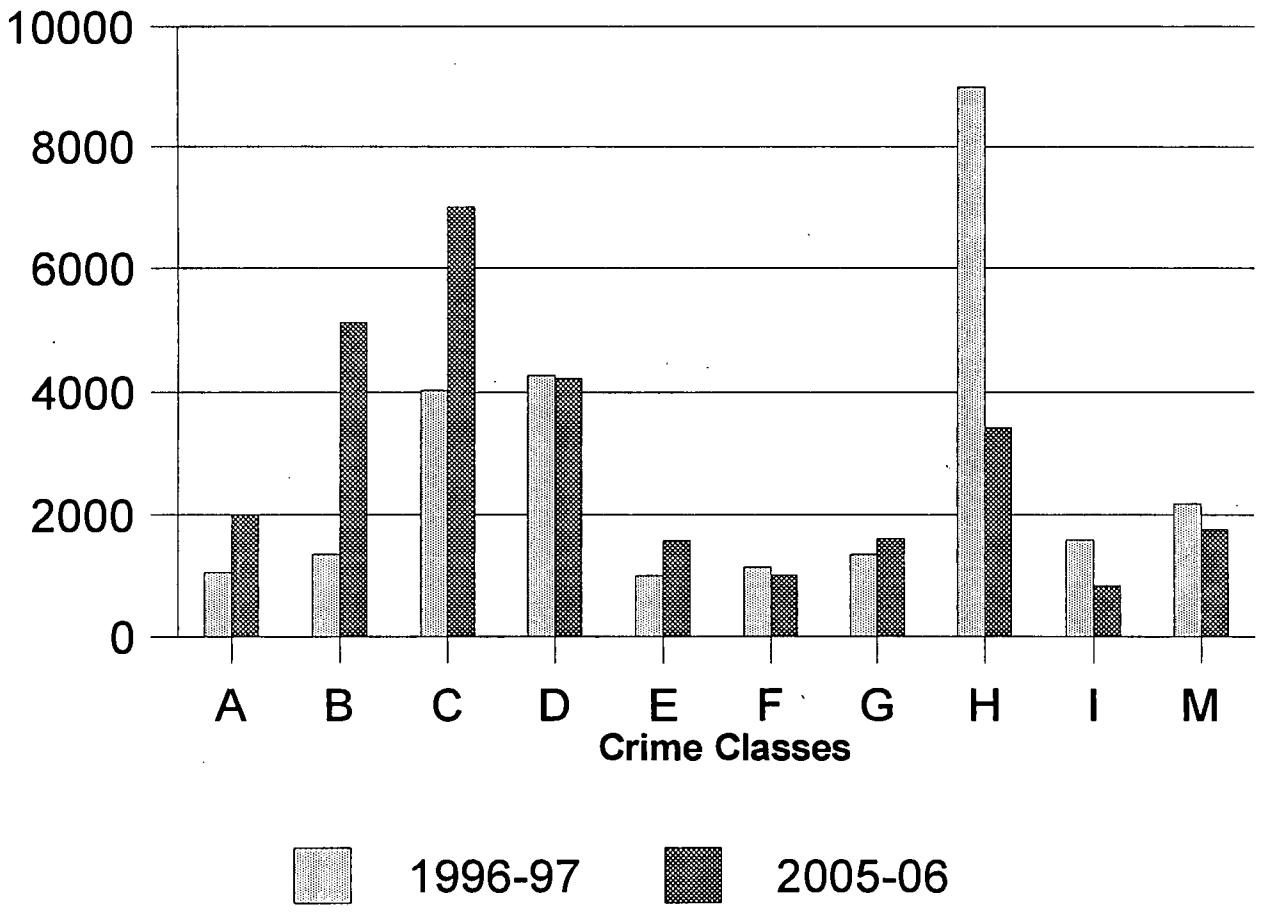
Prison Population Distribution by Crime Percentage

Males, Age 22 or Older



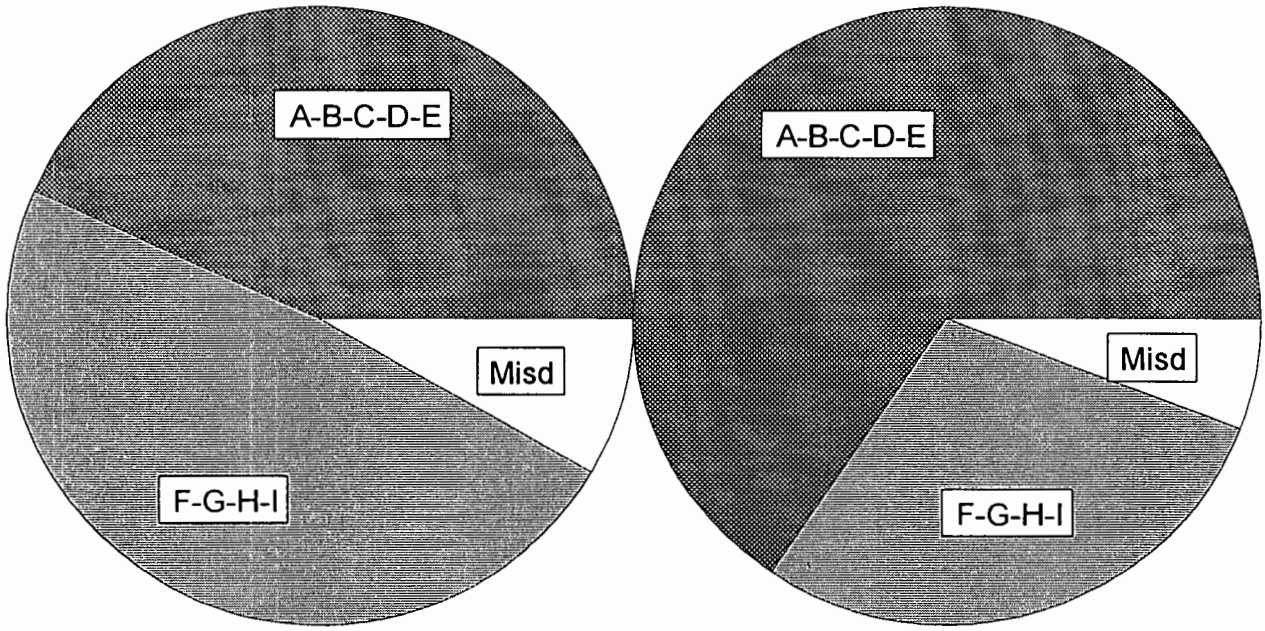
Prison Populations by Crime Class

Adult Males, Age 22 or Older, 1997 & Projected 2006



Prison Population Distribution by Crime Groupings

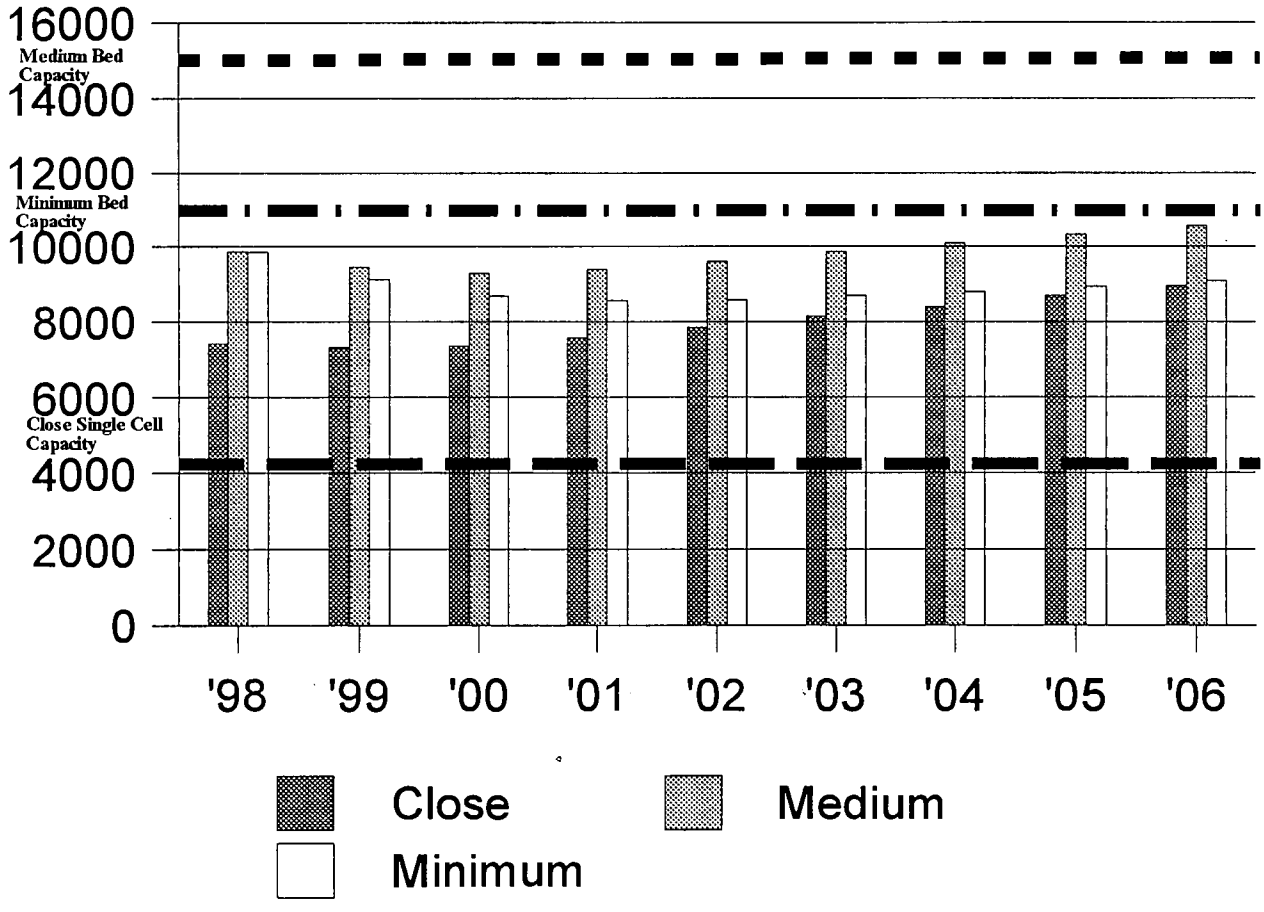
Males, Age 22 or Older, 1997 & 2006 Projected



1997 **2006**

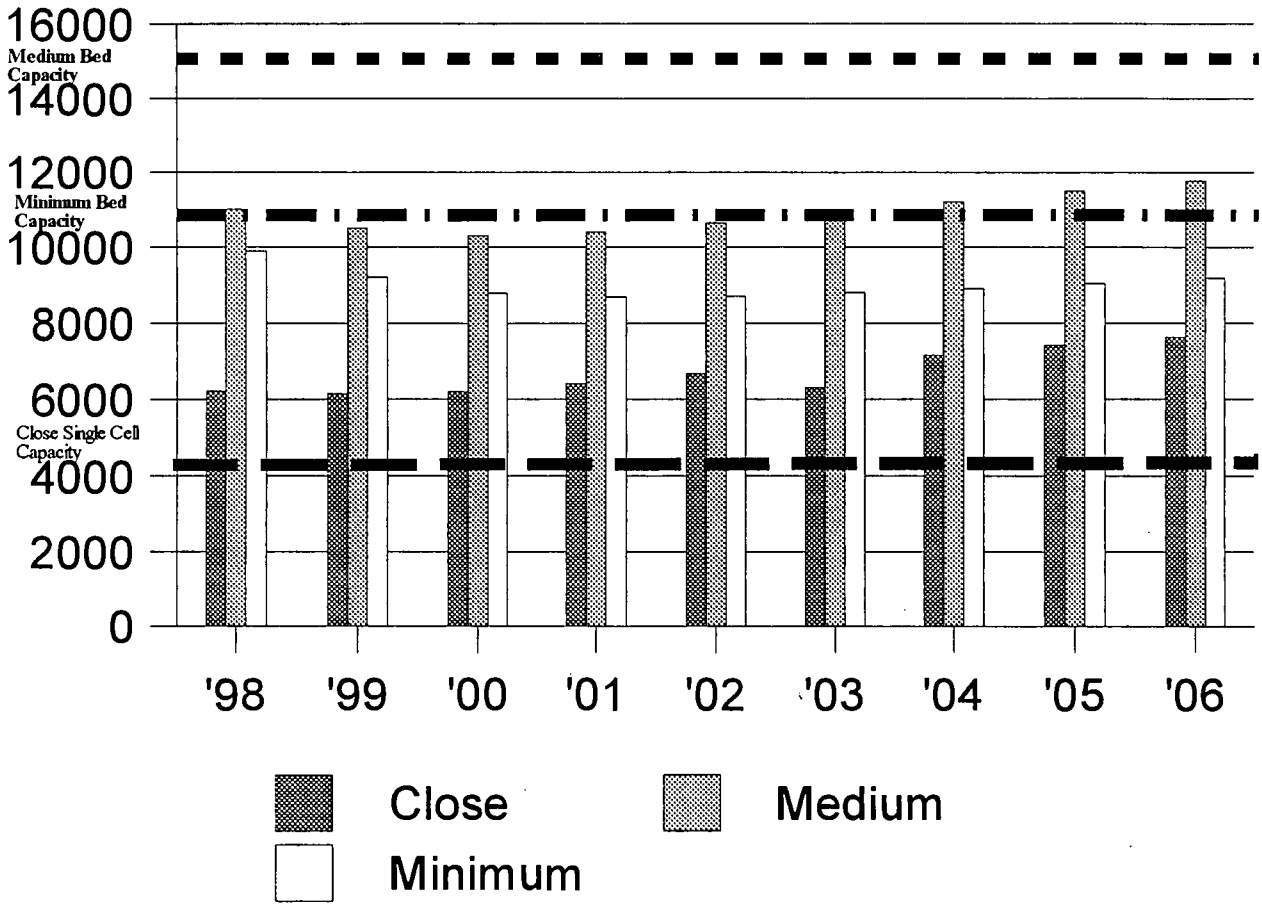
Custody Projections Using 1986 Distributions

Males, Age 22 or Older, 1998-2006



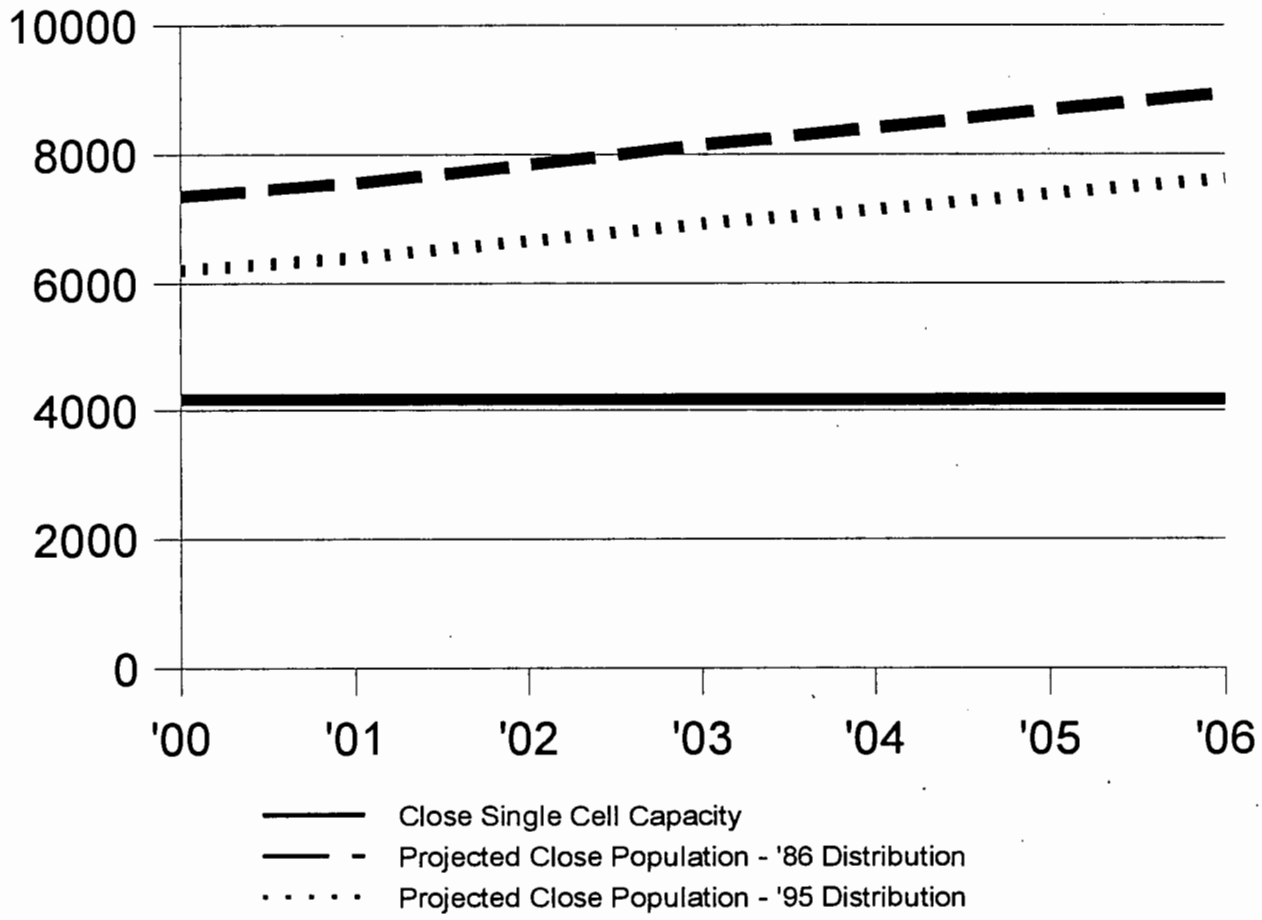
Custody Projections Using 1995 Distributions

Males Age 22 or Older, 1998-2006



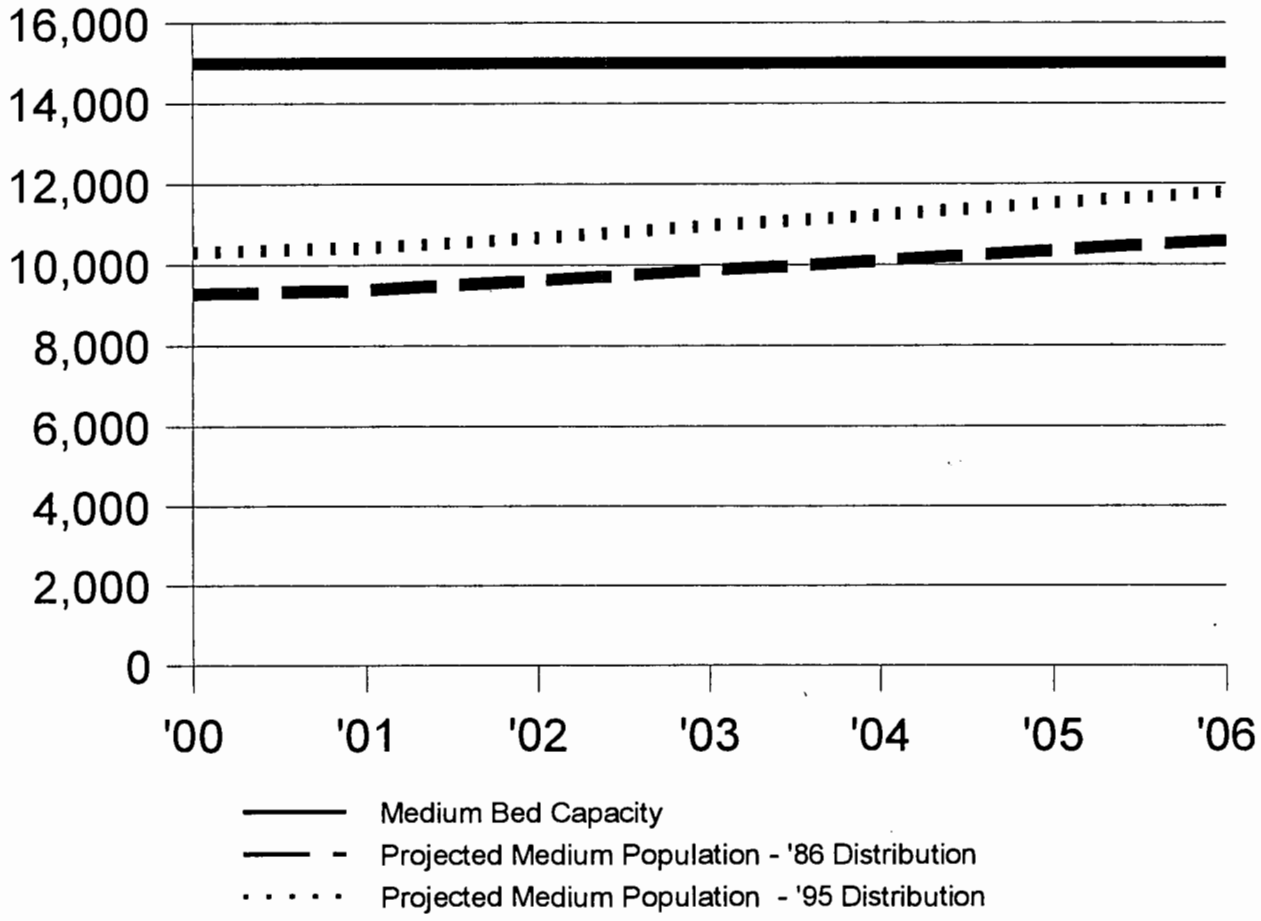
Close Security Capacity and Projected Population

Males, Age 22 or Older, 2000-06



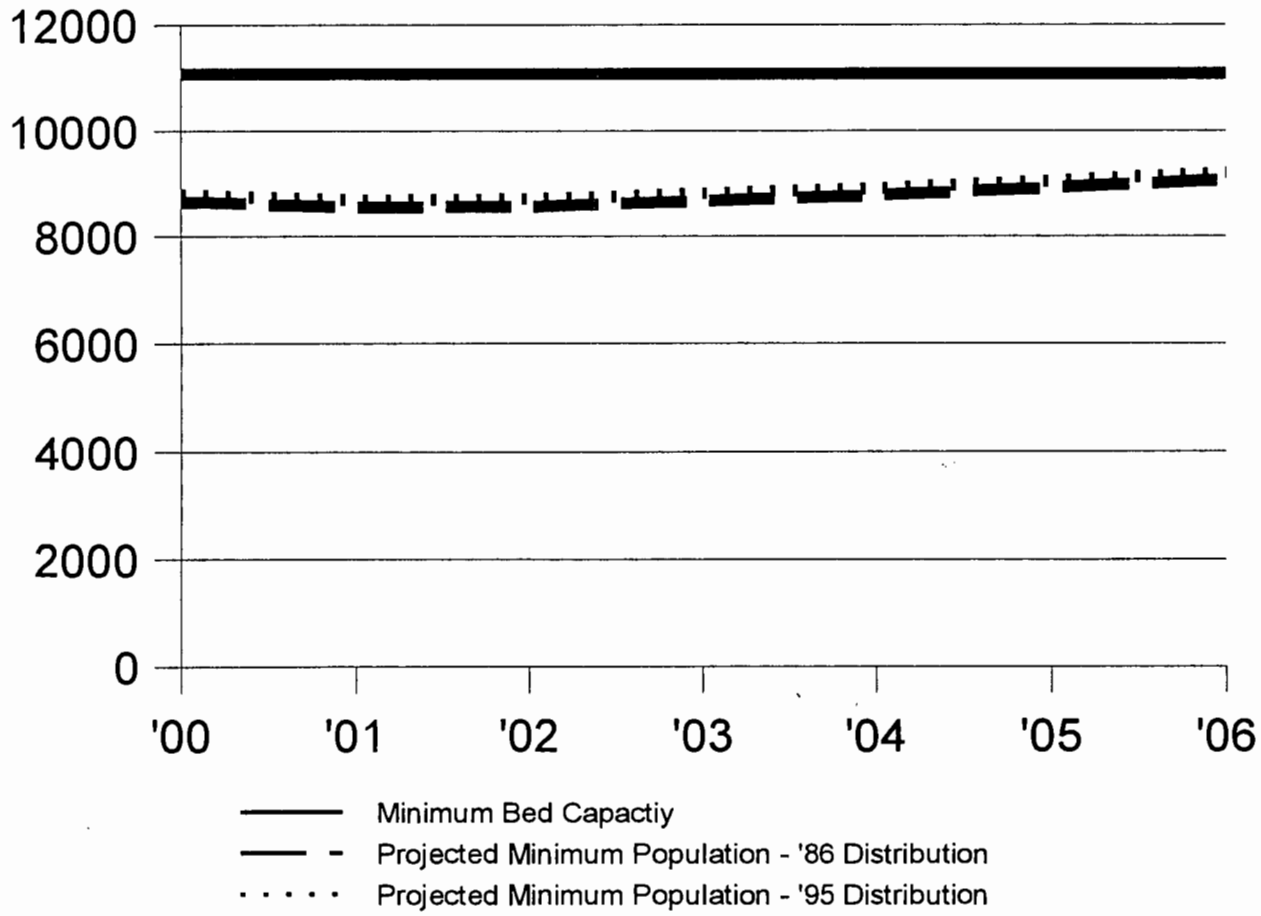
Medium Bed Capactiy and Projected Population

Males, Age 22 or Older, 2000-06



Minimum Bed Capacity and Projected Population

Males, 22 and Over, 2000 -06



VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 3/18/98

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Jane P. Gray	DOT
Susan Katzenelson	Sentencing Com.
Lee Rubert	CYPC
Ken Stieneke	DCC
Joe Hamilton	DCC
Greg Stahl	DCC
Natalie Hawkins	Charlotte Chamber
Jerry Jay	Mecklenburg County
Janie Beaver	Mecklenburg County Court Services
Ron Hawley	DOT
Chuck Crum	OSP

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 3/18/98

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Jim Hou	Coopers & Lybrand
Jeanne Bonds	AOC
Tommy Griffin	Clerk of Court, Cumberland

HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Thursday March 19, 1998 9:00 a.m.
Room 612, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Wib Gulley

Representative Gregg Thompson
Representative Larry Justus
Representative Joe Kiser, Presiding

II. PRESENTATIONS

- Annual Report on Victims Compensation Fund Expenditures and Proposed Expanded Use of Fund

  Gary Eichelberger, Director, Victim & Justice Services

- Criminal Justice Partnership Program Follow-up Issues
  (Pre-trial release programs, Day Reporting Center schedules, Funding issues for 1998 Session)

  Elisa Wolper, Fiscal Research Division
  Department of Correction Staff

- Criminal Justice Partnership Program—funding options for participating counties

  Patrice Roesler
  Director of Intergovernmental Programs
  NC Association of County Commissioners

  Department of Correction Staff

III. OTHER BUSINESS

IV. ADJOURNMENT

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
INTERIM STUDY 1997-98
March 19, 1998

House Members Present: [7] Representatives Justus, Thompson, Kiser, McCrary, Hardy, Sexton, and Easterling

Senate Members Present: [4]

The Joint Appropriations Subcommittee on Justice and Public Safety met on Thursday, March 19, 1998. Representative Kiser called the meeting to order at 9:10 AM.

Presentations

Annual Report on Victims Compensation Fund Expenditures
and
Proposed Expanded Use of Fund

Representative Kiser introduced Gary Eichelberger, Director, Victims & Justice Services, for his report. Attachment 1 -- Victim Compensation Administrative Report -- was distributed. Mr. Eichelberger explained that the administrative costs for fiscal year 96/97 were $403,032.00. Representative Justus asked Mr. Eichelberger to explain the equipment item. Mr. Eichelberger stated that this is composed of computers, tables, desks, chairs, etc. **Representative Thompson asked for a line item breakdown of equipment and supplies/purchased services.** Mr. Eichelberger will provide this at the next meeting. Mr. Eichelberger stated that presently a claim is taking 31 -- 32 weeks to process. He will try to reduce this time frame to 26 weeks and then 20 weeks.

Representative Justus asked Catherine Smith, VAN Director, Are there are complaints concerning the time taken to complete a claim? Ms. Smith replied that the only complaint is that victims are not aware of the program. The District Attorney's office is not notifying the victim of the victim's compensation fund. Representative Sexton asked how the District Attorneys could get the message out. Catherine Smith responded that VAN (Victims Assistance Network) takes brochures to counties, offers training to victim/witness assistants and are only reaching about 2% of victims statewide. Representative Justus added that informing victims of the victim's compensation fund should be a prime duty of the victim witness assistants working for the District Attorneys.

Representative Kiser asked that Mr. Eichelberger to provide the number of victim compensation claims this year compared to the previous year. Representative Sexton asked for the number of applicants for victim's compensation and the number served.

Senator Ballance stated that the goal of this legislation should be compensating the victim rather than notification. He added that a judge will not decide a case without the victim present. Mr. Eichelberger responded that some claims are denied because the present law requires that the application be in the Victims Compensation Fund office within one year. **Senator Ballance said this should be amended.**

Representative Sexton stated that the committee needs an explanation of the bill and where the money is going. Jim Mills, Fiscal Staff, responded that House Bill 665 does not have any funding in it at this time. The five million mentioned was to help law enforcement notification. Part of the money was to assist other agencies in special projects to provide services to victims. He added that this committee wanted to be sure that these grants were not overlapping.

Representative Kiser stated that this committee should define what the money is spent on and it should be a direct appropriation. Senator Ballance stated that House Bill 665 puts the duty of notification on law enforcement officers. This responsibility should rest with the District Attorney and this should be specified in the law. Court cases should not be held up because of this bill.

Gary Eichelberger said that cards that provide the information necessary for victims could be given to law enforcement officers to distribute. Representative Justus asked Catherine Smith how she envisioned money being distributed to law enforcement. Ms. Smith replied that applications could be received for innovative programs or money could be distributed per capita.

Representative Kiser noted that a victim could be unconscious. Therefore he could not be notified within twenty-four hours. Representative Thompson said it is important that this issue be covered in the bill. Ms. Smith replied that the Sheriff's Association wanted this language in the bill. Senator Ballance added that on page 2 of House Bill 665 the work incapacitated could be added.

Criminal Justice Partnership Program Follow-up Issues
Pre-trial release programs, Day Reporting Center schedules,
Funding issues for 1998 Session

Representative Kiser introduced Elisa Wolper, Fiscal Research Division, for this presentation. Ms. Wolper covered the questions from earlier meetings as stated in Attachment 2 -- Criminal Justice Partnership Program. **Representative Kiser asked for the distribution of discretionary funds for the last two years. Ms. Wolper will provide this information.**

Criminal Justice Partnership Program --
funding options for participating counties

Patrice Roeselr, Director of Intergovernmental Programs, NC Association of County Commissioners, was recognized. Ms. Roeselr said that the County Commissioners Association has looked at this program and wants other counties to participate. Stability in funding is important to counties. As the judicial community becomes more familiar with this resource the usage will increase. The County Commissioners Association wants the Department of Corrections to be liberal with the discretionary money used for this program. As counties become more successful salary increases are needed and rent is increased. Therefore unspent funds could be maximized if the department were more liberal on a one time basis.

Nancy Lowe, Department of Corrections, was available to answer questions. Ms. Lowe stated that the department is willing to work with the County Commissioners Association on a formula.

The meeting was adjourned at 11:05 AM.

Larry Justus
Representative Larry Justus
Chairman

Carolyn Justus
Carolyn Justus
Committee Clerk

ATT. 1
3/19/98

North Carolina Department of Crime Control and Public Safety

Division of Victim and Justice Services

James B. Hunt Jr., Governor

Richard H. Moore, Secretary

MEMORANDUM

TO: Chairs of the Senate & House Appropriations Committees
Chairs of the Senate & House Appropriations Subcommittees
on Justice and Public Safety
Fiscal Research Division of the General Assembly

FROM: Gary B. Eichelberger, Director

DATE: March 19, 1998

RE: Victims Compensation Administrative Report to
Chairs, Senate & House Appropriations Committees

The following information is submitted as requested.

a. Attached is the End of Fiscal Year 96/97 report for the program.
b. Attached is the Fiscal Year Report for current fiscal year, 97/98, through February 28, 1998.

In addition to the above, the following information is furnished:

a. Administrative costs/expenses of fund for prior fiscal year, 96/97:

Administrative costs:	Salaries	288,005.00
	Supplies/Purchased Svcs.	68,466.00
	Equipment	46,561.00
		$403,032.00

Travel/per diem for commission members: $ 1,446.28

FY 97/98 through February 28, 1998:

Administrative costs:	Salaries	186,496.00
	Supplies/Purchased Svcs.	29,179.00
	Equipment	8,288.00
		$223,963.00

Travel/per diem for commission members: $ 1,318.68

b. Current unencumbered balance of fund (as of Feb. 28) $3,555,690.95

c. Amount of funds carried over from prior fiscal year: $2,000,000.00

d. Funds received in prior fiscal year from:

State Legislature:	$2,000,000
DOC	723,432
VOCA	*1,112,000

*(Fed .40 match money. These funds are given to each state at .40 on each state dollar spent on victims)

e. Funds received current fiscal year from:

State Legislature:	$	2,000,000	already received
DOC:		1,038,571	already received
VOCA:		500,000*	to be received March 98

(*Budgeted amount; we anticipate receiving $943,000 in match funds.)

f. Total amount of funds paid to victims prior fiscal year: $4,153,439.88

Total amount current fiscal year through February 28, 1998: $1,982,880.05

N. C. Crime Victims Compensation Commission
Financial Summary for State Fiscal Year
7/1/96 - 6/30/97

A. Claims Action Information (CVCC)

1.	Claims pending at beginning of reporting period	781
2.	Claims received during reporting period	1,625
3.	Sum of lines 1 & 2	2,406
4.	Claims approved for payment	879
5.	Residential & Age Information:	
	(a) number of state residents	834
	(b) number of non-residents	45
	(c) number approved for victims 17 and under	165
	(d) number approved for victims 18-65	610
	(e) number approved for victims 65 and older	59
6.	Number of claims not approved for payment	678
7.	Total number of claim determinations (Sum of lines 4 & 6)	1,557
8.	Claims pending at end of reporting period June 30 (Line 3 minus Line 7)	849

B. Processing of Claims

1.	Average number of weeks between receipt of completed claim and disposition of claim.	31.75
2.	Average number of weeks between completion of decision-making process and actual payment	3.72

C. Emergency Payments

1.	Does your agency make emergency payments? Yes __X__ No ____	
2.	Number of emergency payments approved	6
	Total amount	$7,000

D.

Payment statistics by type of crime	Number of claims receiving payment during reporting period	Total Amount Awarded by Category (Include all supplemental payments)
Assault	544	$3,033,441.99
Homicide	214	496,986.23
Sexual Assault	74	99,181.45
Child Sexual Abuse	76	85,039.02
Domestic Violence	98	307,277.98
DWI/DUI	9	58,574.25
Other	12	72,939.26
Total:	1,027	$4,153,439.88

E.

Expenses Paid	Total Amount
1. Medical/Dental (except mental health)	$3,096,669.82
2. Mental Health	91,514.55
3. Economic Support (Loss Wages, Loss of Support)	460,743.70
4. Funeral/Burial	500,367.86
5. Other (Please specify)	4,143.95
Total	$4,153,439.88

N. C. Crime Victims Compensation Commission
Financial Summary for State Fiscal Year
7/1/97 - 2/28/98

A. Claims Action Information (CVCC)

1.	Claims pending at beginning of reporting period	849
2.	Claims received during reporting period	1,265
3.	Sum of lines 1 & 2	2,114
4.	Claims approved for payment	625
5.	Residential & Age Information:	
	(a) number of state residents	597
	(b) number of non-residents	28
	(c) number approved for victims 17 and under	168
	(d) number approved for victims 18-65	420
	(e) number approved for victims 65 and older	37
6.	Number of claims not approved for payment	523
7.	Total number of claim determinations (Sum of lines 4 & 6)	1,148
8.	Claims pending at end of reporting period February 28 (Line 3 minus Line 7)	966

B. Processing of Claims

1.	Average number of weeks between receipt of completed claim and disposition of claim.	33.69	*Short 1 staff Person
2.	Average number of weeks between completion of decision-making process and actual payment	3.43	New Person

C. Emergency Payments

1. Does your agency make emergency payments?
   Yes __X__ No ____

2.	Number of emergency payments approved	3
	Total amount	$2,000

D.	Payment statistics by type of crime	Number of claims receiving payment during reporting period	Total Amount Awarded by Category (Include all supplemental payments)
	Assault	391	1,779,856.76
	Homicide	125	354,698.74
	Sexual Assault	54	98,178.88
	Child Sexual Abuse	93	140,633.43
	Domestic Violence	54	193,167.53
	DWI/DUI	5	38,463.61
	Other	9	59,866.24
	Total:	731	$2,664,865.19

E.	Expenses Paid	Total Amount
1.	Medical/Dental (except mental health)	$1,776,456.11
2.	Mental Health	125,581.63
3.	Economic Support (Loss Wages, Loss of Support)	312,136.04
4.	Funeral/Burial	450,691.41
5.	Other (Please specify)	
	Total	$2,664,865.19

BY FUND, BY COUNTY

FUND	NAME		TOTAL CHECKS WRITTEN
CV	ALAMANCE		
		TOTAL	13,072.80
		COUNT 6	
CV	ALEXANDER		
		TOTAL	1,537.20
		COUNT 1	
CV	ALLEGHANY		
		TOTAL	392.64
		COUNT 1	
CV	ANSON		
		TOTAL	2,455.11
		COUNT 3	
CV	AVERY		
		TOTAL	1,140.01
		COUNT 2	
CV	BEAUFORT		
		TOTAL	14,274.01
		COUNT 5	
CV	BERTIE		
		TOTAL	590.90
		COUNT 2	
CV	BLADEN		
		TOTAL	3,015.30
		COUNT 1	
CV	BRUNSWICK		
		TOTAL	600.00
		COUNT 1	
CV	BUNCOMBE		
		TOTAL	40,507.56
		COUNT 17	
CV	BURKE		
		TOTAL	3,500.00
		COUNT 1	

QUERY "PDTDFY

FUND	NAME		TOTAL CHECKS WRITTEN
CV	CABARRUS		
		TOTAL	14,266.28
		COUNT 5	
CV	CALDWELL		
		TOTAL	3,023.55
		COUNT 3	
CV	CARTERET		
		TOTAL	4,133.50
		COUNT 2	
CV	CASWELL		
		TOTAL	242.00
		COUNT 1	
CV	CATAWBA		
		TOTAL	21,664.89
		COUNT 7	
CV	CHATHAM		
		TOTAL	2,374.72
		COUNT 1	
CV	CHEROKEE		
		TOTAL	7,000.00
		COUNT 2	
CV	CLEVELAND		
		TOTAL	44,567.91
		COUNT 8	
CV	COLUMBUS		
		TOTAL	22,107.71
		COUNT 10	
CV	CRAVEN		
		TOTAL	10,897.81
		COUNT 3	
CV	CUMBERLAND		
		TOTAL	95,115.29
		COUNT 31	

QUERY "PDTDFY

FUND	NAME		TOTAL CHECKS WRITTEN
CV	CURRITUCK		
		TOTAL	20,790.00
		COUNT 3	
CV	DARE		
		TOTAL	9,766.31
		COUNT 5	
CV	DAVIDSON		
		TOTAL	14,620.25
		COUNT 5	
CV	DAVIE		
		TOTAL	140.00
		COUNT 1	
CV	DUPLIN		
		TOTAL	48,550.90
		COUNT 7	
CV	DURHAM		
		TOTAL	66,061.07
		COUNT 22	
CV	EDGECOMBE		
		TOTAL	36,263.75
		COUNT 19	
CV	FORSYTH		
		TOTAL	148,059.73
		COUNT 25	
CV	FRANKLIN		
		TOTAL	4,289.18
		COUNT 2	
CV	GASTON		
		TOTAL	37,775.43
		COUNT 12	
CV	GRANVILLE		
		TOTAL	82.28
		COUNT 1	

QUERY "PDTDFY

FUND	NAME		TOTAL CHECKS WRITTEN
CV	GREENE		
		TOTAL	3,500.00
		COUNT 1	
CV	GUILFORD		
		TOTAL	255,285.16
		COUNT 53	
CV	HALIFAX		
		TOTAL	29,768.05
		COUNT 7	
CV	HARNETT		
		TOTAL	37,367.40
		COUNT 13	
CV	HAYWOOD		
		TOTAL	25,665.55
		COUNT 2	
CV	HENDERSON		
		TOTAL	5,747.37
		COUNT 2	
CV	HERTFORD		
		TOTAL	19,701.95
		COUNT 5	
CV	HOKE		
		TOTAL	4,651.02
		COUNT 2	
CV	HYDE		
		TOTAL	2,070.00
		COUNT 1	
CV	IREDELL		
		TOTAL	16,818.51
		COUNT 7	
CV	JACKSON		
		TOTAL	1,498.10
		COUNT 1	

FUND	NAME		TOTAL CHECKS WRITTEN
CV	JOHNSTON		
		TOTAL	35,780.18
		COUNT 14	
CV	LEE		
		TOTAL	21,986.28
		COUNT 5	
CV	LENOIR		
		TOTAL	53,491.81
		COUNT 10	
CV	LINCOLN		
		TOTAL	194.44
		COUNT 1	
CV	MACON		
		TOTAL	20,156.04
		COUNT 2	
CV	MARTIN		
		TOTAL	2,000.00
		COUNT 1	
CV	MCDOWELL		
		TOTAL	41,804.79
		COUNT 6	
CV	MECKLENBURG		
		TOTAL	174,360.67
		COUNT 56	
CV	MITCHELL		
		TOTAL	7,066.00
		COUNT 1	
CV	MOORE		
		TOTAL	30,403.01
		COUNT 5	
CV	NASH		
		TOTAL	12,897.47
		COUNT 9	

QUERY "PDTDFY

FUND	NAME		TOTAL CHECKS WRITTEN
CV	NEW HANOVER		
		TOTAL	85,454.00
		COUNT 22	
CV	NORTHAMPTON		
		TOTAL	2,000.00
		COUNT 1	
CV	ONSLOW		
		TOTAL	64,479.28
		COUNT 9	
CV	ORANGE		
		TOTAL	20,658.18
		COUNT 9	
CV	PAMLICO		
		TOTAL	3,500.00
		COUNT 1	
CV	PASQUOTANK		
		TOTAL	1,140.00
		COUNT 3	
CV	PENDER		
		TOTAL	23,227.42
		COUNT 8	
CV	PERSON		
		TOTAL	21,305.84
		COUNT 3	
CV	PITT		
		TOTAL	59,512.00
		COUNT 15	
CV	POLK		
		TOTAL	1,104.60
		COUNT 1	
CV	RANDOLPH		
		TOTAL	24,361.35
		COUNT 4	

QUERY "PDTDFY

FUND	NAME		TOTAL CHECKS WRITTEN
CV	RICHMOND		
		TOTAL	25,881.65
		COUNT 6	
CV	ROBESON		
		TOTAL	39,911.63
		COUNT 13	
CV	ROCKINGHAM		
		TOTAL	82,897.75
		COUNT 22	
CV	ROWAN		
		TOTAL	32,007.27
		COUNT 20	
CV	RUTHERFORD		
		TOTAL	13,438.40
		COUNT 4	
CV	SAMPSON		
		TOTAL	54,028.14
		COUNT 8	
CV	SCOTLAND		
		TOTAL	8,704.00
		COUNT 4	
CV	STOKES		
		TOTAL	393.25
		COUNT 1	
CV	SURRY		
		TOTAL	12,744.05
		COUNT 1	
CV	TRANSYLVANIA		
		TOTAL	2,958.08
		COUNT 1	
CV	UNION		
		TOTAL	28,066.16
		COUNT 6	

QUERY "PDTDFY

FUND	NAME		TOTAL CHECKS WRITTEN
CV	VANCE		
		TOTAL	16,583.12
		COUNT 7	
CV	WAKE		
		TOTAL	84,588.74
		COUNT 20	
CV	WARREN		
		TOTAL	13,028.05
		COUNT 3	
CV	WATAUGA		
		TOTAL	2,719.71
		COUNT 3	
CV	WAYNE		
		TOTAL	37,677.93
		COUNT 8	
CV	WILKES		
		TOTAL	4,530.74
		COUNT 3	
CV	WILSON		
		TOTAL	81,770.64
		COUNT 23	
CV	YADKIN		
		TOTAL	14,689.02
		COUNT 4	
CV	YANCEY		
		TOTAL	1,285.99
		COUNT 2	
CV			
		FUND CV TOTALS	
		TOTAL	2,359,738.88
		COUNT 654	

ATT. 2
3-19-98

CRIMINAL JUSTICE PARTNERSHIP PROGRAM

RESPONSE TO QUESTIONS FROM EARLIER MEETINGS

March 19, 1998

1) Counties with Pretrial Release Programs
2) Typical Schedules for Day Reporting Centers
3) Update on Participating Counties
4) Funding Issues for 1998-99

COUNTIES WITH PRETRIAL RELEASE PROGRAMS (32)

	CJPP 1997-98	Other 1997-98	New in 1997-98
Anson	X		X
Brunswick	X		
Buncombe	X	County	CJPP funded expansion
Caldwell	X		
Camden	X		
Catawba		Non Profit	
Chatham	X		
Chowan	X		
Columbus	X		
Cumberland		County	
Currituck	X		
Davie	X		
Durham		County	
Forsyth	X		CJPP funded expansion
Gaston	X		
Gates	X		
Greene	X		
Guilford		AOC	
Harnett	X		
Lee	X		
Mecklenburg		County	
Montgomery	X		
Moore	X		
New Hanover	X		
Onslow			
Orange	X		
Pasquotank	X		
Perquimans	X		
Randolph	X		
Rockingham	X		
Stanly	X		
Surry	X		
Wake			
Wilkes	X		X
Number	27	6	2

data from CJPP and Sentencing Comm

CJPP funds multi county projects in Orange-Chatham, Lee-Harnett and the Albemarle Region (Camden, Chowan, Currituck, Gates, Pasquotank, Perquimans)

SAMPLE SCHEDULES IN DAY REPORTING CENTERS

- Day Reporting Centers have several variations. This memo describes a typical schedule for two different types of programs. Specifics vary considerably even among programs of similar type. These are just a few illustrative examples.

- Three major kinds of Day Reporting Centers are:

  1) *Full day* centers working with offenders who are neither employed nor in school and spend the substantial portion of their day at a single facility. In Wake County this model is actually called a "Day Incarceration Center"

  2) A Day Reporting Center with *offenders who are employed*, actively seeking work, or in school so report and receive treatment/services in the afternoons/evening. In Lee-Harnett the program is called a "Resource and Reporting Center".

  3) A Day Reporting Center that operates as a *one-stop* site for treatment and services—a single facility with offices for Probation and Parole Officers, Mental Health, ESC sessions, etc. The offender is only there for specific appointments.

- The Criminal Justice Partnership Program is in the process of defining what a Day Reporting Center must include to be considered an intermediate sanction under structured sentencing rather than a special condition of probation.

A Day Reporting Center is a level of supervision that is combined with probationary control that has as its goal to protect the community from further criminal activity by the offender and to provide services that will assist the offender in changing patterns of behavior.

The staff of the Day Reporting Center has the responsibility to work in direct collaboration with probation staff to coordinate a high level of both control and treatment. It will be the responsibility of the Day Reporting Center staff to supervise the day-to-day activity of the offender by engaging the offender in structured activities on-site and to report progress to the offender's assigned probation officer. By providing increased structure this particular intermediate sanction will address the individual needs of the offender and the collective needs of the community.

Offenders have minimum hourly requirements for time spent at the day reporting center; initially 20 hours per week for unemployed offenders and 10 hours for employed offenders. Requirements change as offenders move into different phases of the supervision period.

SAMPLE SCHEDULE FOR AN ALL DAY PROGRAM #1

Offenders will have individual appointments with probation parole officers, substance abuse counselors and Day Reporting Center case manager at various times.

In this program, offenders must participate 120 days (24 weeks)

1) Unemployed with a high school diploma
At center 7:30am-4:00pm Monday-Friday

	Mon	Tues	Wed	Thurs	Fri*
7:30-12:00	Vocational Training (HVAC or Wiring Program) with Wake Tech instructors				
12:00-1:00	Lunch (on site)				
1:00—4:00	Intensive Out Patient Substance Abuse Treatment (IOPT) (Group Meetings)			Community Service or Employment Counselors (ESC)	IOPT

on some Fridays, may spend day doing community service, maintenance of DIC facility or workshops on life and survival skills

2) Unemployed and no high school diploma
At center 9:00-4:00 Monday-Friday

	Mon	Tues	Wed	Thurs	Fri
9:00-12:00	GED Classes including computer lab usage				Community Service Facility Maintenance
12:00-1:00	lunch (on site)				
1:00-4:00	GED Classes or Intensive Out Patient Substance Abuse Treatment				

SAMPLE SCHEDULE FOR PROGRAM WITH EMPLOYED OFFENDERS OR OFF SITE ACTIVITIES

Offenders file an "itinerary" each week which specifies where they will be at all times Monday-Friday

For at least six months they must make daily contact with the program—either at the center (meetings or check-ins) or via telephone (weekends)

1) Unemployed Offender

This offender is spending three days a week looking for work. Two mornings a week are spent in a Human Resource Development Class (life skills,) and afternoons and evenings are spent in substance abuse group treatment or GED classes

	Mon	Tues	Wed	Thurs	Fri	Sat
8:30-1:00	Job Search	Human Resource Development Class	Job Search	HR Develop Class	Job Search	
2:00-5:00	Job Search	Substance Abuse Group		Substance Abuse Group		
5:00-8:00		Substance Abuse Group	GED	GED		

2) Employed Offender

	Mon	Tues	Wed	Thurs	Fri
7:00-5:00pm	Work—required to provide verification of employment to center				
5:00-6:00pm		check-in			check-in
6:00-9:00pm	Substance Abuse Group meeting		GED or Substance Abuse	GED or Substance Abuse	

CRIMINAL JUSTICE PARTNERSHIP PROGRAM

As of March 1998, 82 Counties participate in the Criminal Justice Partnership Program
The 18 nonparticipating counties are listed below along with the amount of funds allocated to that county.
Several of these counties are involved in the program in some level --have formed a board, requested teachnical assistance or otherwise expressed some interest in submitting an implementation grant proposal in the future.

NON PARTICIPATING COUNTIE	ALLOCATION	
ASHE	$56,098	*
BEAUFORT	$75,911	*
BLADEN	$70,149	
CABARRUS	$126,892	*
DARE	$53,074	
HYDE	$46,458	
JOHNSTON	$107,081	*
LINCOLN	$72,071	
MADISON	$40,479	*
MITCHELL	$40,809	*
NASH	$102,597	*
ROWAN	$136,630	*
RUTHERFORD	$84,474	
SAMPSON	$83,416	
TYRRELL	$47,798	
UNION	$111,020	*
WASHINGTON	$49,972	*
YADKIN	$61,965	*
subtotal	$1,366,894	
share of total	14.24%	
not including starred counties	$457,440	

New Since April 1997
Jackson
Yancey
Cherokee
Clay
Stanly

New for July 1998
Haywood
Pender
Richmond

* indicates county is considered a potential participant
Either a Board has been formed or there have been preliminary discussions with CJPP or requests for TA

CRIMINAL JUSTICE PARTNERSHIP PROGRAM
FUNDING ISSUES FOR 1998-99

I. CONTINUATION BUDGET FUNDING

$4.6 Million for 1997-98

Cut from $9.6 Million in 1996-7

Amount for 1998-9 TO BE DECIDED

II. CURRENT RESOURCES AND NEEDS

If all 100 counties participated, $9.6 Million would be needed for implementation grants

$7.9 Million was carried over from 1996-97 so there was $12.5 Million available 1997-98

$7.93 Million was allocated for 79 implementation grants and $2.5 Million was allocated for discretionary grants. This left $2.09 Million unallocated.

If 71% of grants are spent, the program will carry over $5.1 Million to 1998-99.

III. DISCRETIONARY FUNDING

Unspent CJPP funds remain with the program and do not revert to General Fund

Funds become available each year from allocations for counties that did not participate the prior fiscal year *and* from reversions from counties that participated but do not spend their full allotment. Last year, 71% of grant dollars awarded were actually spent.

Discretionary funds have been used for innovative substance abuse programs, to encourage cooperation and collaboration among counties, for renovation of facilities, for technical assistance and evaluation. In general, discretionary funds have not been used to cover recurring expenses.

IV. OPTIONS FOR COUNTIES

For counties that participate in the program and plan programs that require more resources than their allotment, there have been several options; apply for CJPP discretionary grants for particular programs, apply for outside funding (e.g. Governor's Crime Commission grants), or use local funds (e.g. for pretrial release)

The NC Association of County Commissioners is recommending use of unspent CJP funds from participating counties for additional projects.

ATT. 3

Criminal Justice Partnership Program

GRANT FUNDING SUMMARY

FISCAL YEAR 1997-98

As of March 17, 1998

County	Grant Awards								Total Expenditures
	Implementation				Discretionary				
	Awarded	Actual	Percent Spent	Reversion	Awarded	Actual	Percent Spent	Reversion	
Alamance	138,317.00	69,331.98	50%	68,985.02	5,000.00	3,236.04	65%	1,763.96	72,568.02
Albemarle Region	263,107.00	135,853.75	52%	127,253.25	0.00	0.00	0%	0.00	135,853.75
Alexander	66,428.00	24,876.71	37%	41,551.29	48,806.00	21,743.78	45%	27,062.22	46,620.49
Alleghany	40,523.00	27,016.00	67%	13,507.00	27,300.00	11,934.00	44%	15,366.00	38,950.00
Anson	72,332.00	20,744.39	29%	51,587.61	5,625.00	3,577.79	64%	2,047.21	24,322.18
Ashe	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Avery	43,845.00	0.00	0%	43,845.00	0.00	0.00	0%	0.00	0.00
Beaufort	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Bertie/Martin	123,881.00	22,483.70	18%	101,397.30	172,900.00	0.00	0%	172,900.00	22,483.70
Bladen	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Brunswick	89,821.00	43,227.00	48%	46,594.00	55,000.00	17,000.00	31%	38,000.00	60,227.00
Buncombe	187,283.00	48,123.33	26%	139,159.67	68,000.00	1,055.00	2%	66,945.00	49,178.33
Burke	100,185.00	58,355.09	58%	41,829.91	3,750.00	0.00	0%	3,750.00	58,355.09
Cabarrus	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Caldwell	96,730.00	63,852.08	66%	32,877.92	6,000.00	0.00	0%	6,000.00	63,852.08
Carteret	81,365.00	24,664.91	30%	56,700.09	59,505.00	2,568.74	4%	56,936.26	27,233.65
Caswell	49,675.00	27,558.09	55%	22,116.91	30,750.00	8,478.08	28%	22,271.92	36,036.17
Catawba	141,458.00	89,702.61	63%	51,755.39	78,033.00	45,901.64	59%	32,131.36	135,604.25
Cherokee	41,676.00	0.00	0%	41,676.00	5,625.00	0.00	0%	5,625.00	0.00
Clay	27,039.00	9,705.73	36%	17,333.27	5,625.00	410.28	7%	5,214.72	10,116.01
Cleveland	100,646.00	0.00	0%	100,646.00	12,484.00	0.00	0%	12,484.00	0.00
Columbus	82,703.00	41,761.25	50%	40,941.75	30,000.00	0.00	0%	30,000.00	41,761.25
Craven	109,426.00	61,041.26	56%	48,384.74	0.00	0.00	0%	0.00	61,041.26
Cumberland	270,093.00	63,166.30	23%	206,926.70	245,000.00	25,902.00	11%	219,098.00	89,068.30
Dare	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Davidson	157,546.00	75,103.02	48%	82,442.98	16,550.00	2,865.75	17%	13,684.25	77,968.77
Davie	65,572.00	28,140.38	43%	37,431.62	90,500.00	5,591.06	6%	84,908.94	33,731.44
Duplin	75,778.00	0.00	0%	75,778.00	0.00	0.00	0%	0.00	0.00
Durham	203,480.00	92,826.96	46%	110,653.04	106,000.00	0.00	0%	106,000.00	92,826.96
Edgecombe	82,937.00	48,463.82	58%	34,473.18	190,000.00	0.00	0%	190,000.00	48,463.82
Forsyth	260,563.00	70,619.13	27%	189,943.87	0.00	0.00	0%	0.00	70,619.13
Gaston	178,103.00	113,497.82	64%	64,605.18	0.00	0.00	0%	0.00	113,497.82
Graham	43,934.00	13,486.36	31%	30,447.64	3,750.00	0.00	0%	3,750.00	13,486.36
Guilford	329,714.00	93,816.76	28%	235,897.24	0.00	0.00	0%	0.00	93,816.76
Halifax	107,932.00	21,899.01	20%	86,032.99	35,400.00	9,755.79	28%	25,644.21	31,654.80
Haywood	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Henderson	92,771.00	61,509.00	66%	31,262.00	65,720.00	5,558.00	8%	60,162.00	67,067.00
Hertford	72,523.00	32,070.48	44%	40,452.52	17,500.00	0.00	0%	17,500.00	32,070.48
Hyde	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Iredell	134,268.00	76,766.00	57%	57,502.00	0.00	0.00	0%	0.00	76,766.00
Jackson	27,484.00	0.00	0%	27,484.00	3,750.00	0.00	0%	3,750.00	0.00
Johnston	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Jones	46,386.00	3,162.98	7%	43,223.02	12,000.00	0.00	0%	12,000.00	3,162.98
Lee/Harnett	174,597.00	96,187.80	55%	78,409.20	120,000.00	0.00	0%	120,000.00	96,187.80
Lenoir/Greene	152,560.00	23,539.17	15%	129,020.83	10,225.00	0.00	0%	10,225.00	23,539.17
Lincoln	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Macon	48,865.00	22,024.00	45%	26,841.00	12,000.00	0.00	0%	12,000.00	22,024.00
Madison	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
McDowell	63,793.00	29,402.99	46%	34,390.01	26,461.00	0.00	0%	26,461.00	29,402.99
Mecklenburg	498,414.00	254,320.85	51%	244,093.15	0.00	0.00	0%	0.00	254,320.85
Mitchell	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Montgomery	68,009.00	30,239.52	44%	37,769.48	0.00	0.00	0%	0.00	30,239.52
Moore	94,410.00	52,903.90	56%	41,506.10	103,065.00	6,441.03	6%	96,623.97	59,344.93
Nash	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
New Hanover	155,836.00	80,566.19	52%	75,269.81	90,655.00	4,349.27	5%	86,305.73	84,915.46
Northampton	61,067.00	11,835.77	19%	49,231.23	17,500.00	0.00	0%	17,500.00	11,835.77
Onslow	159,603.00	76,003.27	48%	83,599.73	0.00	0.00	0%	0.00	76,003.27
Orange/Chatham	181,941.00	0.00	0%	181,941.00	245,870.00	0.00	0%	245,870.00	0.00
Pamlico	46,437.00	0.00	0%	46,437.00	22,214.00	7,005.74	32%	15,208.26	7,005.74
Pender	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Person	64,958.00	38,398.00	59%	26,560.00	20,000.00	3,358.00	17%	16,642.00	41,756.00
Pitt	134,117.00	52,628.38	39%	81,488.62	0.00	0.00	0%	0.00	52,628.38
Polk	41,780.00	0.00	0%	41,780.00	0.00	0.00	0%	0.00	0.00
Randolph	131,509.00	35,303.29	27%	96,205.71	0.00	0.00	0%	0.00	35,303.29
Richmond	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Robeson	144,827.00	62,523.88	43%	82,303.12	85,000.00	76,288.55	90%	8,711.45	138,812.43
Rockingham	108,104.00	46,071.33	43%	62,032.67	24,020.00	1,769.10	7%	22,250.90	47,840.43
Rowan	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Rutherford	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Sampson	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Scotland/Hoke	151,260.00	28,765.45	19%	122,494.55	0.00	0.00	0%	0.00	28,765.45
Stanly	79,426.00	11,122.82	14%	68,303.18	12,914.00	6,119.73	47%	6,794.27	17,242.55
Stokes	70,737.00	28,014.17	40%	42,722.83	52,200.00	6,790.00	13%	45,410.00	34,804.17
Surry	91,112.00	22,229.82	24%	68,882.18	64,400.00	0.00	0%	64,400.00	22,229.82
Swain	49,081.00	16,374.39	33%	32,706.61	0.00	0.00	0%	0.00	16,374.39
Transylvania	54,046.00	7,385.00	14%	46,661.00	0.00	0.00	0%	0.00	7,385.00
Tyrrell	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Union	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Vance/Granville/Franklin	221,075.00	16,643.07	8%	204,431.93	0.00	0.00	0%	0.00	16,643.07
Wake	431,564.00	241,148.32	56%	190,415.68	35,000.00	31,719.00	91%	3,281.00	272,867.32
Warren	53,338.00	11,861.89	22%	41,476.11	17,500.00	9,797.00	56%	7,703.00	21,658.89
Washington	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Watauga	61,294.00	42,916.00	70%	18,378.00	54,200.00	10,440.00	19%	43,760.00	53,356.00
Wayne	130,148.00	42,290.68	32%	87,857.32	5,800.00	0.00	0%	5,800.00	42,290.68
Wilkes	95,157.00	41,114.82	43%	54,042.18	29,000.00	743.74	3%	28,256.26	41,858.56
Wilson	90,581.00	33,425.32	37%	57,155.68	42,390.00	2,184.99	5%	40,205.01	35,610.31
Yadkin	0.00	0.00	0%	0.00	0.00	0.00	0%	0.00	0.00
Yancey	19,247.00	0.00	0%	19,247.00	5,250.00	0.00	0%	5,250.00	0.00
Total	$7,934,417.00	$3,018,065.99	38%	$4,916,351.01	$2,496,237.00	$332,584.10	13%	$2,163,652.90	$3,350,650.09

Criminal Justice Partnership Program

GRANT FUNDING SUMMARY

FISCAL YEAR 1996-97

October 15, 1997

County	Grant Awards								Total Expenditures
	Implementation				Discretionary				
	Awarded	Actual	Percent Spent	Reversion	Awarded	Actual	Percent Spent	Reversion	
Alamance	138,317.00	49,115.38	36%	89,201.62	7,500.00	0.00	0%	7,500.00	49,115.38
Albemarle Region	263,107.00	207,631.83	79%	55,475.17			0%	0.00	207,631.83
Alexander	66,428.00	63,021.41	95%	3,406.59	33,050.00	30,563.60	92%	2,486.40	93,585.01
Alleghany	40,523.00	40,523.00	100%	0.00	33,700.00	32,914.86	98%	785.14	73,437.86
Anson	36,166.00	0.00	0%	36,166.00			0%	0.00	0.00
Avery	43,845.00	0.00	0%	43,845.00	10,950.00	0.00	0%	10,950.00	0.00
Bertie/Martin	123,881.00	18,197.51	15%	105,683.49	71,000.00	0.00	0%	71,000.00	18,197.51
Brunswick	85,286.00	37,736.00	44%	47,550.00	29,250.00	26,420.00	90%	2,830.00	64,156.00
Buncombe	187,283.00	185,358.84	99%	1,924.16			0%	0.00	185,358.84
Burke	100,185.00	99,213.36	99%	971.64			0%	0.00	99,213.36
Caldwell	96,730.00	42,894.16	44%	53,835.84	11,648.00	11,460.68	98%	187.32	54,354.84
Carteret	81,366.00	54,671.37	67%	26,694.63	38,500.00	9,310.84	24%	29,189.16	63,982.21
Caswell	49,675.00	40,700.39	82%	8,974.61	25,000.00	15,064.00	60%	9,936.00	55,764.39
Catawba	141,458.00	141,443.74	100%	14.26	22,715.00	22,715.00	100%	0.00	164,158.74
Cleveland	100,646.00	55,370.00	55%	45,276.00			0%	0.00	55,370.00
Columbus	82,703.00	49,084.97	59%	33,618.03			0%	0.00	49,084.97
Craven	109,426.00	90,333.61	83%	19,092.39	18,000.00	16,366.32	91%	1,633.68	106,699.93
Cumberland	270,093.00	256,623.22	95%	13,469.78	250,000.00	105,555.35	42%	144,444.65	362,178.57
Davidson	157,546.00	150,381.30	95%	7,164.70	62,965.00	22,196.63	35%	40,768.37	172,577.93
Davie	65,572.00	65,532.26	100%	39.74	59,350.00	39,302.09	66%	20,047.91	104,834.35
Duplin	75,778.00	0.00	0%	75,778.00	7,500.00	7,500.00	100%	0.00	7,500.00
Durham	203,479.00	203,479.00	100%	0.00	105,000.00	102,614.50	98%	2,385.50	306,093.50
Edgecombe	82,932.00	70,897.00	85%	12,035.00	10,000.00	7,554.00	76%	2,446.00	78,451.00
Forsyth	260,563.00	128,797.55	49%	131,765.45	7,500.00	2,356.02	31%	5,143.98	131,153.57
Franklin	75,638.00	21,481.00	28%	54,157.00	18,000.00	8,773.02	49%	9,226.98	30,254.02
Gaston	178,103.00	171,511.65	96%	6,591.35			0%	0.00	171,511.65
[redacted]	43,934.00	32,046.18	73%	11,887.82			0%	0.00	32,046.18
[redacted]	69,280.00	6,387.00	9%	62,893.00			0%	0.00	6,387.00
[redacted]	329,714.00	254,236.80	77%	75,477.20			0%	0.00	254,236.80
Halifax	107,932.00	41,160.49	38%	66,771.51	42,112.00	27,942.37	66%	14,169.63	69,102.86
Henderson	92,771.00	91,895.00	99%	876.00	129,380.00	129,380.00	100%	0.00	221,275.00
Hertford	72,523.00	39,865.99	55%	32,657.01	17,500.00	3,238.60	19%	14,261.40	43,104.59
Iredell	134,268.00	80,116.62	60%	54,151.38			0%	0.00	80,116.62
Jones	46,386.00	36,679.09	79%	9,706.91			0%	0.00	36,679.09
Lee/Harnett	174,597.00	144,930.95	83%	29,666.05	121,399.00	114,418.95	94%	6,980.05	259,349.90
Lenoir/Greene	152,560.00	128,619.31	84%	23,940.69			0%	0.00	128,619.31
Macon	48,865.00	43,653.00	89%	5,212.00			0%	0.00	43,653.00
McDowell	63,793.00	57,318.61	90%	6,474.39			0%	0.00	57,318.61
Mecklenburg	498,414.00	315,807.77	63%	182,606.23			0%	0.00	315,807.77
Montgomery	68,009.00	36,582.38	54%	31,426.62			0%	0.00	36,582.38
Moore	94,410.00	92,136.55	98%	2,273.45	135,688.00	97,120.79	72%	38,567.21	189,257.34
New Hanover	155,836.00	132,289.01	85%	23,546.99	62,080.00	12,494.00	20%	49,586.00	144,783.01
Northampton	61,067.00	50,410.13	83%	10,656.87	17,500.00	695.13	4%	16,804.87	51,105.26
Onslow	159,603.00	125,834.38	79%	33,768.62	20,286.00	20,286.00	100%	0.00	146,120.38
Orange/Chatham	181,941.00	145,710.33	80%	36,230.67			0%	0.00	145,710.33
Pamlico	46,437.00	30,967.56	67%	15,469.44	200,000.00	198,034.51	99%	1,965.49	229,002.07
Person	64,958.00	59,571.00	92%	5,387.00			0%	0.00	59,571.00
Pitt	134,117.00	92,227.77	69%	41,889.23			0%	0.00	92,227.77
Polk	41,780.00	0.00	0%	41,780.00			0%	0.00	0.00
Randolph	131,509.00	108,118.42	82%	23,390.58	16,800.00	3,780.00	23%	13,020.00	111,898.42
Robeson	144,827.00	100,404.25	69%	44,422.75	32,084.00	11,066.77	34%	21,017.23	111,471.02
Rockingham	108,104.00	104,271.92	96%	3,832.08	30,000.00	3,280.20	11%	26,719.80	107,552.12
Scotland/Hoke	151,262.00	83,669.68	55%	67,592.32			0%	0.00	83,669.68
Stokes	70,737.00	64,000.23	90%	6,736.77	29,015.00	18,325.02	63%	10,689.98	82,325.25
Surry	91,112.00	73,449.34	81%	17,662.66	102,414.00	92,792.95	91%	9,621.05	166,242.29
Swain	24,540.00	7,695.60	31%	16,844.40	3,750.00	2,591.05	69%	1,158.95	10,286.65
Transylvania	54,056.00	21,032.50	39%	33,023.50			0%	0.00	21,032.50
Vance	76,157.00	26,619.00	35%	49,538.00			0%	0.00	26,619.00
[redacted]	431,561.00	358,021.21	83%	73,539.79	141,620.00	78,191.50	55%	63,428.50	436,212.71
[redacted]	53,338.00	30,469.34	57%	22,868.66	17,500.00	0.00	0%	17,500.00	30,469.34
Watauga	61,294.00	61,294.00	100%	0.00	106,646.00	97,732.96	92%	8,913.04	159,026.96
Wayne	130,148.00	97,527.72	75%	32,620.28			0%	0.00	97,527.72
Wilkes	47,579.00	36,054.33	76%	11,524.67	92,750.00	81,396.41	88%	11,353.59	117,450.74
Wilson	90,581.00	67,357.38	74%	23,223.62	28,640.00	4,588.48	16%	24,051.52	71,945.86
Total	$7,626,729.00	$5,522,429.39	72%	$2,104,299.61	$2,168,792.00	$1,458,022.60	67%	$710,769.40	$6,980,451.99

9:10

VISITOR REGISTRATION SHEET

APP. /Sub. Justice & Public Safety — **March 19, 1998**

Name of Committee — Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Joe Stewart	CCPS
[illegible]	NAJ
Mary Furney	DOC CJPP
Patrice Laezer	NCACC
Leo Rubert	CJPC
Chuck Crann	OSPL
John Madden	Sentencing Commission
Tim C. Hill	Stokes County C.J.P.P.
DeSarah Ross	ACLU
Buddy Humphrey	OSTBM

HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Tuesday April 21, 1998 10:00 a.m.
Room 612, Legislative Office Building

I. CALL TO ORDER

Chairmen: Senator Wib Gulley, Presiding

Representative Gregg Thompson
Representative Larry Justus
Representative Joe Kiser

II. PRESENTATIONS

Morning

- Presentation of Expansion Budget Request

  Jane Gray
  Deputy Attorney General, Department of Justice

Afternoon

- Report on Criminal Justice Information Network (CJIN)
  Long Range Plan and System Cost
  Federal Funding Changes
  1998 Expansion Funding Requests

  Secretary Richard Moore, Crime Control and Public Safety
  Chair, CJIN Board

  Ron Hawley, Director Division of Criminal Information
  Vice-Chair, CJIN Board

- Update on Administrative Office of the Courts' Technology

  Jeanne Bonds, Deputy Director, AOC
  John Taylor, Director, Court Information Services

- Report on Reduction and Reorganization Plan, NC Post Release Supervision and Parole Commission

  Juanita Baker, Chair
  Tracy Little, Public Information Officer

III. **OTHER BUSINESS**

IV. **ADJOURNMENT**

SENATE AND HOUSE JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
April 21, 1998

The Senate and House Joint Appropriations Subcommittee on Justice and Public Safety met at 10:00 am on Tuesday, April 21, 1998 in Room 612 of the Legislative Office Building. Representatives Justus, Thompson, Kiser, Kinney, Sexton, Smith, and Easterling; and 2 Senators were present. Senator Gulley, Co-Chairman, presided

Senator Gulley announced, this is the committee's last meeting prior to the Short Session so the agenda focuses on budget items. Ms. Jane Gray, Deputy Attorney General, North Carolina Department of Justice was recognized to present expansion budget requests. Ms. Gray referred to two documents, a Summary List of Supplemental Expansion Requests and a Supplemental Expansion Budget Worksheet. (Handout #1 and #2). The budget work sheets describe the need and the change in their present strategy and what they anticipate will come from this. These are the items they fill out every time for the budget. Ms. Gray presented the requests in priority order and they are noted as such in the upper right hand corner of the expansion worksheet. A summary sheet for requests made up by the Staff was also given to the committee to follow as Ms. Gray explained the Department's requests (Handout #3). During her discussion of the federal-state funding, Ms. Gray said they approved it effective whenever they receive the appropriation. It is approved in their budget as a continuing item for a full year.

During the explanation of the request for 3 additional DCI positions Rep. Kiser asked, what is their work load? SBI Director James Coman assisted Ms. Gray in answering the question. Mr. Hawley will give a more thorough answer during his presentation.

Ms. Gray pointed out that they now have the sex offender registry. The money appropriated for the registry last year was a one time request that went to establish the database and to get on the Internet. They are in need of a full time operator. Current staff is now taking turns operating it.

Ms. Gray brought to the committee's attention when she requested last year and was funded money for technology for legal services that that would be it and she is not asking for anything for legal services for computers in this request.

During the discussion on the NC Justice Academy request, Ms. Gray explained one classroom will be added each year to be refurbished. They are not requesting that all the rooms be refurbished in one year.

Ms. Gray asked Mr. James J.Coman, Director of the SBI to speak to Priority No. 5 the top priority of the SBI. It deals with their overtime issue.

Rep. Justus announced that Wednesday morning, April 22, 1998 the Henderson County J-1 group will be coming at his request. They have a program that has received a national award. He felt this would be good for the committee to hear because they think there is a way to do the notification on the victims rights very efficiently. They are supposed to be here about 9:00 a.m. in the morning.

Also, the schedule for the meeting on Thursday will be changed. It will meet as soon as the members can get here from both the House and Senate 9:00 a.m. Sessions. Those who are going to the Sanford funeral will return for the afternoon session of the Committee.

Mr. Coman said this past year they have been inundated with all kinds of special requests for special investigations. They have had natural disasters that have occurred that they have been called upon to assist in and police shootings, etc. The two areas that he needs relief from the committee are; increased rent, they have just opened a brand new Western District Office and Lab. They took the money out of operating expenses to pay for it so he is requesting to be provided with sufficient rent money to pay the rent for the western lab and for the Western District Office. They are both housed in a brand new building in Skyland which is between Asheville and Hendersonville. The dedication will be on May 13th and members of this committee will be invited. They are also building a new District Office for the Southeastern District in Fayetteville that will be similar to the one they have opened in the west. They hope to have that one completed and moved into in October 1998. The present conditions of the building they are in in Fayetteville are deplorable and the best thing to do was to build a building similar to the one they have in Jacksonville, Hickory, Charlotte and Asheville. They have renewed the leases for the Raleigh office. The new buildings were approved by the Council of State. When the operations building is obtained they will move to one of the floors in the operations building. The rent went up for the Greenville Office and the others. The kinds of cases that have happened in the past year has wiped them out of overtime money. He has been robbing Peter to pay Paul. The 16 new agents he was given are still in the academy. He is asking for $270,475 to put back into the overtime budget. Mr. Coman said that he needs these funds to efficiently run the agency.

Mr. Kiser asked if half of the overtime designated for this agency wasn't taken away last year? Mr. Mills said that half was taken, $606,004 was cut last year which leaves $606,000 in the Continuation Budget. Mr. Coman said this year he has spent almost $1 million and has used operational money as well. He will furnish the Committee with the number of hours this equates. He said they are getting more and more demands. Rep.

Sexton commended Mr. Coman's department in the help the town of Stoneville received during the recent tornado that hit there. He said they had a great operation and acted quickly.

Senator Gulley requested that in the future any priority capital facility that is needed, a request for maintenance should also be requested.

Ms. Gray continued explaining the Justice Expansion Budget for the Attorney General's Office. **Rep. Thompson asked, how much the state paid for non-state employees, attorneys that the AG's Office contracts with for legal services. He requested a list of attorney's names, their hourly rate and the case they are working on and how many attorneys outside of the AG's Office are paid for contract services.**

During the explanation of the SBI requests Ms Gray said they have been robbing Peter to pay Paul to meet the demand. She said lab request is a dramatic increase due to DNA which is expensive. A DNA analysis is done on every inmate. It works to convict as well as it works to eliminate suspects. **Senator Gulley asked how much is the annual appropriations for this? Ms. Gray will get the information for the committee.**

The Committee recessed for lunch at 12:30 p.m.

After lunch, Senator Gulley reconvened the meeting and in the absence of Sec. Richard Moore, Crime Control and Public Safety, Mr. Ron Hawley, Director Division of Criminal Information began presenting the summary of the Report on Criminal Justice Information Network (CJIN). (Handouts #4, and #5) The full report is required by legislation. Mr. Hawley used handout #4 to extract some of the key pieces in the report. The report addresses four key points the Department was supposed to report on. Mr. Hawley introduced members of the Executive Team present; Bob Brinson, Major Eakes, John Taylor all at the state level and Janie Beaver from Mecklenberg County.

Secretary Moore arrived for the meeting and was recognized. He said CJIN is working extremely well by the fact that they get the major players around a table periodically and make everyone talk to each other. They are in different parts of government. The label of CJIN itself has come to mean something and they want to perform exactly what they say they are going to perform in a timely basis. He continued to give a report on the workings of his Department its efficiency and needs. Senator Gulley asked if anyone is making an effort as the part of CJIN's work to pay attention to and chronicle the investments made by local communities and their law enforcement agencies in the statewide CJIN system. Secretary Moore said if the legislature gives the Department another fully funded position this one is at the top of the list. No one has the time to take care of this now.

Mr. Hawley continued with the presentation. During the discussion of the Board **Senator Gulley asked if they were planning to replace existing slots or have a larger Board? Mr. Hawley said they do not want the Board much larger than it is. The Board is**

meeting Friday and this is on the agenda to be discussed by the full Board. They will come back with a recommendation to the Committee after the Board meeting.

Major Eakes assisted in the explanation of the voice tracking network.

Secretary Moore said he is proud of what this body did by creating CJIN and packaging it the way it has. He said this is a national model and who would have thought this a few years ago. The state appropriated $ll million and has received almost $14 and one half million from the federal government. Sec. Moore said it is the single most important thing they can do for crime. Mr. Hawley thanked the Committee for its support of CJIN. As the Secretary indicated they have made major strides. He said he too believes it is the single most significant thing that could be done to get criminal justice and public safety in the right domain and this Committee is leading the way and he thanked the Committee personally.

During the presentation from the Department of Justice, Director Coman spoke about some additional DCI operators. Rep. Kiser asked what they do and why they are needed?. In addressing the question Mr. Hawley said they asked for 3 operators. These operators are computer operators that run the main networking system that networks all of this. It is the system that provides access for law enforcement to all of this information. It is the system that links to the national FBI system, to the national telecommunication system that gives communications to all the local law enforcement and state law enforcement throughout the nation. If they get the 3 operators requested they will be able to have at least 2 people on each shift.

Representative Justus was asked to preside while Senator Gulley attended the Senate Session.

Mr. John Taylor, Director, Court Information Services was recognized to present next on the Administrative Office of the Courts' Technology. (Handout #6) Mr. Taylor stated that this report gives the Committee an update on where the Administrative Office of The Courts stands at this time. Mr. Taylor said in January they were authorized to move forward. They had $5.2 million in a technology reserve and this Committee authorized them to move forward on several projects. He discussed these projects explaining how the appropriations is being used.

Next, Ms. Juanita Baker, Chairman of the Parole Commission was recognized and presented a summary of the Report on Staffing Reorganization and Reduction from the N.C. Post-Release Supervision and Parole Commission. (Hand-out #7). Ms. Baker said they have fulfilled the request to reduce their force 10%. They went further and gave a 10% reduction in their budget. She said paroles are decreasing and it is their intent to work toward that. They have reduced their staff and they have a five year plan in place. In answer to Rep. Justus' question Ms. Tracy Little said there are approximately 17,000 offenders in the system who are subject to parole. At some point in their incarceration they will be eligible for parole. **Ms. Little will find out how many prisoners are eligible for parole now and report to the Committee.**

.At this time Ms. Tracy Little, Public Information Officer with the Parole Commission continued presenting the report. (Handout #7) She said the Commission was directed to look at automation of functions, work load, post-release supervision, staff reorganization and reductions both short and long term. Ms. Little reviewed this information in the report.

Representative Justice asked Ms. Little if she could please continue presenting this report during the Thursday morning session of the Committee meeting. She agreed she would be able to.

The meeting was adjourned at 4:05 p.m.

Wib Gulley

Senator Wib Gulley, Co-Chair

Sarah Murphy

Sarah Murphy, Acting Committee Clerk

Handout #1

Attachment A
(Due 3/2/98)

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description (Concise Sentences)	Requested 1998-99
1	Provide staff to respond to the substantially increased volume of consumer complaints and inquiries.	
	Requirements	$ 233,000
	Receipts	
	Federal	
	Local	
	Other	
	Appropriation	$ 233,000
	No. of Positions	6

Attachment A
(Due 3/2/98)

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description (Concise Sentences)		Requested 1998-99
2 e	Protect Citizens from Medicaid Fraud and Patient Abuse		
	The Medicaid Fraud Control Unit in the North Carolina Department of Justice is requesting an Attorney II, two (2) Financial Investigators, two (2) Financial Auditors (Accountant II), and a Program Assistant V to provide additional prosecutorial, investigative, auditing, and support staff resources to meet the increasing demands on the Unit's existing resources. The North Carolina Medicaid Fraud Control Unit conducts investigations and prosecutions of Medicaid provider fraud, patient abuse and neglect, and patients funds theft in Medicaid funded facilities.	Requirements	$ 337,005
		Receipts	
		Federal	252,754
		Local	
		Other	
		Appropriation	$ 84,251
		No. of Positions	6

Attachment A
(Due 3/2/98)

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description (Concise Sentences)			Requested 1998-99
3A	Contract Services for Year 2000- SBI/DCI	Requirements	$	48,000
		Receipts		
		Federal		
		Local		
		Other		
		Appropriation	$	48,000
		No. of Positions		0.00
3B	Computer Operators (3) - SBI/DCI	Requirements	$	99,347
		Receipts		
		Federal		
		Local		
		Other		
		Appropriation	$	99,347
		No. of Positions		3.00
3C	Data Base Analyst	Requirements	$	61,617
		Receipts		
		Federal		
		Local		
		Other		
		Appropriation	$	61,617
		No. of Positions		1.00

Attachment A

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description		Requested 1998-1999
3D&E	Information System Upgrade of Network and PC Equipment		
		Requirements	$ 57,000
		Receipts	
		Federal	
		Local	
		Other	
		Appropriation	$ 57,000
		No. of Positions	0
3F	Crime Reporting Re Design - Grant Match		
		Requirements	$2,000,000
		Receipts	
		Federal	
		Local	
		(G.C.C.) Other	$1,600,000
		Appropriation	$ 400,000
		No. of Positions	0

Attachment A

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description		Requested 1998-1999
4	Enhance Physical Plant Operation, Safety, and Maintenance		
		Requirements	$ 149,513
		Receipts	
		Federal	
		Local	
		Other	
		Appropriation	$ 149,513
		No. of Positions	6

Attachment A
(Due 3/2/98)

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description (Concise Sentences)		Requested 1998-99
5	Overtime for Sworn Personnel - SBI/Lab & Field and Increase in Field Leases	Requirements	$ 501,325
		Receipts	
		Federal	
		Local	
		Other	
		Appropriation	$ 501,325
		No. of Positions	0.00

Attachment A
(Due 3/2/98)

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description (Concise Sentences)	Requested 1998-99
6	This new Attonrey IV position will be assigned to the Special Litigation unit in order to allow the State to better defend its interests regarding two significant environmental issues. The first is efforts by Chevron Oil to obtain permits to drill exploratory wells just off the coast; the second is expected efforts by the Southern Compact Commission or other entities to force the citing of a low level radioactive waste facility in the state.	
	Requirements	$ 89,735
	Receipts	
	Federal	
	Local	
	Other	
	Appropriation	$ 89,735
	No. of Positions	1.00

Attachment A
(Due 3/2/98)

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description	Requested 1998-99
7	Environmental Division	

The Environmental Division of the AGO represents the Department of Environment and Natural Resources, its component divisions and various citizen commissions. Expansions are needed in the following areas: fisheries management, groundwater quality and water quality.

Requirements	$	393,804
Receipts		
Federal		
Local		
Other		
Appropriation	$	393,804
No. of Positions		7

Attachment A
(Due 3/2/98)

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description	Requested 1998-99
8	Attorney III in the Services to State Agencies Section; to represent the Administrative Office of the Courts Paralegal II, to assist the Human Services-Medical Facilities and Elections Sections Program Assistant V; support staff for the Tort Claims Section Attorney III in Tort Claims Section; by Statute 97-88.2	
	Requirements	$ 228,564
	Receipts	
	Federal	
	Local	
	Other	
	Appropriation	$ 228,564
	No. of Positions	4.00

Attachment A

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description		Requested 1998-1999
9	Replace/Upgrade LEO Training and Support Equipment		
		Requirements	$ 89,460
		Receipts	
		Federal	
		Local	
		Other	
		Appropriation	$ 89,460
		No. of Positions	0

Attachment A
(Due 3/2/98)

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description (Concise Sentences)			Requested 1998-99
10	Scientific Supplies- SBI/Lab	Requirements	$	225,000
		Receipts		
		Federal		
		Local		
		Other		
		Appropriation	$	225,000
		No. of Positions		0.00

Attachment A
(Due 3/2/98)

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description (Concise Sentences)			Requested 1998-99
11	Maintenance Agreements- SBI-lab	Requirements	$	185,000
		Receipts		
		Federal		
		Local		
		Other		
		Appropriation	$	185,000
		No. of Positions		0.00

Attachment A
(Due 3/2/98)

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description (Concise Sentences)		Requested 1998-99
12	Scientific Equipment- SBI/Lab	Requirements	$ 897,080
		Receipts	
		Federal	
		Local	
		Other	
		Appropriation	$ 897,080
		No. of Positions	0.00

Attachment A
(Due 3/2/98)

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description (Concise Sentences)		Requested 1998-99
13	Chemist- SBI/Lab	Requirements	$ 66,091
		Receipts	
		Federal	
		Local	
		Other	
		Appropriation	$ 66,091
		No. of Positions	2.00

Attachment A
(Due 3/2/98)

SUMMARY LIST OF SUPPLEMENTAL EXPANSION REQUESTS

Department: Justice

Priority Number	Program Description (Concise Sentences)			Requested 1998-99
14	Vehicles- SBI/Field	Requirements	$	92,676
		Receipts		
		Federal		
		Local		
		Other		
		Appropriation	$	92,676
		No. of Positions		0.00
		Total Requirements	$	5,754,217
		Total Receipts		1,852,754
		Federal		252,754
		Local		
		(G.C.C.) Other		1,600,000
		Total Appropriation	$	3,901,463
		Total No. of Positions		36.00

Submit 4 copies on 8 1/2 x 11-inch white paper.

Handout #2

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 1 of 14

BUDGET CODE: 13600 DEPARTMENT: Justice DIVISION/ INSTITUTION: Citizens' Rights
FUND NUMBER: 1200 FUND TITLE: Legal Services
PROGRAM NUMBER: PROGRAM TITLE: Consumer Protection Section
TITLE OF REQUEST: Consumer Protection
STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?
YES [ ] NO [X]
IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	233,000
TOTAL RECEIPTS	
APPROPRIATION	233,000
TOTAL POSITIONS	6

NARRATIVE:

NEED: During the last two years, the number of phone calls received by the Consumer Protection Section have increased from approximately 100,000 annually to over 150,000 annually. Less than 10,000 complaints were received in 1995 and for several prior years. Nearly 14,000 formal written complaints were received in 1997. This is a 50% increase in phone calls and 40% increase in formal written complaints over less than two years. As a result, investigators are now spending full time responding to consumer complaints and questions, and have virtually no time to actually conduct investigations. The support staff have been able to handle the calls and added paperwork only with the help of temporary personnel. The request for increased staff will allow the telephone calls and complaints to be addressed in a timely and professional manner, investigations to resume, and effective services to be provided to the public.

CHANGE: These funds will allow the Department of Justice to provide timely and professional consumer protection services to the public.

ANTICIPATED OUTCOMES: More effective and efficient services to the public.

ATTACHMENT A1 - PAGE 2 Priority No. 1 of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:		Authorized	Authorized	Request	Projected			
ACCOUNT NO.	ACCOUNT TITLE	1997-98	1998-99	1998-99	1999-00	2000-01	2001-02	2002-03
531211	SPA Regular Salary			158,265				
531511	Social Security Contributions			12,108				
531521	Retirement Contributions			17,141				
531561	Health Benefit			10,416				
	Travel, Telephone, Postage, Supplies			17,070				
	Office Equipment & Furniture			18,000				
	Requirements	0	0	233,000	215,000	215,000	215,000	215,000
	No. of Positions (F.T.E)	0.00	0.00	6	6.00	6.00	6.00	6.00
RECEIPTS:								
	Receipts	0	0	0	0	0	0	0
	APPROPRIATION			233,000	215,000	215,000	215,000	215,000
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

ATTACHMENT A1 - PAGE 3 Priority No. 1 of 14

POSITIONS REQUESTED: *Detail of the positions included in this expansion request.*

GRADE	CLASSIFICATION/EFFECTIVE DATE:		1998-99 F.T.E	Annual Salary**	1998-99 Budgeted Salary
67	Consumer Protection Specialist	7/1/98	2	$26,446	$52,892
61	Program Assistant V	7/1/98	1	$20,743	$20,743
61	Public Information Assistant V	7/1/98	1	$20,743	$20,743
59	Program Assistant IV	7/1/98	1	$19,138	$19,138
79	Attorney II	7/1/98	1	$44,749	$44,749
		TOTAL	6	[redacted]	$158,265

** *Minimum level salary for the classification requested unless supporting OSP documentation attached.*

DOES THIS EXPANSION REQUEST RELATE TO A CAPITAL IMPROVEMENT PROJECT? YES [ ] NO [X]

IF YES, TITLE OF C.I. PROJECT: _____

C.I. BUDGET CODE: _____ ITEM NUMBER: _____ PROJECTED COMPLETION DATE: _____

SPACE REQUIREMENTS: G.S. 120-36.7 (c)

DOES THIS REQUEST REQUIRE ADDITIONAL SPACE? YES [ ] NO [X] IF YES, COMPLETE THE FOLLOWING:

	Office	Storage	Other	1997-98	1998-99	1999-00	2000-01	2001-02
Type of Space:								
Additional Square Footage Required								
Estimated Cost of Space Requirements								

MOTOR POOL REQUIREMENTS:

DOES THIS REQUEST REQUIRE ADDITIONAL VEHICHLES FROM THE STATE MOTOR POOL? YES [ ] NO [X]

IF YES, HOW MANY? [ ]

Submit 4 copies on 8 1/2 x 11-inch white paper.

Attachment A
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 2 of 14

BUDGET CODE: 13600 DEPARTMENT: Justice DIVISION/ INSTITUTION: A G Criminal
FUND NUMBER: 1200 FUND TITLE: Legal Services
PROGRAM NUMBER: PROGRAM TITLE: Medicaid Fraud Investigations
TITLE OF REQUEST: Protect Citizens from Medicaid Fraud and Patient Abuse

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?
YES [ ] NO [X]
IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	337,005
TOTAL RECEIPTS	252,754
APPROPRIATION	84,251
TOTAL POSITIONS	6.00

NARRATIVE: In 1984 the Medicaid program had slightly over 13,000 enrolled providers who were paid $657,763,927 for medical care and services. Since then the Medicaid program has expanded rapidly and now has over 40,000 physicians, dentists, pharmacists, hospitals, nursing homes, podiatrists, optometrists, and other providers. The funds paid to these providers have more than tripled to almost $5,000,000,000. The Unit's primary case referral source is the Division of Medical Assistance Program Integrity Section. They have requested 16 additional staff. We anticipate a corresponding increase in the numbers of cases referred for investigation. Cases pro-actively targeted for investigation have also increased, placing a burden on the Unit's human resources. Due to the nature and complexity of the investigations the backlog of cases awaiting investigation continue to increase. Timely investigation of the complaints and allegations of Medicaid provider fraud is imperative for successful prosecutions. However, with our current caseload and with new case referrals being received on a weekly basis, the Unit must balance decisions concerning assignment, priority, and disposition with the fact that the Unit has a limited amount of investigative resources. The Unit does not want to refuse or be unable to investigate and prosecute potentially good cases simply because no investigator is available to conduct the inquiry or due to a prosecutorial backlog.

A new Medicaid False Claims/Civil Penalty statute enacted during the most recent legislative session went into effect on December 1, 1997 and will require additional staff to implement and use effectively.

Over one-half of the almost five billion dollar Medicaid budget is expended to institutional providers such as hospitals and nursing homes. Through a complex cost reimbursement system, these institutions are paid for medical services based upon costs that are both directly and indirectly related to patient care. In order to devote the effort to nursing home cost report and institutional fraud that it demands, two additional auditors are needed to supplement the single auditor on the Medicaid Investigations Unit staff. These auditors would be assigned primarily to the numerous pending nursing home cost report cases under investigation. This undivided attention to cost report fraud and institutional providers would not only produce criminal convictions and monetary recoveries, they would also deter other providers from defrauding the Medicaid program.

Additionally, the Unit has greatly increased its patient abuse referrals through improved contacts with the Division of Facility Services. Due to the nature of the criminal acts involved patient abuse cases must be investigated without delay. With the addition of the two investigative positions requested, the Unit will be better able to handle its important responsibility to investigate and prosecute cases involving the abuse and neglect of the elderly and infirm.

The additional attorney and clerical support positions are needed to effectively and efficiently support and prosecute the cases generated by the additional investigative and auditing staff.

ATTACHMENT A1 - PAGE 2 Priority No. 2 of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	Projected 2000-01	Projected 2001-02	Projected 2002-03
	SPA Regular Salary			211,364				
	Social Security Contributions			16,170				
	Retirement Contributions			22,891				
	Health Benefits			10,416				
	Travel, Telephone, Postage			12,078				
	Office Equipment			53,286				
	Office Rental Space			10,800				
	Requirements	0	0	337,005	337,005	337,005	337,005	337,005
	No. of Positions (F.T.E)	0.00	0.00	6.00	6.00	6.00	6.00	6.00

RECEIPTS:

	75% Federal Funding			252,754				
	Receipts	0	0	252,754	252,754	252,754	252,754	252,754
	APPROPRIATION			84,251	84,251	84,251	84,251	84,251
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

ATTACHMENT A1 - PAGE 3 Priority No. 2 of 14

POSITIONS REQUESTED: *Detail of the positions included in this expansion request.*

GRADE	CLASSIFICATION/EFFECTIVE DATE:		1998-99 F.T.E	Annual Salary**	1998-99 Budgeted Salary
79	Attorney II	7/1/98	1.000	$44,749	$44,749
75	Medicaid Fraud Investigator	7/1/98	2.000	$37,304	$74,608
74	Medicaid Fraud Auditor (Accountant II)	7/1/98	2.000	$35,632	$71,264
61	Program Assistant V	7/1/98	1.000	$20,743	$20,743
	TOTAL		6.000	[redacted]	$211,364

** *Minimum level salary for the classification requested unless supporting OSP documentation attached.*

DOES THIS EXPANSION REQUEST RELATE TO A CAPITAL IMPROVEMENT PROJECT? YES [ ] NO [X]
IF YES, TITLE OF C.I. PROJECT:
C.I. BUDGET CODE: ITEM NUMBER: PROJECTED COMPLETION DATE:

SPACE REQUIREMENTS: G.S. 120-36.7 (c)
DOES THIS REQUEST REQUIRE ADDITIONAL SPACE? YES [X] NO [ ] IF YES, COMPLETE THE FOLLOWING:

	Office	Storage	Other	1997-98	1998-99	1999-00	2000-01	2001-02
Type of Space:	X	X						
Additional Square Footage Required				900				
Estimated Cost of Space Requirements				$10,800.00				

MOTOR POOL REQUIREMENTS:
DOES THIS REQUEST REQUIRE ADDITIONAL VEHICLES FROM THE STATE MOTOR POOL? YES [X] NO [ ]
IF YES, HOW MANY? 2

Submit 4 copies on 8 1/2 x 11-inch white paper.

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 3A of 14

BUDGET CODE: 13600 DEPARTMENT: Department of Justice DIVISION/ INSTITUTION: State Bureau of Investigation

FUND NUMBER: 1300 FUND TITLE: Law Enforcement

PROGRAM NUMBER: 4200 PROGRAM TITLE: Protect Society Against Crime

TITLE OF REQUEST: DCI Network Changes Caused by Year 2000

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [X]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	48,000
TOTAL RECEIPTS	
APPROPRIATION	48,000
TOTAL POSITIONS	0.00

NARRATIVE:

NEED

All computer programs supported and accessed through the Division of Criminal Information will be revised to be compliant with the Year 2000 requirements.

A team of contract employees is needed to appropriately test every revised program, update all written documentation, user manuals, user help, and training material. These contract employees would will be needed for approximately 12 weeks.

All written documentation, user manuals, user help, and training material will be revised and appropriate funding is needed to print and distribute to all law enforcement and criminal justice users.

CHANGE IN PRESENT STRATEGY

The Division of Criminal Information is required to update all computer programs, including state and national files, to be compliant with the Year 2000 requirements and data fields. Programs will be rewritten and this Section will be responsible testing and evaluating each program prior to implementation during first quarter of 1999. All written documentation, user manuals, automated Help files, and associated training material must be updated. Existing staff will be utilized to coordinate these efforts, while contract staff will be utilized to conduct the testing and revise all documentation. Once documentation is revised, new user manuals and training material will be printed and mailed to over 600 law enforcement/criminal justice agencies.

ANTICIPATED OUTCOMES

The Division of Criminal Information data files will be Year 2000 compliant and operational within required timelines. Law enforcement and criminal justice agencies throughout the State will be able to continue utilization of the vital informational data files needed to enforce laws of this State and provide public safety.

OUTCOME MEASURES

Identify data files compliant with Year 2000 and operational for law enforcement and criminal justice users.

Also, identify documentation compliant with Year 2000 and distributed to law enforcement and criminal justice users.

ATTACHMENT A1 - PAGE 2 Priority No. 3A of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS: ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	2000-01	2001-02	2002-03
532140	System Implementation			40,000				
532850	Printing, Binding, Duplicating			8,000				
	Requirements			48,000	0	0	0	0
	No. of Positions (F.T.E)			0.00	0.00	0.00	0.00	0.00
RECEIPTS:								
	Receipts	0	0	0	0	0	0	0
	APPROPRIATION			48,000				
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 3B of 14

BUDGET CODE: 13600 DEPARTMENT: Department of Justice DIVISION/ INSTITUTION: State Bureau of Investigation

FUND NUMBER: 1300 FUND TITLE: Law Enforcement

PROGRAM NUMBER: 4200 PROGRAM TITLE: Protect Society Against Crime

TITLE OF REQUEST: Computer Operator Senior positions

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [X]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99	
TOTAL REQUIREMENTS		99,347
TOTAL RECEIPTS		
APPROPRIATION		99,347
TOTAL POSITIONS		3.00

NARRATIVE:

NEED

The SBI/DCI Computer Operations Section presently provides twenty-four hours, seven days a week shift coverage for mainframe computer operation and customer services. Our customers are North Carolina's Law Enforcement agencies. This section has evolved over the years and it's personnel have been used to form two new groups. Formation of the last group removed three persons from Operations, leaving only ten persons to work shifts. Our attempt to have two person coverage on all shifts falls short due to earned vacations and emergency absence. The Operator on duty is the only person in the building after five o'clock weekdays, weekends and holidays. Twenty-six percent of our shifts are single person coverage. We rearrange the schedule often to provide coverage.

CHANGE IN PRESENT STRATEGY

We have several concerns regarding single person shift coverage. First, our service quality suffers with one person on duty due to the demands on the Operators time. The Operator must monitor three mainframe systems, three terminals, two telephone systems, perform data backups for AFIS, BTOS, our network servers and provide user support to our customers. During the normal eight to five work week, we also serve DCI's programming staff. One extended service demand can, and often does, put a lot of other activity on hold while that demand is met. Two persons are frequently needed on shift just to answer the phones. Second, we have health and safety concerns with single person coverage. After hours, weekends and holidays, our Operator is the only person occupying the building. Weekday shifts are eight hours each, weekend shifts are twelve hours each. Three additional Operators will provide a margin of safety for scheduled and unscheduled absences. We expect our twenty-six percent single shift coverage to drop to five percent or less.

ANTICIPATED OUTCOMES

Provide a consistent, more efficient and faster response to law enforcement agency telecommunication and operation needs. Meet Operations shift schedule needs with two persons on duty at all times. Reduce the risk of personal safety and health issues.

OUTCOME MEASURES

Improved and more efficient services to law enforcement community, network users. Customer surveys will reflect satisfaction with our response and attention to detail. Other support groups will not be called in, after hours, for service problems because a single operator does not have time to deal with those problems.

ATTACHMENT A1 - PAGE 2 Priority No. 3B of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	Projected 2000-01	Projected 2001-02	Projected 2002-03
531211	SPA Salary and Wages			99,347				
531511	Social Sec Contribution			6,079				
531521	Retirement Contribution			8,605				
531561	Med Ins Contribution			5,208				
	Requirements			99,347	99,347	99,347	99,347	99,347
	No. of Positions (F.T.E)			3.00	3.00	3.00	3.00	3.00

RECEIPTS:

	Receipts	0	0	0	0	0	0	0
	APPROPRIATION			99,347	99,347	99,347	99,347	99,347
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

ATTACHMENT A1 - PAGE 3 Priority No. 3B of 14

POSITIONS REQUESTED: *Detail of the positions included in this expansion request.*

GRADE	CLASSIFICATION/EFFECTIVE DATE:	1998-99 F.T.E	Annual Salary**	1998-99 Budgeted Salary
65	Computer Operator - Senior / 7-1-98	3.000	$26,485	$79,455
	TOTAL	3.000		$79,455

** *Minimum level salary for the classification requested unless supporting OSP documentation attached.*

DOES THIS EXPANSION REQUEST RELATE TO A CAPITAL IMPROVEMENT PROJECT? YES [ ] NO [X]

IF YES, TITLE OF C.I. PROJECT: _____

C.I. BUDGET CODE: _____ ITEM NUMBER: _____ PROJECTED COMPLETION DATE: _____

SPACE REQUIREMENTS: G.S. 120-36.7 (c)

DOES THIS REQUEST REQUIRE ADDITIONAL SPACE? YES [ ] NO [X] IF YES, COMPLETE THE FOLLOWING:

	Office	Storage	Other	1997-98	1998-99	1999-00	2000-01	2001-02
Type of Space:								
Additional Square Footage Required								
Estimated Cost of Space Requirements								

MOTOR POOL REQUIREMENTS:

DOES THIS REQUEST REQUIRE ADDITIONAL VEHICHLES FROM THE STATE MOTOR POOL? YES [ ] NO [X]

IF YES, HOW MANY? [ ]

Submit 4 copies on 8 1/2 x 11-inch white paper.

Authorized Class	Code	Gr	Effect Date RR	Geo Gr	Special Entry Rate	Special Min. Rate	SER Midpt Rate	Range Max Rate	Current Ingrade Adjust	New Max Ingrade Adjust	Authorized Agency	Effective Date
Clinical Nurse Supervisor II	32343	76			41777	43866	51940	62103	4353	5137	UNC-CH	5/1/95
Clinical Perfusionist	4604	80			56558	59386	65677	74796	6860	11098	Statewide	11/1/95
Clinical Research Nutritionist	5267	71		72	32607	34237	42111	51614		2522	UNC-CH	2/1/92
Clinical Research Nutritionist	5261	70			35188	36948	41178	47167		3720	Statewide	2/1/92
Clinical Substance Counselor (MSW/Exp)	4059	68			28614	30045	35836	43058		2156	DHR	12/1/95
Communications Center Opr	8	57			18313	19229	22490	26667		1303	Statewide	2/24/87
Community Services Consultant	2927	66			26397	27717	32835	39273		2064	DHR/D&H	6/1/90
Computer Equip Opr I	2238	58			19100	20054	23447	27795		1546	Statewide	4/1/97
Computer Equip Opr II	2239	60			20664	21697	25466	30267		1673	Statewide	4/1/97
Computer Equipment Operations Supv	2240	65			25234	26496	31400	37566		2043	Statewide	4/1/97
Computer Network Coord	7504	75	6/1/97		39704	41688	49498	59293		5656	Statewide	4/1/97
Computer Network Manager I	7514	79	6/1/97		47618	49998	59519	71420		6783	Statewide	4/1/97
Computer Network Manager II	7519	81	6/1/97		52170	54778	65261	78352		7432	Statewide	4/1/97
Computer Network Manager III	7520	83	6/1/97		57091	59945	71647	86202		8133	Statewide	4/1/97
Computer Operations Analyst	34112	70			31183	32743	39175	47167		2524	Statewide	4/1/97
Computer Operations Librarian	2299	60			20664	21697	25466	30267		1673	Statewide	4/1/97
Computer Operations Mgr I	2260	72	8/1/93		33833	35525	42724	51614	4756		Statewide	4/1/88
Computer Operations Mgr II	2278	75	8/1/93		40648	42680	49971	59293	2704		Statewide	4/1/88
Computer Operations Mgr III	2279	78	8/1/93		44431	46653	56295	68158	6641		Statewide	4/1/88
Computer Operations Mgr IV	2280	80	8/1/93		48667	51101	61732	74796	7253		Statewide	4/1/88
Computer Operations Shift Supv	2231	70	8/1/93		31808	33398	39487	47167	3060		Statewide	4/1/93
Computer Operator	2250	63	8/1/93		23258	24421	28809	34360	1703		Statewide	4/1/93
Computer Operator, Lead	2256	67	8/1/93		28002	29402	34556	41110	2693		Statewide	4/1/93
** Computer Operator, Senior	2255	65	8/1/93		25224	26485	31395	37566	1889		Statewide	4/1/93
Computer Production Spec I	2281	64			24251	25463	30075	35899		1963	Statewide	4/1/97
Computer Production Spec II	2282	66			26301	27616	32787	39273		2129	Statewide	4/1/97
Computer Production Spec III	2283	68			28608	30038	35833	43058		2316	Statewide	4/1/97
Computer Production Supv	2284	70			31183	32743	39175	47167		2524	Statewide	4/1/97
Computer Programmer I	2241	67			28572	30001	34841	41110		3082	Statewide	6/1/86
Computer Programmer II	2242	72			33928	35624	42771	51614		2572	Statewide	4/1/88
Computer Programmer III	2243	74			37147	39005	46886	56624		2924	Statewide	4/1/88
Computer Security Analyst	33813	78	6/1/97		42023	44124	55090	68158		3052	Statewide	4/1/97
Computer Systems Admin I	2268	67	6/1/97		26059	27362	33584	41110		1892	Statewide	4/1/97
Computer Systems Admin II.	2269	69	6/1/97		28345	29762	36696	45048		2058	Statewide	4/1/97
Computer Systems Admin III	2270	71	6/1/97		30898	32443	40118	49338		2244	Statewide	4/1/97
Computer Systems Analyst II	2252	76			40687	42721	51395	62103		3233	Statewide	4/1/88

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 3C of 14

BUDGET CODE: 13600 DEPARTMENT: Department of Justice DIVISION/ INSTITUTION: State Bureau of Investigation

FUND NUMBER: 1300 FUND TITLE: Law Enforcement

PROGRAM NUMBER: 4200 PROGRAM TITLE: Protect Society Against Crime

TITLE OF REQUEST: Data Base Specialist

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [X]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	61,617
TOTAL RECEIPTS	
APPROPRIATION	61,617
TOTAL POSITIONS	1.00

NARRATIVE:

NEED

Support of business services has increased greatly in the area of data base support for several statewide mandated initiatives relating to law enforcement. Further, upcoming federal and state initiatives will require such skills for adequate support. Requirements for providing both data text and images for several of these initiatives, calls for the introduction of a different type of database (Universal database), where both images and data variables can be stored using the same database software and can be accessed via methods, such as GUI clients and Web access. The new Sex Offender and Public Protection Registration Programs has a photo image of the offender and will be provided to the public by means of Web access in addition to the standard client method for law enforcement. The North Carolina crime statistics are being converted to a Universal database and could store images and fingerprint images of the wanted individuals to help with positive identification. The large criminal history database needs to be re-engineered into the newer universal relational database where the photo image of the criminal can be stored with the criminal history.

CHANGE IN PRESENT STRATEGY

The addition of the requested resource will allow the data processing section to provide adequate support for the services mentioned above.

ANTICIPATED OUTCOMES

Immediate improvement of services to all clients who access the referenced applications. The much needed increase of FTE allocation by at least .50 will enable the continuous non-interruptive support to these applications. It will also improve performance by allowing for more concentrated monitoring and enhancements.

OUTCOME MEASURES

Increase support of three legislative applications by at least .50.
Increase support of the Crime Reporting Application by at least .75.
Provide a detailed plan to study the redesign of the Centralized Criminal History (CCH) database and applications which will be used for the actual re-deployment of same .50

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	2000-01	2001-02	2002-03
531211	SPA Salary and Wages			50,540				
531511	Social Sec Contrib			3,867				
531521	Retire Contrib			5,474				
531561	Med Ins Contrib			1,736				
	Requirements			61,617	61,617	61,617	61,617	61,617
	No. of Positions (F.T.E)			1.00	1.00	1.00	1.00	1.00

RECEIPTS:

	Receipts							
	APPROPRIATION			61,617	61,617	61,617	61,617	61,617
	CHANGE IN CASH BALANCE							

** Complete Detail information for total positions requested on the following page.*

ATTACHMENT A1 - PAGE 3 Priority No. 3C of 14

POSITIONS REQUESTED: *Detail of the positions included in this expansion request.*

GRADE	CLASSIFICATION/EFFECTIVE DATE:	1998-99 F.T.E	Annual Salary**	1998-99 Budgeted Salary
79	Data Base Analyst	1.000	$50,540	$50,540
TOTAL		1.000		$50,540

** *Minimum level salary for the classification requested unless supporting OSP documentation attached.*

DOES THIS EXPANSION REQUEST RELATE TO A CAPITAL IMPROVEMENT PROJECT? YES [ ] NO [X]

IF YES, TITLE OF C.I. PROJECT:

C.I. BUDGET CODE: ITEM NUMBER: PROJECTED COMPLETION DATE:

SPACE REQUIREMENTS: G.S. 120-36.7 (c)

DOES THIS REQUEST REQUIRE ADDITIONAL SPACE? YES [ ] NO [X] IF YES, COMPLETE THE FOLLOWING:

	Office	Storage	Other	1997-98	1998-99	1999-00	2000-01	2001-02
Type of Space:								
Additional Square Footage Required								
Estimated Cost of Space Requirements								

MOTOR POOL REQUIREMENTS:

DOES THIS REQUEST REQUIRE ADDITIONAL VEHICHLES FROM THE STATE MOTOR POOL? YES [ ] NO [X]

IF YES, HOW MANY? [ ]

Submit 4 copies on 8 1/2 x 11-inch white paper.

Authorized Class	Code	Gr	Effect Date RR	Geo Gr	Special Entry Rate	Special Min. Rate	SER Midpt Rate	Range Max Rate	Current Ingrade Adjust	New Max Ingrade Adjust	Authorized Agency	Effective Date
Computer Systems Analyst III	2253	78			44567	46796	56363	68158		3521	Statewide	4/1/87
Computer Systems Analyst IV	2254	80			48816	51257	61806	74796		3846	Statewide	4/1/87
Computer Technical Writer	32626	66	6/1/97		25002	26252	32138	39273		1816	Statewide	4/1/97
Computing Consultant I	2226	69	6/1/97		30903	32448	37975	45048	2156	4400	Statewide	4/1/97
Computing Consultant II	2227	71	6/1/97		33693	35377	41515	49338	2356	4803	Statewide	4/1/97
Computing Consultant III	2228	73	6/1/97		36642	38475	45342	54041	2572	5233	Statewide	4/1/97
Computing Consultant IV	2229	76	6/1/97		40120	42126	51111	62103	2924	5838	Statewide	4/1/97
Computing Consultant V	2230	78	6/1/97		46139	48446	57148	68158	3233	6584	Statewide	4/1/97
Control Room Operator	34071	68			32431	34052	37744	43058		5631	UNC-CH	3/1/92
Coord, NC Interp Class Sys (NCICS)	33974	64			24418	25638	30158	35899		1975	Statewide	4/1/91
Corr Food Svc Dir (Reg Dietitian)	6882	74		76	38957	40905	50530	62103		4571	Corr	4/1/94
Correction Dental Director	4957	88			74769	78507	92034	109299		10040	Statewide	7/1/97
Correction Psy Prog Dir	4538	82	2/1/94		56138	58945	69151	82164	3846	10644	Corr	2/1/94
Correction Psy Svcs Coord	4524	74	2/1/94	76	40708	42743	51405	62103	2686	7616	Corr-CORR	2/1/94
Correction Psy Svcs Coord	4524	74	2/1/94	76	40708	42743	51405	62103	2686	7616	Corr-SCI	2/1/94
Correction Psy Svcs Coord	4526	74	2/1/94		37168	39026	46896	56624	2686	4329	Corr	2/1/94
Correctional Health Assistant	5331	59			20539	21566	24760	28981		2104	Corr	4/1/92
Corrections Food Service Assistant	6872	60			20539	21566	25403	30267		1438	Corr/DOP	4/1/92
Corrections Food Service Supv I	6874	63			22249	23361	28304	34360		784	Corr/DOP	4/1/92
Cytotechnologist I	4630	70	6/1/93		31618	33199	39392	47167	4483	5853	Statewide	4/1/93
Cytotechnologist II	4632	72	6/1/93		34363	36081	42988	51614	4879	6368	Statewide	4/1/93
Cytotechnologist Tr (0 Mos)	4619	NG			27706				3767	4871	Statewide	4/1/93
Cytotechnologist Tr (6 Mos)	4619	NG			30146				4170	5370	Statewide	4/1/93
Dairy Assistant	9120	54			16962	17810	20282	23602		1762	Agric	1/7/85
Data Base Administrator	2220	82	6/1/97		55116	57871	68640	82164	3962	7965	Statewide	4/1/97
** Data Base Analyst	2286	79	6/1/97		48134	50540	59777	71420	3521	7017	Statewide	4/1/97
Data Base Librarian	33574	67			28572	30001	34841	41110		3082	UNC-CH	1/18/88
Data Base Specialist	33557	76			40687	42721	51395	62103		3233	UNC-CH	1/18/88
Data Base Specialist	33557	77	6/1/97		43942	46139	54490	65039	3233	6424	Statewide	4/1/97
Data Entry Operator I	108	54			16330	17146	19966	23602		1186	Statewide	2/24/87
Data Entry Operator II	109	57			18313	19229	22490	26667		1303	Statewide	2/24/87
Data Entry Operator III	112	59			19815	20806	24398	28981		1446	Statewide	2/24/87
Data Entry Specialist	116	58			19049	20002	23422	27795		1390	Statewide	2/24/87
Data Entry Supervisor I	113	59			19815	20806	24398	28981		1446	Statewide	5/1/92
Data Entry Supervisor II	114	61			21469	22542	26531	31593		1561	Statewide	5/1/92
Data Entry Supervisor III	150	63			23240	24402	28800	34360		1687	Statewide	5/1/92

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 3D&E of 14

BUDGET CODE: 13600 DEPARTMENT: NC Department of Justice DIVISION/ INSTITUTION: NC Justice Academy

FUND NUMBER: 1500 FUND TITLE: C. J. T. & S. /Academy

PROGRAM NUMBER: PROGRAM TITLE: Information Systems

TITLE OF REQUEST: Information System Upgrade of Network and PC Equipment

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [XX]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	57,000
TOTAL RECEIPTS	
APPROPRIATION	57,000
TOTAL POSITIONS	0.00

NARRATIVE:

During the past two budget years, the Academy was only able to buy emergency equipment because the cost of Plant Operation and Maintenance had escalated with the addition of two buildings. The Academy absorbed the incremental cost of Plant Operation and Maintenance within the existing Operating Budget because there had not been any compensatory increase to cover the incremental cost of the two additional buildings. Since Equipment funds were used to pay Plant Operation and Maintenance costs, the Academy did not upgrade existing computer equipment to stay minimally abreast with technology nor were antiquated computers replaced. The Academy has been faced with the dilemma since 1990, of paying the utilities bills and making repairs to the facilities and equipment or purchase new and replacement equipment that is sorely needed. Should the Academy receive additional funds to pay the utility and maintenance bills, some equipment moneys will be freed up. However, the Academy needs additional funding to purchase equipment that had been foregone for almost eight years for which the Academy needs to purchase to catch up to the technology and operations it should have achieve if additional utility and maintenance funds had been budgeted when the new buildings had been built.

The additional costs for the Network is to increase the capacity to accommodate the additional workstations added. New computers are needed to replace antiquated PC's. Many PC's have been scheduled to be replaced over two years ago, but because of the budget shortage, the Academy was unable to replace them. Each year the Academy will need to replace about ten (10) PC's to keep all of the computers on the network within the same technology and software.

ATTACHMENT A1 - PAGE 2 Priority No. 3D&E of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	Projected 2000-01	Projected 2001-02	Projected 2002-03
534522	Computer Equipment			57,000				
	Requirements	0	0	57,000	0	0	0	0
	No. of Positions (F.T.E)	0.00	0.00	0.00	0.00	0.00	0.00	0.00

RECEIPTS:

	Receipts	0	0	0	0	0	0	0
	APPROPRIATION			57,000				
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 3F of 14

BUDGET CODE: 13600 DEPARTMENT: Department of Justice DIVISION/ INSTITUTION: State Bureau of Investigation

FUND NUMBER: 1300 FUND TITLE: Law Enforcement

PROGRAM NUMBER: 4200 PROGRAM TITLE: Protect Society Against Crime

TITLE OF REQUEST: Crime Reporting Redesign Project-Phase II

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [X]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	2,000,000
TOTAL RECEIPTS	1,600,000
APPROPRIATION	400,000
TOTAL POSITIONS	0.00

NARRATIVE:

NEED

The SBI has embarked on a two phase project to redesign the current crime reporting program to be Year 2000 compliant and relocate the current database the legacy mainframe onto a separate server allowing the use of a relational database. These funds will be used for the 25% match to a Governor's Crime Commission grant.

CHANGE IN PRESENT STRATEGY

In order to make the UCR program Year 2000 compliant, about 300 COBOL programs would have to be individually changed. This is not cost effective as it would not allow use of new technologies consistent with IRMC guidelines and allow enhancements consistent with CJIN principles.

ANTICIPATED OUTCOMES

This new server and relational database will provide for much needed improvements by making DCI management of the crime reporting program more efficient and accurate. It will also provide the means for crime reporting agencies and data users to have easy and timely access to data.

OUTCOME MEASURES

This project will prevent the current crime reporting system from failing in the year 2000. Additionally, it will allow data contributors, researchers, government policy makers, media, academia, and the general public to have easy and more timely access to the crime data via the Internet. Data analysis on such topics as domestic violence, juvenile crime, hate crime would be immediately available to the end user.

ATTACHMENT [redacted] PAGE 2 Priority No. 3F of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	Projected 2000-01	Projected 2001-02	Projected 2002-03
	Crime Reporting Redesign Project-Phase II			2,000,000				
	Requirements			2,000,000				
	No. of Positions (F.T.E)							

RECEIPTS:

	Receipts			1,600,000				
	APPROPRIATION			400,000				
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 4 of 14

BUDGET CODE: 13600 DEPARTMENT: NC Department of Justice DIVISION/ INSTITUTION: NC Justice Academy

FUND NUMBER: 1500 FUND TITLE: C. J. T. & S. / Academy

PROGRAM NUMBER: PROGRAM TITLE: Physical Plant Safety & Maintenance

TITLE OF REQUEST: Enhance Physcial Plant Operation, Safety, and Maintenance

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [XX]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	149,513
TOTAL RECEIPTS	
APPROPRIATION	149,513
TOTAL POSITIONS	6.00

NARRATIVE:

The NC Justice Academy has grown significantly in both scope and requirements. In order to accommodate the demand by the law enforcement community for training and support, the Academy has added a new dormitory in 1990 and a support services building which was occupied within the past year. A maintenance and workshop building will be completed shortly to assist the physical facilities staff to serve the needs of the Academy. Within a year, a new classroom and learning resource center will be completed to accommodate the demand for additional classrooms and library resources. The new facilities have been a tremendous boon to the Academy in providing the training and support to the law enforcement community of the state of North Carolina. With all of the benefits of these new resources, they placed a great strain upon the operating budget of the Academy. There has not been an increase in the number of housekeepers for over 15 years. With an increase of over 25% of facilities to be maintained, the academy will need at least six (6) additional housekeepers to maintain the facilities within the standards of the Academy and state government.

The Academy has 12 buildings completed and occupied with one building almost completed and another in the beginning stages of constructions. Only one building of the 14 buildings has on-line fire alarm. Three others have plans to have an on-line fire alarm system. However, the existing and proposed fire alarm systems are connected to the Capital Area Police instead of locally. The Academy has already had one catastrophic fire with a slow response time because of inadequate fire alarms. The Academy needs to convert the existing fire alarm system and the 3 proposed systems to local sources during the next budget year and then connect two buildings each year until they are all connected to a local on-line fire alarm system.

The Academy provides almost all of its training in a classroom environment. It is the goal of the Academy to provide an environment that is confortable and meets the training needs of the Law Enforcement students. Many hours are spent in the classroom requiring chairs, tables and other training furnishings that are conducive to teaching and learning. The Academy has experienced significant growth and use over the past several years. The furnishings in the classrooms need to be replaced periodically due to the wear and tear from the normal use of the classrooms. There are currently twelve (12) classrooms. By replacing one classroom each year, each classrom will be refurnished once every twelve years. To avoid major renovations of all of the classroom furnishings, the Academy proposes to replace the furnishings of one classroom each year as part of its normal operating budget.

ATTACHMENT A1 - PAGE 2 Priority No. 4 of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	Projected 2000-01	Projected 2001-02	Projected 2002-03
531211	SPA Salaries			96,300	96,300	96,300	96,300	96,300
531511	Social Security			7,367	7,367	7,367	7,367	7,367
531521	Retirement			10,430	10,430	10,430	10,430	10,430
531561	Medical Insurance			10,416	10,416	10,416	10,416	10,416
534529	Equip-Custody & Security			10,000	4,000	4,000	4,000	4,000
534500	Furnishings & Equipment			15,000	15,000	15,000	15,000	15,000
	Requirements	0	0	149,513	143,513	143,513	143,513	143,513
	No. of Positions (F.T.E)	0.00	0.00	6.00	6.00	6.00	6.00	6.00

RECEIPTS:

	Receipts	0	0	0	0	0	0	0
	APPROPRIATION			149,513	143,513	143,513	143,513	143,513
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

ATTACHMENT A1 - PAGE 3 Priority No. 4 of 14

POSITIONS REQUESTED: *Detail of the positions included in this expansion request.*

GRADE	CLASSIFICATION/EFFECTIVE DATE:	1998-99 F.T.E	Annual Salary**	1998-99 Budgeted Salary
50	Housekeeper / 7-1-98	6.00	$16,050	$96,300
	TOTAL	6.00	[redacted]	$96,300

** *Minimum level salary for the classification requested unless supporting OSP documentation attached.*

DOES THIS EXPANSION REQUEST RELATE TO A CAPITAL IMPROVEMENT PROJECT? YES [ ] NO [XX]

IF YES, TITLE OF C.I. PROJECT: _____

C.I. BUDGET CODE: _____ ITEM NUMBER: _____ PROJECTED COMPLETION DATE: _____

SPACE REQUIREMENTS: G.S. 120-36.7 (c)

DOES THIS REQUEST REQUIRE ADDITIONAL SPACE? YES [ ] NO [XX] IF YES, COMPLETE THE FOLLOWING:

	Office	Storage	Other	1997-98	1998-99	1999-00	2000-01	2001-02
Type of Space:								
Additional Square Footage Required								
Estimated Cost of Space Requirements								

MOTOR POOL REQUIREMENTS:

DOES THIS REQUEST REQUIRE ADDITIONAL VEHICHLES FROM THE STATE MOTOR POOL? YES [ ] NO [XX]

IF YES, HOW MANY? [ ]

Submit 4 copies on 8 1/2 x 11-inch white paper.

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 5 of 14

BUDGET CODE: 13600 DEPARTMENT: Department of Justice DIVISION/ INSTITUTION: State Bureau of Investigation

FUND NUMBER: 1300 FUND TITLE: Law Enforcement

PROGRAM NUMBER: 4200 PROGRAM TITLE: Protect Society Against Crime

TITLE OF REQUEST: SBI Overtime for Agents & District Office Rent

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [X]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	501,325
TOTAL RECEIPTS	
APPROPRIATION	501,325
TOTAL POSITIONS	0.00

NARRATIVE:

NEED

Overtime:

The SBI has original jurisdiction in a number of crime categories, but the substantial majority of agency personnel time is spent responding to requests for assistance from other state , local, and federal law enforcement agencies. Many requests are for Police Officer involved shootings which District Attorney's and local law enforcement have come to depend on the SBI for thorough investigations. The bureau continually responds to requests for assistance on weekends and after normal working hours. These investigations are very complex and continuity is critical. Therefore agents are required to work extensive hours past the normal work day in order to gather relevant information conducive to solving a crime. It is not uncommon currently to have to deny requests due to lack of overtime hours.

Rent:

Additional appropriation to cover increase in lease cost for the SBI District field offices. Already had to take dollars from office equipment to secure lease space and know of additional need for this item.

CHANGE IN PRESENT STRATEGY

Overtime:

Additional overtime money allows for greater response to calls for assistance. Solving the case often is due to the "freshness" of information gathered at the time of the incident versus days after the initial request.

Rent:

Will be able to maintain adequate field offices that can meet accrediation criteria without taking funds needed for equipment.

ANTICIPATED OUTCOMES

Overtime:

Reduce denials of requested assistance by having more hours an agent can apply to an investigation.

Rent:

Have adequate SBI presents regionally located across the state with needed office equipment.

ATTACHMENT A1 - PAGE 2 Priority No. 5 of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	Projected 2000-01	Projected 2001-02	Projected 2002-03
531411	Overtime	1,317,812	729,525	270,475				
531511	Social Security			20,692				
531531	LEO Retirement			42,817				
532512	Rent/Lease-Buildings/Office			135,418				
534521	Office Equipment			31,923				
	Requirements			501,325	501,325	501,325	501,325	501,325
	No. of Positions (F.T.E)			0.00	0.00	0.00	0.00	0.00

RECEIPTS:

	Receipts	0	0	0	0	0	0	0
	APPROPRIATION			501,325	501,325	501,325	501,325	501,325
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 6 of 14

BUDGET CODE: 13600 DEPARTMENT: Justice DIVISION/ INSTITUTION: Special Litigations

FUND NUMBER: 1200 FUND TITLE: Legal Services

PROGRAM NUMBER: 4130 PROGRAM TITLE: To Protect the State's Interests and its Citizens

TITLE OF REQUEST: Major Environmental Litigation Enhancement

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [X]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	89,735
TOTAL RECEIPTS	
APPROPRIATION	89,735
TOTAL POSITIONS	1.00

NARRATIVE:

This new Attorney IV position will be assigned to the Special Litigation unit in order to allow the State to better defend its interests regarding two significant environmental issues. The first is efforts by Chevron Oil to obtain permits to drill exploratory wells just off the coast; the second is expected efforts by the Southern Compact Commission or other entities to force the citing of a low level radioactive waste facility in the State.

ATTACHMENT A1 - PAGE 2 Priority No. 6 of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	Projected 2000-01	Projected 2001-02	Projected 2002-03
	Salary			62,287				
	Social Security			4,765				
	Retirement			6,746				
	Health Insurance			1,736				
	Travel, supplies, etc.			9,201				
	Equip. & Furn. startup cost			5,000				
	Requirements	0	0	89,735	84,735	84,735	84,735	84,735
	No. of Positions (F.T.E)	0.00	0.00	1.00	1.00	1.00	1.00	1.00

RECEIPTS:

	Receipts	0	0	0	0	0	0	0
	APPROPRIATION			89,735	84,735	84,735	84,735	84,735
	CHANGE IN CASH BALANCE							

** Complete Detail information for total positions requested on the following page.*

ATTACHMENT A1 - PAGE 3 Priority No. 6 of 14

POSITIONS REQUESTED: *Detail of the positions included in this expansion request.*

GRADE	CLASSIFICATION/EFFECTIVE DATE:	1998-99 F.T.E	Annual Salary**	1998-99 Budgeted Salary
84	Attorney IV / 7-1-98	1.000	$62,287	$62,287
	TOTAL	1.000		$62,287

** *Minimum level salary for the classification requested unless supporting OSP documentation attached.*

DOES THIS EXPANSION REQUEST RELATE TO A CAPITAL IMPROVEMENT PROJECT? YES [ ] NO [X]

IF YES, TITLE OF C.I. PROJECT: _____

C.I. BUDGET CODE: _____ ITEM NUMBER: _____ PROJECTED COMPLETION DATE: _____

SPACE REQUIREMENTS: G.S. 120-36.7 (c)

DOES THIS REQUEST REQUIRE ADDITIONAL SPACE? YES [ ] NO [X] IF YES, COMPLETE THE FOLLOWING:

	Office	Storage	Other	1997-98	1998-99	1999-00	2000-01	2001-02
Type of Space:								
Additional Square Footage Required								
Estimated Cost of Space Requirements								

MOTOR POOL REQUIREMENTS:

DOES THIS REQUEST REQUIRE ADDITIONAL VEHICHLES FROM THE STATE MOTOR POOL? YES [ ] NO [X]

IF YES, HOW MANY? [ ]

Submit 4 copies on 8 1/2 x 11-inch white paper.

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 7 of 14

BUDGET CODE: 13600 DEPARTMENT: Justice DIVISION/ INSTITUTION: Environmental

FUND NUMBER: 1200 FUND TITLE: Legal Services

PROGRAM NUMBER: PROGRAM TITLE: Environmental

TITLE OF REQUEST: Legal Services - Environmental Division

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [x]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	$393,804
TOTAL RECEIPTS	
APPROPRIATION	$393,804
TOTAL POSITIONS	7

NARRATIVE:

The Environmental Division of the AGO requires additional legal and support positions to match the growth in legal services requests from the Department of Environment and Natural Resources. In each instance, the increase in legal assistance is attributable to statutory amendments giving new responsibilities to DENR. The legal component of these programs -- for fisheries management, groundwater quality and water quality -- must be funded to keep pace.

-Implementation of the substantial new requirements of the Fisheries Reform Act of 1997 requires an attorney and administrative support to be located in Morehead City, the headquarters for the Division of Marine Fisheries.

-The Underground Storage Tank (UST) program needs two attorneys in the areas of claims denials and enforcement, particularly in anticipation of the 12/98 deadline for tank upgrades. Further, groundwater cost recovery actions are needed. This is an area of long-term staffing shortages.

-Increased enforcement for water quailty (animal waste, stormwater, wetlands, sedimentation) is expected from DENR. In addition, the radiation protection program has matured to a level calling for increased legal services.

Each of these positions will allow the State to address current legal workload shortages and more effectively manage its natural resources.

ATTACHMENT A1 - PAGE 2 Priority No. 7 of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	2000-01	2001-02	2002-03
	Base Salary			262,531				
	Social Security			20,084				
	Retirement			28,433				
	Health Benefits			12,152				
	Travel,Supplies, Telephone, etc.			37,604				
	Office Start-up							
	-furniture, PC's, equipment			33,000				
	Requirements	0	0	393,804	360,804	360,804	360,804	360,804
	No. of Positions (F.T.E)	0.00	0.00	7	7.00	7.00	7.00	7.00

RECEIPTS:

	Receipts	0	0	0	0	0	0	0
	APPROPRIATION			393,804	360,804	360,804	360,804	360,804
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

ATTACHMENT A1 - PAGE 3 Priority No. 7 of 14

POSITIONS REQUESTED: *Detail of the positions included in this expansion request.*

GRADE	CLASSIFICATION/EFFECTIVE DATE:		1998-99 F.T.E	Annual Salary**	1998-99 Budgeted Salary
82	Attorney III	7/1/98	1	51,236	51,236
79	Attorney II	7/1/98	2	44,749	89,498
75	Attorney I	7/1/98	2	37,304	74,608
67	Paralegal II	7/1/98	1	26,446	26,446
61	Prog. Asst. V	7/1/98	1	20,743	20,743
		TOTAL	7		262,531

** *Minimum level salary for the classification requested unless supporting OSP documentation attached.*

DOES THIS EXPANSION REQUEST RELATE TO A CAPITAL IMPROVEMENT PROJECT? YES [ ] NO [X]

IF YES, TITLE OF C.I. PROJECT:

C.I. BUDGET CODE: _____ ITEM NUMBER: _____ PROJECTED COMPLETION DATE: _____

SPACE REQUIREMENTS: G.S. 120-36.7 (c)

DOES THIS REQUEST REQUIRE ADDITIONAL SPACE? YES [ ] NO [X] IF YES, COMPLETE THE FOLLOWING:

	Office	Storage	Other	1997-98	1998-99	1999-00	2000-01	2001-02
Type of Space:								
Additional Square Footage Required								
Estimated Cost of Space Requirements								

MOTOR POOL REQUIREMENTS:

DOES THIS REQUEST REQUIRE ADDITIONAL VEHICHLES FROM THE STATE MOTOR POOL? YES [ ] NO [X]

IF YES, HOW MANY? [ ]

Submit 4 copies on 8 1/2 x 11-inch white paper.

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 8 of 14

BUDGET CODE: 13600 DEPARTMENT: Justice DIVISION/ INSTITUTION: Legal Services-Administration

FUND NUMBER: 1200 FUND TITLE: Legal Services

PROGRAM NUMBER: PROGRAM TITLE: Administrative Division

TITLE OF REQUEST: Creation of 2 Attorney III, 1 Paralegal II and 1 Program Assistant V

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [X]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	228,564
TOTAL RECEIPTS	
APPROPRIATION	228,564
TOTAL POSITIONS	4.00

NARRATIVE:

A. Attorney III (Services to State Agencies Section): The number of lawsuits against Judicial Branch employees has tripled in the past 5 years, resulting in 6-8 lawsuits per month. This increase is due to several factors, including the erosion of judicial and prosecutorial immunity and challenges with implementing the Americans With Disabilities Act. Also, AOC is currently involved in a variety of complex litigation, including a claim brought by the U.S. Department of Labor under the Fair Labor Standards Act on behalf of court reporters and federal cases brought by employees dismissed from the Juvenile Services Division when it was reorganized by AOC. This position will provide AOC with an experienced attorney to handle its litigation. AOC litigation has been handled on a rotation distribution basis among the attorneys in this Section. AOC litigation has become more complex and voluminous; this has put a tremendous strain on the section attorneys who have primary responsibilities for their own clients. This position would give AOC more consistent and effective legal representation and provide more specialized expertise for that client.

B. Attorney III (Tort Claims Section): This position is required in order to provide legal support for the legislatively mandated function set out in N.C.Gen.Stat. 97-88.2. This attorney will assist the Industrial Commission in conducting investigations and administrative proceedings and collecting penalties and restitution from persons who violate the Workers' Comp fraud statute. The Commission has been provided with investigators but there is currently no legal assistance available in the Tort Claims Section to handle the very specialized representation necessary to enforce this new law. This position will perform a new legal function mandated by statute. This position will provide proper legal assistance to the Industrial Commission as it carries out its new responsibility under the Workers' Comp fraud statute and enable the Commission to enforce the statute as directed by the General Assembly.

C. Paralegal II (shared by Human Services/Medical Facilities Section and Elections Section): There have been substantial changes in the civil rights laws affecting the clients represented by the Human Services Section. The changes include the availability of compensatory and punitive damages, as opposed to equitable relief, as a remedy. The availabity of compensatory and puntive damages has increased the number of complaints filed in federal court. Also, the recent amendments to the Federal Rules of Civil Procedure have increased the complexity of discovery for the Section's attorneys representing defendant agency employees. It is more cost effective to have a paralegal manage these discovery requests. The Elections Section attorney needs assistance with preclearance submissions to the US Department of Justice. This position would free up the elections attorney for more complex legal work. The elections attorney also supervises the attorney who is leading up the Year 2000 Team on the Attorney General's staff. This team will require substantial paralegal time for research, correspondence and scheduling. This shared position will provide litigatioin support to at least seven attorneys who are involved in complex state and federal litigation. This position would promote better litigation support and related assistance for attorneys in both sections in a more cost effective manner.

D. Program Assistant V (Tort Claims Section): This Section currently has 3 Program Assistant Vs to assist 8 attorneys, one of whom is the Section Head. Three attorneys have been added to the Tort Claims Section in the past nine years, and another attorney position is proposed, but no additional secretarial staff has been added. The legal secretaries and administrative secretary are unable to keep up with the increased volume of work generated by the attorneys and adjusters created by changes in our laws. This position will be responsible for providing legal secretarial duties for two attorneys within the Section. The addition of this position will provide needed secretarial support for the additional attorneys and will make for a more equitable distribution of work to the support staff. The Section will operate more efficiently and effectively and the attorneys' time will be more cost effective.

ATTACHMENT A1 - PAGE 2 Priority No. 8 of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	Projected 2000-01	Projected 2001-02	Projected 2002-03
531211	Salary/Wages			149,661				
531511	Social Security Contributions			11,450				
531521	Retirement Contributions			16,209				
531561	Health Insurance			6,944				
532850	Printing			3,600				
532700	Travel			12,500				
532811	Telephone Service			2,900				
532900	Training			3,200				
533100	Office Supplies			3,600				
534500	Office Furniture/Equipment			18,500				
	Requirements	0	0	228,564	210,064	210,064	210,064	210,064
	No. of Positions (F.T.E)	0.00	0.00	4.00	4.00	4.00	4.00	4.00

RECEIPTS:

	Receipts	0	0	0	0	0	0	0
	APPROPRIATION			228,564	210,064	210,064	210,064	210,064
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

ATTACHMENT A1 - PAGE 3 Priority No. 8 of 14

POSITIONS REQUESTED: *Detail of the positions included in this expansion request.*

GRADE	CLASSIFICATION/EFFECTIVE DATE:	1998-99 F.T.E	Annual Salary**	1998-99 Budgeted Salary
82	Attorney III / 7/1/98	2.000	$51,236	$102,472
67	Paralegal II / 7/1/98	1.000	$26,446	$26,446
61	Program Assistant V / 7/1/98	1.000	$20,743	$20,743
	TOTAL	4.000	[redacted]	$149,661

** *Minimum level salary for the classification requested unless supporting OSP documentation attached.*

DOES THIS EXPANSION REQUEST RELATE TO A CAPITAL IMPROVEMENT PROJECT? YES [ ] NO [X]
IF YES, TITLE OF C.I. PROJECT:
C.I. BUDGET CODE: _____ ITEM NUMBER: _____ PROJECTED COMPLETION DATE: _____

SPACE REQUIREMENTS: G.S. 120-36.7 (c)
DOES THIS REQUEST REQUIRE ADDITIONAL SPACE? YES [ ] NO [X] IF YES, COMPLETE THE FOLLOWING:

	Office	Storage	Other	1997-98	1998-99	1999-00	2000-01	2001-02
Type of Space:								
Additional Square Footage Required								
Estimated Cost of Space Requirements								

MOTOR POOL REQUIREMENTS:
DOES THIS REQUEST REQUIRE ADDITIONAL VEHICHLES FROM THE STATE MOTOR POOL? YES [ ] NO [X]
IF YES, HOW MANY? [ ]

Submit 4 copies on 8 1/2 x 11-inch white paper.

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 9 of 14

BUDGET CODE: 13600 DEPARTMENT: NC Department of Justice DIVISION/ INSTITUTION: NC Justice Academy

FUND NUMBER: 1500 FUND TITLE: C. J. T. & S. /Academy

PROGRAM NUMBER: PROGRAM TITLE: LEO Training & Support Equipment

TITLE OF REQUEST: Replace/Upgrade LEO Training & Support Equipment

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [XX]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	89,460
TOTAL RECEIPTS	
APPROPRIATION	89,460
TOTAL POSITIONS	0.00

NARRATIVE:

During the past two budget years, the Academy was only able to buy emergency equipment because the cost of Plant Operation and Maintenance had escalated with the addition of two buildings. The Academy absorbed the incremental cost of Plant Operation and Maintenance within the existing Operating Budget because there had not been any compensatory increase to cover the incremental cost of the two additional buildings. Since Equipment funds were used to pay Plant Operation and Maintenance costs, the Academy did not upgrade existing computer equipment to stay minimally abreast with technology nor were antiquated computers replaced. The Academy has been faced with the dilemma since 1990, of paying the utilities bills and making repairs to the facilities and equipment or purchase new and replacement equipment that is sorely needed. Should the Academy receive additional funds to pay the utility and maintenance bills, some equipment moneys will be freed up. However, the Academy needs additional funding to purchase equipment that had been foregone for almost eight years for which the Academy needs to purchase to catch up to the technology and operations it should have achieve if additional utility and maintenance funds had been budgeted when the new buildings had been built.

The Academy did not upgrade existing audio-visual equipment replacing antiquated audio-visual equipment as well as adding new audio-visual equipment needed to upgrade the training quality in the classrooms.

The Academy develops and produces professional level presentation productions. In today's age of equipment sophistication, the Academy is required to stay close to the "cutting edge" of audio, video, and computer technology. The Academy has a separate unit specializing in Instructional Support Services, providing training films/videos, interactive computer presentations, as well as "hands-on" tools to assist the Law Enforcement students learn the latest available guidelines to the criminal justice system. In order to stay abreast with technology and the criminal justice system, the Instructional Support Services staff continually takes training classes to learn how to use new software and hardware. New media is always being developed to assist in the production of the latest means of training the Law Enforcement students. New technology, such as hypermedia, long distance learning, as well as interactive audio-video communication must be maintained and developed. Equipment is becoming antiquated almost as soon as it is purchased. The Academy's philosophy is not to jump to the latest technology available, but to wait until it has been tested to determine if it will become the standard by which the state as well as law enforcement will embrace.

The funds requested are only for the upcoming year and only to replace existing antiquated equipment and software. Technology is changing so rapidly, it is impossible to anticipate the requirements from year to year. The Academy will keep and eye and ear out to study the direction the state is going to determine how much and how soon changes and purchases will be made. The price of equipment is so volatile, it is impossible to develop a budget on anticipated requirements from year to year. The request made for the next year is based on immediate needs to maintain the level of professionalism the Academy has deemed appropriate.

ATTACHMENT A1 - PAGE 2 Priority No. 9 of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	Projected 2000-01	Projected 2001-02	Projected 2002-03
533720	Educational Supplies			11,670				
534539	Other Equipment			77,790				
	Requirements	0	0	89,460	11,670	11,670	11,670	11,670
	No. of Positions (F.T.E)	0.00	0.00	0.00	0.00	0.00	0.00	0.00

RECEIPTS:

	Receipts	0	0	0	0	0	0	0
	APPROPRIATION			89,460	11,670	11,670	11,670	11,670
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 10 of 14

BUDGET CODE: 13600 DEPARTMENT: Department of Justice DIVISION/ INSTITUTION: State Bureau of Investigation

FUND NUMBER: 1300 FUND TITLE: Law Enforcement

PROGRAM NUMBER: 4200 PROGRAM TITLE: Protect Society Against Crime

TITLE OF REQUEST: SBI Crime Laboratory- Scientific Supplies

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [X]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	225,000
TOTAL RECEIPTS	
APPROPRIATION	225,000
TOTAL POSITIONS	0.00

NARRATIVE:

NEED

The North Carolina State Bureau of Investigation Crime Laboratory has been successful in implementing advanced technologies in recent years. All law enforcement agencies across North Carolina rely on the advanced forensic services of the SBI to provide crucial information in criminal investigations. The courts of the state also rely on this service for the successful prosecution of cases. Unfortunately, supporting the on-going operating costs of these technologies (like DNA analysis) is impacting upon our ability to meet other operating expenses of the laboratory. DNA analysis alone may consume more than $ 200,000.00 in supplies each fiscal year.

CHANGE IN PRESENT STRATEGY

Increase the annual appropriations for scientific supplies by $ 225,000.00. This will allow us to more effectively use other parts of the budget for their intended purposes.

ANTICIPATED OUTCOMES

Increasing our annual certified appropriations for scientific supplies will allow us to continue providing all current methods of analysis. We will prevent the necessity to begin cutting some the services offered by the Lab.

OUTCOME MEASURES

The Lab will be successful in maintaining a nationally accredited status.

ATTACHMENT A1 - PAGE 2 Priority No. 10 of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	Projected 2000-01	Projected 2001-02	Projected 2002-03
533710	Scientific Supplies			225,000	225,000	225,000	225,000	225,000
	Requirements			225,000	225,000	225,000	225,000	225,000
	No. of Positions (F.T.E)							

RECEIPTS:

	Receipts							
	APPROPRIATION			225,000	225,000	225,000	225,000	225,000
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 11 of 14

BUDGET CODE: 13600 DEPARTMENT: Department of Justice DIVISION/ INSTITUTION: State Bureau of Investigation

FUND NUMBER: 1300 FUND TITLE: Law Enforcement

PROGRAM NUMBER: 4200 PROGRAM TITLE: Protect Society Against Crime

TITLE OF REQUEST: SBI Crime Laboratory - Maintenance of Equipment

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [X]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	185,000
TOTAL RECEIPTS	
APPROPRIATION	185,000
TOTAL POSITIONS	0.00

NARRATIVE:

NEED

The North Carolina State Bureau of Investigation Crime Laboratory (NCSBI Lab) has a wide range of specialized instruments with which to conduct forensic analysis. Increasing demands on our budget in areas like providing supplies for DNA analysis has left less and less money each fiscal year to update our specialized equipment. As our current equipment ages, the cost of contracting for maintenance agreements and emergency repairs increases. New instrumentation recently added to the laboratory with grant funding has also increased our service and maintenance expenses.

CHANGE IN PRESENT STRATEGY

Increase the annual appropriations for scientific supplies by $ 185,000.00.This will allow us to more effectively use other parts of the budget for their intended purposes

ANTICIPATED OUTCOMES

Increasing our annual certified appropriations for service/maintenance will allow us to continue providing all current methods of analysis. We will prevent the necessity to begin cutting some the services offered by the NCSBI Lab.

ATTACHMENT A1 - PAGE 2 Priority No. 11 of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	Projected 2000-01	Projected 2001-02	Projected 2002-03
532430	Maintenance Agreement - Equipment			185,000	185,000	185,000	185,000	185,000
	Requirements			185,000	185,000	185,000	185,000	185,000
	No. of Positions (F.T.E)							

RECEIPTS:

	Receipts							
	APPROPRIATION			185,000	185,000	185,000	185,000	185,000
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 12 of 14

BUDGET CODE: 13600 DEPARTMENT: Department of Justice DIVISION/ INSTITUTION: State Bureau of Investigation

FUND NUMBER: 1300 FUND TITLE: Law Enforcement

PROGRAM NUMBER: 4200 PROGRAM TITLE: Protect Society Against Crime

TITLE OF REQUEST: SBI Crime Laboratory Expansion - Scientific Equipment

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [X]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	897,080
TOTAL RECEIPTS	
APPROPRIATION	897,080
TOTAL POSITIONS	0.00

NARRATIVE:

NEEDS

The North Carolina State Bureau of Investigation Crime Laboratory has been successful in implementing advanced technologies in recent years. All law enforcement agencies across North Carolina rely on the advanced forensic services of the SBI to provide crucial information in criminal investigations. The courts of the state also rely on this service for the successful prosecution of cases. Unfortunately, supporting the on-going operating costs of these technologies (like DNA analysis) is impacting upon our ability to meet other operating expenses of the laboratory. DNA analysis alone may consume more than $200,000.00 in supplies each fiscal year. In recent years, many of our designated equipment dollars have gone to offset the operating expenses of the laboratory.

CHANGE IN PRESENT STRATEGY

Provide a one time appropriation of $ 897,080.00 to replace outdated equipment in the Lab and to bring all areas of the laboratory up to date. In addition, we are requesting an on-going increase of $135,000.00 in our certified equipment money to continue to better meet the equipment needs of our laboratory.

ANTICIPATED OUTCOMES

Updating the equipment of the Lab (and providing sufficient on-going funding for equipment) will allow us to create and maintain a more efficient operation. Faster, more automated equipment and instrumentation will increase our output and decrease our turn-around-time.

OUTCOME MEASURES

The turn-around-time for the analysis of evidence will be monitored. The current turn-around-time will decrease.

Priority No. 12 of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE		Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	2000-01	2001-02	2002-03
	LABORATORY EQUIPMENT								
534523	Equipment - Scientific/Medical		248,043		897,080				
	Evidence Refrigerator (2)	4000							
	Utility Vehicle (transport evidence)	18000							
	DNA Capillary Electrophoresis	80000							
	Thermocycler	12500							
	Gel Boxes	4000							
	Digital Imaging Camera	4500							
	Pipetters (16)	4480							
	Autoclave	7000							
	Microcentrifuges (6)	9600							
	Robotic DNA Extraction	150000							
	Spectra Lightsource	80000							
	Footwear Database System	25000							
	Comparison Microscope	55000							
	Scanning Electron Microscope	300000							
	Microscopes for Chemists	28000							
	Forensic Imaging System (QD)	35000							
	GC/MS	80000							
	Increase of Certified Equipment Budget					135000	135000	135000	135000
	Requirements				897,080	135,000	135,000	135,000	135,000
	No. of Positions (F.T.E)								

RECEIPTS:

	Receipts								
	APPROPRIATION				897,080	135,000	135,000	135,000	135,000
	CHANGE IN CASH BALANCE								

* *Complete Detail information for total positions requested on the following page.*

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 13 of 14

BUDGET CODE: 13600 DEPARTMENT: Department of Justice DIVISION/ INSTITUTION: State Bureau of Investigation

FUND NUMBER: 1300 FUND TITLE: Law Enforcement

PROGRAM NUMBER: 4200 PROGRAM TITLE: Protect Society Against Crime

TITLE OF REQUEST: SBI Crime Laboratory- Chemists

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [X]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	66,091
TOTAL RECEIPTS	
APPROPRIATION	66,091
TOTAL POSITIONS	2.00

NARRATIVE:

NEED

The North Carolina State Bureau of Investigation Crime Laboratory has experienced an increase in the amount of evidence submitted for forensic analysis. All law enforcement agencies across North Carolina rely on the forensic services of the SBI to provide crucial information in criminal investigations. The courts of the state also rely on this service for the successful prosecution of cases. The current number of chemists in our Drug/Chemistry section is not sufficient to provide timely service to law enforcement and to the courts. The national average caseload per chemist is approximately 100 cases per month. Our chemists currently average 200 cases per chemist - per month.

CHANGE IN PRESENT STRATEGY

The requested Chemist positions will allow us to focus attention on the increasing turn-around-time of controlled substances analysis (including the analysis of blood for alcohol content). Once trained, the chemists will be assigned to complete cases submitted from those areas of the state with the heaviest submission levels.

ANTICIPATED OUTCOMES

The anticipated outcome is that the law enforcement agencies in North Carolina will be provided with more timely forensic analysis which is essential for the successful investigation and prosecution of most cases.

OUTCOME MEASURES

The turn-around-time for the analysis of evidence will be monitored. With the human resources requested, the current turn-around-time (measured in weeks) will fall to days.

ATTACHMENT A1 - PAGE 2 Priority No. 13 of 14

BUDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

REQUIREMENTS:

ACCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	2000-01	2001-02	2002-03
531211	SPA-Reg Salaries			48,984	65,312	65,312	65,312	65,312
531511	Social Security Contribution			3,748	4,997	4,997	4,997	4,997
531531	LEO Retirement Contribution			7,755	10,339	10,339	10,339	10,339
531561	Medical Insurance Contribution			2,604	3,472	3,472	3,472	3,472
531660	Tax. Empee. Expense Reimbursement			0	800	800	800	800
534529	Equipment - Custody and Security			3,000	0	0	0	0
	Requirements			66,091	84,920	84,920	84,920	84,920
	No. of Positions (F.T.E)			2.00	2.00	2.00	2.00	2.00

RECEIPTS:

	Receipts							
	APPROPRIATION			66,091	84,920	84,920	84,920	84,920
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

ATTACHMENT A1 - PAGE 3 Priority No. 13 of 14

POSITIONS REQUESTED: *Detail of the positions included in this expansion request.*

GRADE	CLASSIFICATION/EFFECTIVE DATE:	1998-99 F.T.E	Annual Salary**	1998-99 Budgeted Salary
72	Chemist I / 10-1-98	2.00	$32,656	$48,984
	TOTAL	2.000		$48,984

** *Minimum level salary for the classification requested unless supporting OSP documentation attached.*

DOES THIS EXPANSION REQUEST RELATE TO A CAPITAL IMPROVEMENT PROJECT? YES [ ] NO [X]

IF YES, TITLE OF C.I. PROJECT:

C.I. BUDGET CODE: _____ ITEM NUMBER: _____ PROJECTED COMPLETION DATE: _____

SPACE REQUIREMENTS: G.S. 120-36.7 (c)

DOES THIS REQUEST REQUIRE ADDITIONAL SPACE? YES [ ] NO [X] IF YES, COMPLETE THE FOLLOWING:

	Office	Storage	Other	1997-98	1998-99	1999-00	2000-01	2001-02
Type of Space:								
Additional Square Footage Required								
Estimated Cost of Space Requirements								

MOTOR POOL REQUIREMENTS:

DOES THIS REQUEST REQUIRE ADDITIONAL VEHICHLES FROM THE STATE MOTOR POOL? YES [ ] NO [X]

IF YES, HOW MANY? [ ]

Submit 4 copies on 8 1/2 x 11-inch white paper.

Attachment A1
Worksheet
(Due 3-2-98)

SUPPLEMENTAL EXPANSION BUDGET WORKSHEET

Priority No. 14 of 14

BUDGET CODE: 13600 DEPARTMENT: Department of Justice DIVISION/ INSTITUTION: State Bureau of Investigation

FUND NUMBER: 1300 FUND TITLE: Law Enforcement

PROGRAM NUMBER: 4200 PROGRAM TITLE: Protect Society Against Crime

TITLE OF REQUEST: SBI-Balance for Vehicles for New Agents

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES [ ] NO [X]

IF YES, ATTACH A COPY OF THE DRAFT.

	1998-99
TOTAL REQUIREMENTS	92,676
TOTAL RECEIPTS	
APPROPRIATION	92,676
TOTAL POSITIONS	0.00

NARRATIVE:

NEED

In FY 97-98 the Legislature funded sixteen new SBI Agent positions. When the funded for the expansion item was calculated during the session, a miscalculation caused insufficient funds to be funded for vehicles. The agent positions were funded for less than the full first year. This same reduction was used against other items in the requests causing under funding for vehicles.

TTACHMENT A1 - PAGE 2 Priority No. 14 of 14

UDGET: G.S. 143-3.5 *Detail of budget is to be provided at the NCAS Agency Management Report detail level.*

EQUIREMENTS:

CCOUNT NO.	ACCOUNT TITLE	Authorized 1997-98	Authorized 1998-99	Request 1998-99	Projected 1999-00	Projected 2000-01	Projected 2001-02	Projected 2002-03
534541	Autos			92,676				
	Requirements			92,676	0	0	0	0
	No. of Positions (F.T.E)			0.00	0.00	0.00	0.00	0.00

RECEIPTS:

	Receipts							
	APPROPRIATION			92,676				
	CHANGE IN CASH BALANCE							

* *Complete Detail information for total positions requested on the following page.*

Handout #3

Department of Justice Expansion Budget Requests

Item	Description	Recurring	Non Recurri	Positions	Attorneys	Notes
1	Consumer Protection Division	$215,000	$18,000	6	1	An Attorney II
2	Medicaid Fraud Investigation	$84,251		6	1	75% federally funded Attorney II
3	DCI Network Changes		$48,000	0	0	
	Computer Operator	$99,347		3	0	
	Data Base Specialist	$61,617		1	0	
	Info System Upgrade		$57,000	0	0	
	Crime Report Redesign		$400,000	0	0	20% match for GCC
4	Justice Academy (E)	$143,513	$6,000	6	0	housekeepers, fire alarm, furbish
5	SBI Overtime & Rent	$501,325		0	0	OT is $170,000
6	Environmental Litigator	$84,735	$5,000	1	1	
7	Envir Division Staff	$360,804	$33,000	7	5	2 Atty I; 2 Atty II; 1 Atty III--Fisheries, LUST, water quality
8	Admin Division	$210,064	$18,500	4	2	Attorney III for AOC & Tort Claims
9	Academy Equip	$11,670	$77,790	0	0	
10	SBI lab supplies	$225,000		0	0	
11	SBI Lab maintenance	$185,000		0	0	DNA equp
12	SBI Lab equipment	$135,000	$762,080	0	0	
13	SBI chemists	$63,091	$3,000	2	0	Oct 1; annualized is $84,920
14	SBI cars		$92,676	0	0	
15	CJIN Board		$100,000			
16	CJIN-SAFIS		$2,500,000			
17	Capital--SBI operations		$18,653,400			
GRAND		$2,380,417	$22,774,446	36	10	

Handout #4

State of North Carolina

Criminal Justice Information Network

REPORT TO THE GENERAL ASSEMBLY
April 15, 1998

Ron Hawley, Assistant Director
NC State Bureau of Investigation
Vice Chair of CJIN

April 21, 1998

REPORT REQUIREMENTS

- Board Operations and Data Sharing Standards
  - Progress in developing standards
  - Estimated time of completion
- Operating Budget of the Board
  - Amount of funds in reserve
- Long-Term Strategic Plan and Costs Analysis
- Implementation of the Mobile Data Network System
  - Funds spent to date
  - Long-term costs of statewide implementation

Data Sharing Standards

- $300,000 State Appropriation
- $559,860 Two-year Grant
- Executive Team
  - Local Officials
  - State Officials
- Focus on Critical Data Elements
  - Data elements used in Interfaces with local systems
  - Maintenance
- Completion set for March 1999

OPERATING BUDGET

- $100,000 Operational Budget
  - $96,429.81 Balance as of March 31, 1998
- $300,000 Data Sharing Project
  - Used with federal dollars through the Governor's Crime Commission
- Additional Funding

ADDITIONAL FUNDING

- CJIN Study
  - $769,000 FY 94/95
- Mobile Data Network
  - $3,288,000 FY 96/97 State Appropriation
  - $4,106,600 FY 97/98 State Appropriation
  - $4,000,000 Federal Grant
- Statewide Automated Fingerprint Identification System (SAFIS)
  - $1,000,000 FY 97/98 State Appropriation
  - $2,500,000 Federal Grant

ADDITIONAL FUNDING CONTINUED

- Statewide Magistrate System
  - $2,000,000 FY 97/98 State Appropriation
  - $ 396,000 Federal Grant
  - $4,000,000 Federal Grant
- Networking and Security
  - $3,500,000 Federal Grant
- TOTALS
  - $11,163,600 State Appropriation
  - $14,396,000 Federal Grants
  - $25,559,600 Total Funding To Date

CJIN BOARD AND PERSONNEL

- Current Membership
  - 15 Members
    - No representation by judges
    - Either Clerk of Superior Court or a District Attorney
- Original Proposal for Membership
  - 15 Members
    - 2 judges
    - Clerk of Superior Court and District Attorney
- No Permanent Staffing Authorized

FUTURE PROJECTS

- Statewide Integrated Criminal History Repository
  - Planning scheduled to begin 1999/2000
- Statewide Identification Index
  - Similar project within the Information Resource Management Commission (IRMC)
  - Planning not scheduled as of this date

Cost Estimates

- Implementation Costs
  - $190,453,460 through 2004
  - Excludes Two Projects
    - Statewide Integrated Criminal History Repository
    - Statewide Identification Index
- Annual Recurring Costs
  - $8,660,400

Handout #5

Criminal Justice Information Network Governing Board Report
to the
Chairs of the Senate and House Appropriations Committees,
the
Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety
and the
Fiscal Research Division of the General Assembly

April 15, 1998

In 1994 the General Assembly appropriated monies for the study of a Criminal Justice Information Network (CJIN) which was completed and reported to the General Assembly in April 1995. The study identified a comprehensive plan to establish a statewide Criminal Justice Information Network which is detailed in the Criminal Justice Information Network Study Final Report dated April 7, 1995. Based on this plan, the first steps were taken to create CJIN in 1996 when the General Assembly created the CJIN Governing Board (hereafter, Board). The Board was subsequently directed to provide the following report.

During the 1997 Session of the General Assembly, the Board was directed to report on the following:

- "(1) The operations of the Board, including the Board's progress in developing data-sharing standards in cooperation with State and local agencies and the estimated time of completion of the standards;
- (2) The operating budget of the Board, the expenditures of the Board as of the date of the report, and the amount of funds in reserve for the operation of the Board;
- (3) A long-term strategic plan and the cost analysis for statewide implementation of the Criminal Justice Information Network; and
- (4) The status of the implementation of the mobile data network system, including the amount of funds spent on the system as of the date of the report and the long-term costs of implementing the system statewide."

- The Board was further directed to give an interim report by November 1, 1997.

BOARD OPERATIONS AND DATA-SHARING STANDARDS:

Operations of the Board

Section 23.3 of Chapter 18 of the Session Laws of the 1996 Second Extra Session established the Criminal Justice Information Network Governing Board. The Board was established with an appropriation of $400,000 in non-reverting funds. Of these funds, $100,000 was designated for operating funds while the remaining $300,000 was designated for the Data Sharing Standards project identified within the CJIN Study Final Report. There were no staff positions established

for the Board and it was placed within the Department of Justice for administrative purposes only.

During the later months of 1996 the various appointments were made to the Board and Governor James B. Hunt, Jr. called the first meeting on February 17, 1997. During the meeting and as directed by the establishing legislation, Richard Moore, Secretary of the Department of Crime Control and Public Safety, was elected Chairman of the Board. The Board also elected Ronald P. Hawley, Assistant Director of the State Bureau of Investigation, as Vice-Chairman.

Since then the Board has met three times with the next meeting scheduled for Friday, April 24, 1998 in Wilmington, North Carolina. The Board has addressed a number of significant issues during its short tenure. Several of the more significant issues include the project approach for the Data Sharing Standards Project, review of the Mobile Data Network project administered by the North Carolina State Highway Patrol and the guidance of the Statewide Magistrate System being implemented by the Administrative office of the Courts (AOC). In addition, there have been actions taken regarding the Board's direction in funding issues. These have resulted in the support of grant requests as well as funding requests to the General Assembly.

Board actions and discussions are documented in the minutes of the various meetings. Minutes are available upon request of the CJIN office.

Data-Sharing Standards

As envisioned in the CJIN report, the data sharing standards project was initially estimated to cost approximately $2,000,000 with annual recurring costs of approximately $792,000. Thus, the $300,000 appropriated for the project presented one of the earliest decisions for the CJIN Board. The question: how to move forward and identify appropriate Data Sharing Project expectations within the funding limitations. To address this issue, the Board approved a plan to proceed with the Data Sharing Standards Project at its February 17, 1997 meeting by authorizing the submission of a grant proposal to the Governor's Crime Commission. This approach used the $300,000 appropriated by the General Assembly as matching funds and allowed the Board to obtain a funding level sufficient to begin work on the project. With the additional grant funding of $287,017, the first year budget is set at $382,690, and the scope of the project is to target the most critical data first. The total two year project is estimated at $859,860 with recurring annual costs of $300,000.

In addition to the funding limitations, the project has been administered in an ad hoc fashion due to the absence of staff. Given the absence of staff to run the project, SBI Assistant Director Ronald P. Hawley has operated as the Board's project manager.

Even with the above noted limitations, the Data Sharing Project is still progressing and has been established to provide for the most effective return on our investment in a timely manner. The Board has hired a project manager and business analyst to manage this project. In addition, an Executive Group has been established to oversee the effort. This group is comprised of state and local officials who will insure that the approach provides for the earliest return on the investment toward establishing critical standards. These individuals, who are volunteers, bring the

appropriate balance of state and local interests to the decision making process.

Utilizing valuable input from local officials working as a part of the Executive Team for this project, the main focus of the project is data sharing standards for those data elements used in interfacing with local agencies. The project is scheduled for completion by March 1, 1999. This project plan will allow for the development critical data-sharing standards so as to support key CJIN application development such as the Statewide Magistrate System, commonly referred to as the Criminal Tracking System - Magistrate Module. A copy of the statement of work and the project plan have been provided to fiscal research staff.

OPERATING BUDGET OF THE BOARD

Expenditures and Reserves

The General Assembly appropriated $100,000 for the operations of the Board during the 1996 Second Extra Session. To date, the Board has utilized $4,473.19 in travel and per diem expenses. Balance on hand is $96,429.81 which is non-reverting.

The $300,000 Data Sharing Project funds are non-reverting and now being utilized as matching money to the federal grant dollars obtained through the Governor's Crime Commission. Including the $300,000, the total budget for the project is $859,860. To date, the project has spent $1,250.50.

Additional CJIN Funding - State Agencies

For the purposes of fully understanding the monies allocated and costs associated with the CJIN effort, there are other funding amounts that should be identified. They are listed by the project for which they are associated. The detail associated with this money will be identified in a subsequent part of this report.

- Criminal Justice Information Network Feasibility Study:
  $769,000 FY 94/95 State Appropriation

- Mobile Data Network (CJIN-MDN) - State Highway Patrol:
  $3,288,000 FY 96/97 State Appropriation
  $4,106,600 FY 97/98 State Appropriation
  $4,000,000 Federal Grant Funds

- Statewide Automated Fingerprint Identification System (SAFIS) - State Bureau of Investigation:
  $1,000,000 FY 97/98 State Appropriation
  $2,500,000 FY 98 Federal Grant Funds

- Statewide Magistrates System (Criminal Tracking System) - Administrative Office of the Courts:

$2,000,000 FY 97/98 State Appropriation
$0,396,000 FY 97 Federal Grant Funds
$4,000,000 FY 98 Federal Grant Funds

- Networking and Security - State Bureau of Investigation:
  $3,500,000 FY 98 Federal Grant

- $11,163,600 Total State Appropriations
  $14,396,000 Total Federal Grant Funds
  $25,559,600 TOTAL DIRECT FUNDING TO CJIN

Additional CJIN Funding - Local Agencies

The Governor' Crime Commission has awarded over $6,900,000 in federal grant funds to local law enforcement agencies for CJIN related projects. This includes such items as automated fingerprint capture devices and mobile data terminals, but also includes automated records and crime reporting systems. In addition to the federal funds awarded by the Crime Commission, the U.S. Department of Justice has also provided over $20,000,000 in grants directly to local units of government for law enforcement purposes. These funds have been provided as a result of the Local Law Enforcement Block Grant Program, which began in 1996. Local law enforcement agencies have been encouraged by the Crime Commission to use the funds for CJIN related procurements, and many have done so.

Personnel

As previously noted, there have been no permanent positions appropriated to support the Board. Although this was acceptable in the earlier days as the Board began its work, the enormity of the tasks associated with this effort have outgrown the capacity of the various agency representatives to handle the Board's work in an ad hoc fashion. As already noted in this report, the Data Sharing Project has been slower in developing due in part to the fact the project manager had administrative obligations for an entire division within a state agency. Indeed, this report has been handicapped by these same limitations.

As the Board began its work, there were the slow moving organizational requirements of getting started that allowed time to work Board needs in with the daily efforts of the various agency representatives. However, the Board is now fully functional and has been extremely successful in moving the CJIN plan forward through the acquisition of both State and Federal funding. This success has greatly increased the work of the Board to the point that it is no longer possible for the ad hoc efforts of the past to support and move it forward. The time available from the various agency representatives to address Board needs is now required by the agencies to focus on the development pieces of the plan, i.e., Statewide Tracking, Networking Security, and Statewide AFIS.

In order to respond to the ever growing demands of CJIN, the Secretary of Crime Control and Public Safety Richard Moore authorized the use of an existing position within the State Highway

Patrol to be allocated as a Administrative Assistant. This person will be used to handle the growing administrative demands on the Board. In addition, the administrative assistant will provide support for Secretary Richard Moore and Assistant Director Ronald P. Hawley who currently function cooperatively as the "Executive Director" of CJIN.

Although this additional support will assist with the efforts of CJIN, it will not replace the need for a full time Executive Director who will direct the daily activities of CJIN. It is therefore hoped, that as the General Assembly reviews this report and reflects on the growing demands of this developing network, it will see the need for and support permanent positions for the Director and the Administrative Assistant positions.

CJIN Board Membership

During a recent presentation to the Appropriations Subcommittees on Justice and Public Safety by Senator Thomas LaFontine Odom and Mecklenburg County officials, the issue of CJIN Board membership was raised. This issue is also a source of concern for many of the Judicial Branch agencies whose elected members feel there is inadequate representation. Based on these facts, this issue has been included in the report for the purpose of fully informing the General Assembly.

Table 1 lists the current CJIN Governing Board membership, including Board member and who he or she was appointed by. Table 2 lists the CJIN Governing Board membership as initially proposed by the CJIN Study Committee.

TABLE 1
CJIN Governing Board Membership
(Current Membership)

Board Member	Appointed By:
Director or employee of State correction agency	Governor
Employee of NC Department of Crime Control and Public Safety	Governor
Representative recommended by the Association of Chiefs of Police	Governor
Two representative of general public recommended by the President Pro Tempore of the Senate	General Assembly
Individual who is a member of or working directly for the governing board of a North Carolina municipality and recommended by the President Pro Tempore of the Senate	General Assembly
Two representative of general public recommended by the Speaker of the House of Representatives	General Assembly
Individual who is a member of or working directly for the governing board of a North Carolina county recommended by the Speaker of the House of Representatives	General Assembly
Employee of the Attorney General	Attorney General
Representative recommended by the North Carolina Sheriffs' Association	Attorney General
Director or employee of the Administrative Office of the Courts	Chief Justice of the North Carolina Supreme Court
Either a Clerk of Superior Court or District Attorney	Chief Justice of the North Carolina Supreme Court
Chair or member of the Information Resource Management Commission (IRMC)	Chair of the Information Resource Management Commission
Active member of the North Carolina Chapter of Public Communications Officials International	President of the North Carolina Chapter of Public Communications Officials International

TABLE 2

CJIN Board Membership

(Membership As Initially Proposed)

Board Member	Appointed By:
Director or employee of State correction agency	Governor
Employee of NC Department of Crime Control and Public Safety	Governor
Representative recommended by the Association of Chiefs of Police	Governor
Representative of general public recommended by the President Pro Tempore of the Senate	General Assembly
Individual who is a member of or working directly for the governing board of a North Carolina municipality and recommended by the President Pro Tempore of the Senate	General Assembly
Representative of general public recommended by the Speaker of the House of Representatives	General Assembly
Individual who is a member of or working directly for the governing board of a North Carolina county recommended by the Speaker of the House of Representatives	General Assembly
Employee of the Attorney General	Attorney General
Representative recommended by the North Carolina Sheriffs' Association	Attorney General
Director of employee of the Administrative Office of the Courts	Chief Justice of the North Carolina Supreme Court
Clerk of Superior Court	Chief Justice of the North Carolina Supreme Court
Two judges of the trial division of the General Court of Justice	Chief Justice of the North Carolina Supreme Court
District Attorney	Chief Justice of the North Carolina Supreme Court
Chair or member of the Information Resource Management Commission (IRMC)	Chair of the Information Resource Management Commission

It should be noted that this original recommendation for Board membership included additional representatives from the Judicial Branch of Government due to the large number of constituents involved with criminal justice and public safety. It developing this recommendation, considerable effort was exerted to insure balances between the branches of government as well as the levels of government. Although the Board has yet to take an official position on the issue of proper representation, members have expressed concern and further debate is planned.

LONG-TERM STRATEGIC PLAN AND COST ANALYSIS INCLUDING THE MOBILE DATA NETWORK

In the original CJIN Study Final Report there were a number of initiatives that were identified that, if completed, would establish a solidly integrated Criminal Justice Information Network. Those initiatives, as identified in the CJIN Study Final Report, are listed below and provide the framework for addressing the long-term plan and cost analysis.

Management: Governing Board

Infrastructure: Data Sharing Standards
CJIN Network Security
TCP/IP (Networking Protocols)
End-User Technology
Mobile Data and Voice Network (CJIN-MDN and CJIN-VTN)

Applications: Statewide Automated Fingerprint Identification System (SAFIS)
Statewide Magistrate System (Criminal Tracking System - Magistrate Module)
Statewide Identification Index
Statewide Integrated Criminal History Repository
Statewide Warrant System
Courtroom Automation
Juvenile Justice Information Systems

Your support in the 1996 legislative session through the establishment of a Board established the foundation for this work and considerable progress has been made to date.
For example, the last phases of developing the Mobile Data Network are scheduled for completion between 2000 and 2001. The SAFIS is looking to deploy its first phase of live scan devices in 1999 and could complete state coverage within the same time frame if the second phase funding is obtained. Finally, the Criminal Tracking System - Magistrate Module has been piloted and is the foundation for developing the system requirements. In each of the cases noted above, the Board was able to utilize the leadership and support provided by the North Carolina General Assembly to seek additional funding to further the individual projects.

For the next five years, the Board will focus its attention on the completion of the projects currently underway while identifying the next initiatives that would provide the most return on the investments already made. Given the ever changing technological scene and the Board's experience in its first years of existence, to strategically plan beyond five years would not be productive. However, keep in mind that for beyond five years, the Board has a long-term objective which remains as valid as it was when first established.

- "To identify alternatives for development of a statewide criminal justice information network that will enable a properly authorized user to readily access and effectively use information regardless of its location in a national, state, or local databases."

The Board will continue to follow this objective as it explores the next steps beyond the five years.

The following details the progress made with CJIN to date. It includes original initiatives that became projects such as the Statewide Magistrate System (Criminal Tracking System - Magistrate Module), Statewide Automated Fingerprint Identification System (SAFIS), Courtroom Automation, and the Mobile Data Network. Further, there will be discussion on those initiatives that have either received or requested funding, but have not begun. These include the Network and CJIN Security, Statewide Mobile Voice or Voice Trunking Network (CJIN-VTN), Juvenile Justice Information Systems, and End-User Technology. There has been much progress made and the next five years should continue that trend. As these projects approach completion, the CJIN Governing Board will focus its attention to developing a single comprehensive Statewide Criminal History Repository.

Statewide Magistrate System (Criminal Tracking System - Magistrate Module)

An automated magistrate system would allow magistrates to produce warrants and other processes on a real time basis and would reduce the amount of effort required to produce a single process. Standardized language formerly written for each warrant could be automatically filled in upon the keying of codes in predefined fields. An automated magistrate system would also reduce inefficiency by eliminating redundant data entry and would free up clerk time currently spent re-entering warrant information into the AOC's Criminal Court Information System (CIS). Information would also be much more accurate if it is only being entered once.

Standard offense codes keyed into the system by a magistrate, tied to the appropriate statutory citation and offense information could be printed on charging documents. Magistrates would no longer have to look up charging information from manual tables. This would reduce the errors from copying charging codes and text from manual tables.

With an interface to the AOC's CIS Criminal System, all warrant information could be captured in a timely manner which would greatly benefit clerks - who would not have to rekey the documents and law enforcement - who would be able to search statewide on outstanding warrants.

As of the date of this report, $2,400,000 has been received for this project. In addition, there is an another $4,000,000 identified in the FY 1998 Federal budget. This funding will allow for this project to move forward with development and is scheduled for completion by January 1, 2001. This completion date is contingent upon the additional funding of $2,350,000.

When the Magistrate System is fully deployed, it is expected to cost $8,750,000. The recurring support costs are estimated at approximately $2,250,000 per year for 5 years.

Statewide Automated Fingerprint Identification System (SAFIS)

This project is designed to provide for the electronic submission of fingerprint data to the State Bureau of Investigation from every county in North Carolina. The submission of electronic data will contribute greatly to CJIN in two extremely significant ways. First, the data can be transferred and examined within acceptable time frames. This will allow for positive identification of arrested individuals within minutes rather than the current situation which takes months. It is this positive identification that will allow for better decisions about the individuals being processed and could result in saving lives.

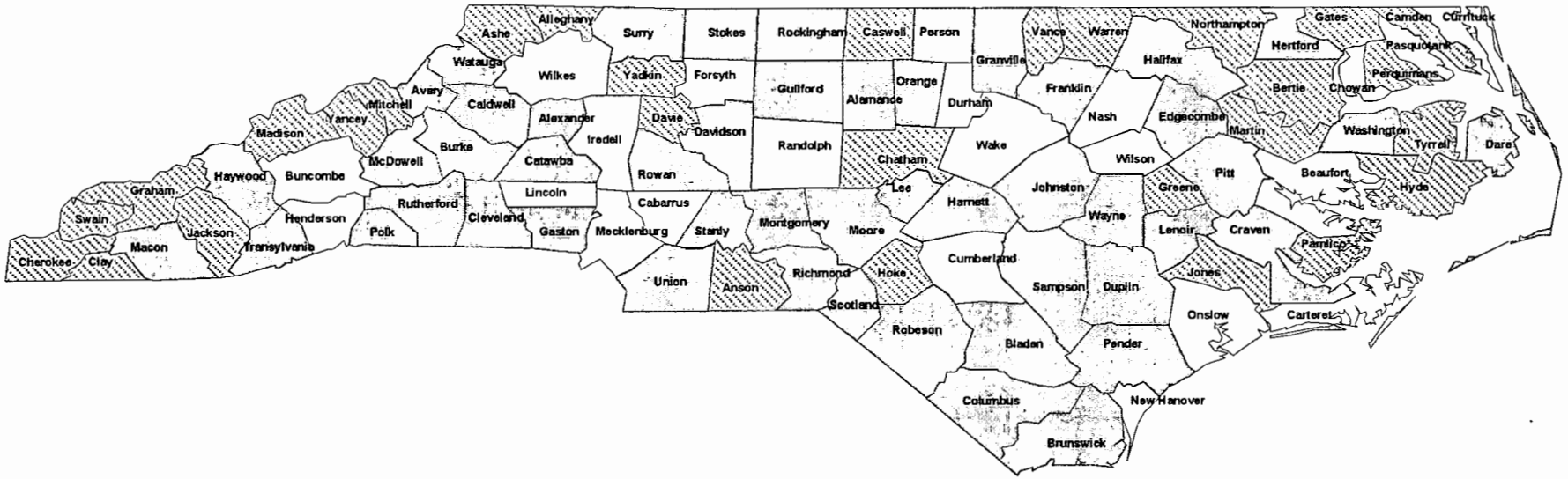
Second, the speed and quality of electronic data will allow for timely updates to the criminal history record. Completing this statewide system for electronic submission is a critical step toward a comprehensive integrated criminal history record. In the interim, the data will be exchanged electronically from the SAFIS to the Criminal History Record Information (CHRI) housed at the State Bureau of Investigation.

The implementation of this project has begun and is planned in two phases. The first phase has been supported with the State appropriation of $1,000,000. This is being used to match for a Governor's Crime Commission grant and will allow for the use of an additional $2,250,000. With this money approximately 48 additional counties will receive Live Scan devices. The implementation for these is scheduled to begin in the third quarter of 1998 and run through March 1999. Completion of phase two of this project is contingent on the $2,500,000 funding request which will be included in the CJIN expansion budget requests for FY 98/99. If funding is received, phase two should begin in the fourth quarter of 1998 and be completed by December 1999. There will be recurring support costs associated with the system. These costs are to be covered by leasing costs paid by the local departments.

The SAFIS for criminal submission of fingerprinting is expected to cost $6,750,000 when fully implemented and recurring costs for networking and maintenance of approximately $1,310,400.

NC SAFIS

Live Scan Implementation



Current Live Scan (21 Counties)

Live Scan - Phase I (50 Counties) Completion December 31, 1998

Live Scan - Phase II (29 Counties) Completion July 1, 1998 - June 30, 1999

Criminal Justice Information Network SAFIS - Live Scan Implementation Phase One 1997 - 1999				
County	Fingerprint Submissions	Current Live Scan	Minimum Live Scan Required	Grant Request
Guilford	**5,700**	**No**	**2**	**Yes (2)**
Pitt[1]	**3,300**	**Yes**	**1**	**Yes**
Catawba	**2,000**	**No**	**1**	**Yes**
Davidson	**1,400**	**No**	**1**	**Yes**
Robeson	**1,300**	**No**	**1**	**Yes**
Union	**1,000**	**No**	**1**	**Yes**
Johnston	**900**	**No**	**1**	**Yes**
Craven	**825**	**No**	**1**	**Yes**
Cleveland	**750**	**No**	**1**	**Yes**
Halifax	**725**	**No**	**1**	**Yes**
Burke	**700**	**No**	**1**	**Yes**
Rutherford	**650**	**No**	**1**	**Yes**
Lenoir	**650**	**No**	**1**	**Yes**
Rockingham	**550**	**No**	**1**	**Yes**
Caldwell	**550**	**No**	**1**	**Yes**
Surry	**525**	**No**	**1**	**Yes**
Dare	**450**	**No**	**1**	**Yes**
Brunswick	**375**	**No**	**1**	**Yes**
Stanly	**350**	**No**	**1**	**Yes**
Haywood	**350**	**No**	**1**	**Yes**

[1] Both Pitt CO SD and Greenville PD have live scan but they are old generation and can not interface with the SAFIS 2000.

Criminal Justice Information Network SAFIS - Live Scan Implementation Phase One 1997 - 1999				
County	Fingerprint Submissions	Current Live Scan	Minimum Live Scan Required	Grant Request
Pender	**300**	**No**	**1**	**Yes**
Alexander	**250**	**No**	**1**	**Yes**
Polk	**125**	**No**	**1**	**Yes**
Macon	**125**	**No**	**1**	**Yes**
Avery	**110**	**No**	**1**	**Yes**
Washington	**75**	**No**	**1**	**Yes**
Alamance	**3,200**	**No**	**1**	**No**
Gaston	**2,400**	**No**	**1**	**No**
Wayne	**1,900**	**No**	**1**	**No**
Edgecombe	**1,800**	**No**	**1**	**No**
Carteret	**1,000**	**No**	**1**	**No**
Orange	**900**	**No**	**1**	**No**
Moore	**900**	**No**	**1**	**No**
Harnett	**850**	**No**	**1**	**No**
Rowan	**700**	**No**	**1**	**No**
Bladen	**630**	**No**	**1**	**No**
Richmond	**600**	**No**	**1**	**No**
Lee	**600**	**No**	**1**	**No**
Hertford	**575**	**No**	**1**	**No**
Columbus	**575**	**No**	**1**	**No**
Vance	**550**	**No**	**1**	**No**
Granville	**550**	**No**	**1**	**No**

Criminal Justice Information Network SAFIS - Live Scan Implementation Phase One 1997 - 1999				
County	Fingerprint Submissions	Current Live Scan	Minimum Live Scan Required	Grant Request
Person	**525**	**No**	**1**	**No**
Scotland	**500**	**No**	**1**	**No**
Sampson	**450**	**No**	**1**	**No**
Montgomery	**400**	**No**	**1**	**No**
McDowell	**400**	**No**	**1**	**No**
Duplin	**400**	**No**	**1**	**No**
Stokes	**350**	**No**	**1**	**No**
Franklin	**350**	**No**	**1**	**No**
Total	**45,140[2]**	**N/A**	**51**	**N/A**
Phase One Live scan device Projected Cost	**N/A**	**N/A**	**$2,703,000[3]**	**N/A**
Phase One Network Infrastructure Projected Cost	**N/A**	**N/A**	**$547,000[4]**	**N/A**
Phase One Total Projected Cost	**N/A**	**N/A**	**$3,250,000**	**N/A**

[2] This figure represents approximately 41% of all arrest fingerprint card submissions.

[3] $53,000 per device including N.C. sales tax.

[4] Cost includes $1,600 for one time telephone installation at each agency and the SBI; modems, routers and hubs at both the SBI and the local agency and an upgrade to the SAFIS NIST server to accommodate increased traffic within the network. Includes approximately $100,000 for agency internal development needs.

Criminal Justice Information Network SAFIS - Live Scan Implementation Phase Two 1998 - 1999				
County	Fingerprint Submissions	Current Live Scan	Minimum Live Scan Required	Grant Request
Chatham	**325**	**No**	**1**	**No**
Anson	**300**	**No**	**1**	**No**
Davie	**275**	**No**	**1**	**No**
Perquimans	**250**	**No**	**1**	**No**
Hoke	**250**	**No**	**1**	**No**
Northampton	**200**	**No**	**1**	**No**
Martin	**200**	**No**	**1**	**No**
Bertie	**200**	**No**	**1**	**No**
Caswell	**180**	**No**	**1**	**No**
Jackson	**175**	**No**	**1**	**No**
Greene	**175**	**No**	**1**	**No**
Gates	**175**	**No**	**1**	**No**
Cherokee	**130**	**No**	**1**	**No**
Yadkin	**125**	**No**	**1**	**No**
Pamlico	**125**	**No**	**1**	**No**
Swain	**100**	**No**	**1**	**No**
Graham	**100**	**No**	**1**	**No**
Ashe	**100**	**No**	**1**	**No**
Warren	**85**	**No**	**1**	**No**
Mitchell	**75**	**No**	**1**	**No**
Madison	**75**	**No**	**1**	**No**

Criminal Justice Information Network SAFIS - Live Scan Implementation Phase Two 1998 - 1999				
County	Fingerprint Submissions	Current Live Scan	Minimum Live Scan Required	Grant Request
Camden	**75**	**No**	**1**	**No**
Jones	**70**	**No**	**1**	**No**
Yancey	**50**	**No**	**1**	**No**
Alleghany	**50**	**No**	**1**	**No**
Tyrrell	**40**	**No**	**1**	**No**
Clay	**40**	**No**	**1**	**No**
Hyde	**30**	**No**	**1**	**No**
Guilford	***5,700***	***Phase One***	***0***	***Yes (2)***
High Point PD			*1*	*Yes*
Catawba	***2,000***	***Phase One***	***0***	***Yes***
Hickory PD			*1*	*Yes*
Davidson	***1,400***	***Phase One***	***0***	***Yes***
Thomasville PD			*1*	*Yes*
Craven	***825***	***Phase One***	***0***	***Yes***
New Bern - One grant submitted by New Bern that includes one device for New Bern and one for the Craven CO SD.			*1*	*Yes*
Lenoir	***650***	***Phase One***	***0***	***Yes***
Kinston PD			*1*	*Yes*
Vance	*550*	*Phase One*	*0*	*No*
Henderson PD			*1*	*Yes*

Criminal Justice Information Network SAFIS - Live Scan Implementation Phase Two 1998 - 1999				
County	Fingerprint Submissions	Current Live Scan	Minimum Live Scan Required	Grant Request
TOTAL	**3,975[1]**	**N/A**	**34**	**N/A**
Phase Two Live scan device Projected Cost	**N/A**	**N/A**	**$1,910,120[2]**	**N/A**
Phase Two Network Infrastructure Projected Cost	**N/A**	**N/A**	**$589,880[3]**	**N/A**
Phase Two Total Projected Cost	**N/A**	**N/A**	**$2,500,000**	**N/A**
Phase One & Two Live scan device Projected Cost	**N/A**	**N/A**	**$4,613,120**	**N/A**
Phase One & Two Network Infrastructure Projected Cost	**N/A**	**N/A**	**$1,136,880**	**N/A**
Grand Total Phase One & Two Projected Cost	**N/A**	**N/A**	**$5,750,000**	**N/A**

[1] This figure represents approximately 4% of all arrest fingerprint card submissions. Guilford, Catawba, Davidson, Craven, Lenoir and Vance are not included.

[2] $56,180 per device including N.C. sales tax.

[3] Cost includes $1,600 for one time telephone installation at each agency and the SBI; modems, routers and hubs at both the SBI and the local agency and an upgrade to the SAFIS NIST server to accommodate increased traffic within the network.

Criminal Justice Information Network

SAFIS - Live Scan Implementation

Current Situation	Network Infrastructure Recurring	Network Infrastructure Non-Recurring	Live Scan Equipment	Total Funding	Amount Spent	Current Status	Counties Served	Population Served
Live scan devices are in place in 21 counties.	*	*	*	*	*	* Total funding and amount spent is unknown since the criminal justice agencies in these counties purchased the live scan equipment on their own.	21	3,152,175

Phase One 1997-1999	Network Infrastructure Recurring	Network Infrastructure Non-Recurring	Live Scan Equipment	Total Funding	Amount Spent	Current Status	Counties Served	Population Served
1997 Legislative Appropriations	N/A	$253,728	$746,272	$1,000,000	$253,728	Purchase order issued for network infrastructure.	50	3,506,078
1998 Governors Crime Commission Grant	N/A	$293,272	$1,956,728	$2,250,000	$0	Purchase order to be issued in May 1998 for		
Totals	$780,000	$547,000	$2,703,000	$3,250,000	$253,728	live scan devices.		

Deployment of Live Scan Devices in Sheriff's Departments throughout NC.

Phase Two 1998-1999	Network Infrastructure Recurring	Network Infrastructure Non-Recurring	Live Scan Equipment	Total Funding	Amount Spent	Current Status	Counties Served	Population Served
1998 Legislative Appropriations	N/A	$589,880	$1,910,120	$2,500,000	$0	Pending	29	629,156
Totals	$530,400	$589,880	$1,910,120	$2,500,000	$0			

Deployment of Live Scan Devices in Sheriff's Departments throughout NC.

Phase One & Two Totals	Network Infrastructure Recurring **	Network Infrastructure Non-Recurring	Live Scan Equipment	Total Funding	Amount Spent		Counties Served	Population Served
Grand Total	$1,310,400	$1,136,880	$4,613,120	$5,750,000	$253,728	** Recurring line cost and maintencance are incurred by the local agency.	100	7,287,409

Mobile Data Network

The State Highway Patrol has utilized a logical, phased-in approach as its method of deployment for expanding the service area of the Criminal Justice Information Network - Mobile Data Network (CJIN-MDN). A central site to house the CJIN-MDN message switch, radio network controllers, and telecommunication peripherals was established at the State Highway Patrol Information Management Unit. This facility is located on state government property jointly occupied by the State Highway Patrol and State Bureau of Investigation in Raleigh, NC. The Patrol utilizes technical and logistical assistance from the SBI Division of Criminal Information, National Crime Information Center, Administrative Office of the Courts, Department of Correction, Division of Motor Vehicles, State Information Processing Service (SIPS), and local government agencies to assist in managing the network.

Full statewide coverage was initiated with the implementation of CJIN-MDN Phase One during fiscal year 1996-97. Phase One, funded through state appropriations and a federal grant from the Governor's Crime Commission (Drug Control and System Improvements - Byrne Grant #130-196-15B-D038), established the network control center and furnished mobile data service following the Interstate 85 and Interstate 95 corridors from Virginia to the South Carolina state lines. Phase One cost: $2,500,000, provides service to 20 North Carolina counties; serves a population of 3,784,858 citizens; and, made CJIN access possible for 217 criminal justice agencies in the coverage area.

CJIN-MDN Phase Two, currently being installed, will be completed by June 30, 1998. Phase Two, funded through state appropriations and a federal grant from the Governor's Crime Commission (Drug Control and System Improvements - Byrne Grant # 130-1-97-15B-D-080), is expanding the mobile data coverage area to an additional 32 counties; serving an additional population of 2,169,081; and, making CJIN access possible for another 285 criminal justice agencies. Phase Two cost: $2,900,000.

The initial phases of CJIN-MDN are being built on the concept of "Shared Resources". Costs to all participating agencies are reduced by simply sharing available resources that constitute the network. In formulating partnerships with other state agencies and local governments, the State Highway Patrol shares resources such as engineering support, network monitoring and troubleshooting, currently licensed 800 MHZ frequencies (spectrum), a premier microwave communication system used for data transport, and other network administrative responsibilities in return for their sharing of resources such as tower sites, base station controllers, leased telecommunication lines, digital sending units, and access to 800 MHZ Radio Frequency (RF) infrastructures that are already in place. A standard Memorandum of Agreement is used to validate the sharing of resources, provides an itemized list of resources shared with the network, and identifies which agency is providing the resource.

It is projected that CJIN-MDN can be completed in four phases, with a proposed fifth phase to be implemented if needed.

CJIN-MDN Phase Three is currently planned for fiscal year 1998-1999. The Governor's Crime

Commission has recommended a federal grant to assist in funding CJIN-MDN Phase Three. Phase Three will provide mobile data service to 23 additional counties; will serve a population of 855,887 citizens; and will make CJIN access possible for 144 criminal justice agencies in those counties. Phase Three, as proposed, will be completed by June 30, 1999 and will cost $2,900,000.

CJIN-MDN Phase Four is planned for implementation during fiscal year 1999-2000, unless funding is provided sooner. Phase Four, as proposed, will expand mobile data coverage into the last 25 counties of North Carolina. This phase will serve a population of 449,417 citizens and extend CJIN access to an additional 128 criminal justice agencies. Phase Four is projected to cost $2,800,000.

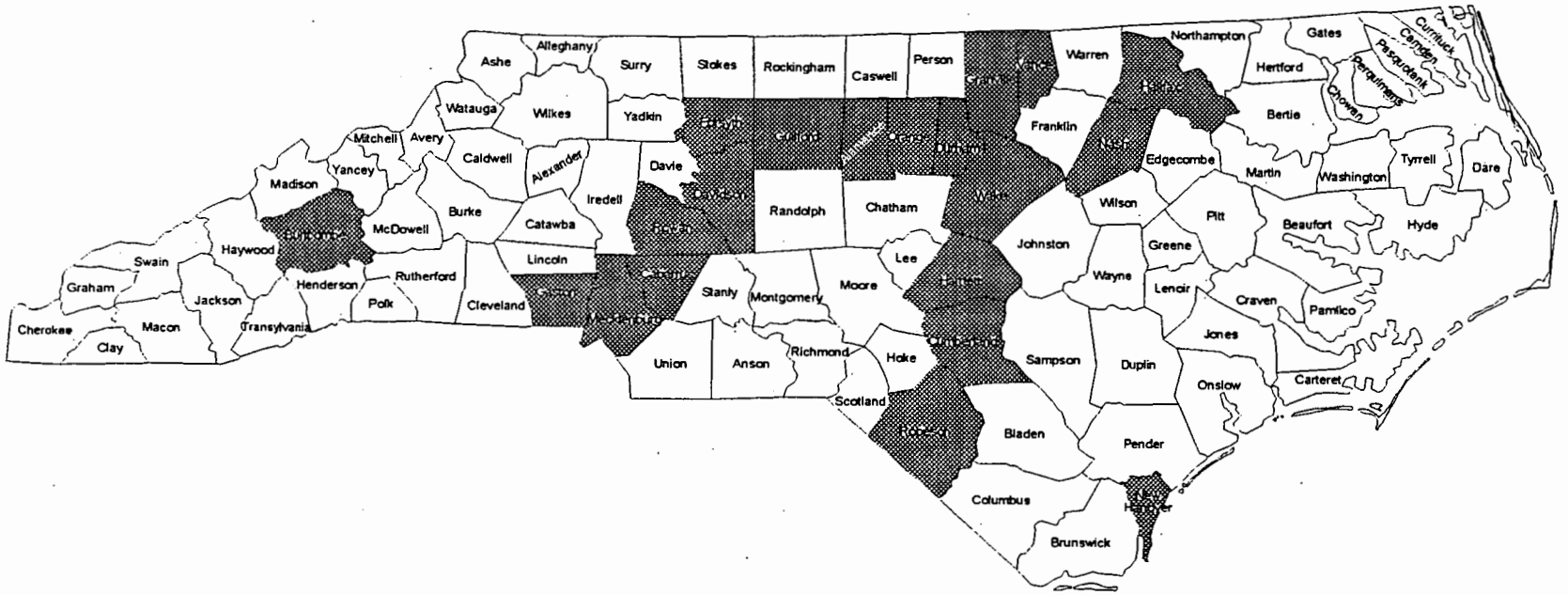
CJIN-MDN Phase Five is an optional phase. Phase Five has been proposed in an effort to insure complete and sound mobile data coverage throughout North Carolina. Once the network has been fully deployed, a thorough engineering analyst will be conducted to evaluate and determine if any geographic areas of the state are receiving weak or unacceptable RF signals. If so, funding provided by Phase Five will be used to provide "fill in" base station transmitters to resolve the problem, or, to add additional capacity in areas experiencing excessive activity. Phase Five, if completely utilized, will cost $1,200,000.

To insure full and long term satisfaction, the CJIN-MDN technology provides North Carolina with a complete solution to current requirements and provides a data communications road map that will grow with the state's changing needs well into the next century. The involvement of the criminal justice and public safety community is essential to the success of CJIN-MDN. The integrated mobile data network will provide services to criminal justice agencies, regardless of size or location within the state. It provides a method for interagency networking and data communications utilizing advanced technology, while sharing basic resources.

CJIN-MDN, once fully implemented, is projected to cost a total of $12,500,000. Recurring costs should not exceed $250,000 per year. The attached spreadsheet itemizes costs for each phase and summarizes total cost for the multi-phase project.

Mobile Data Network

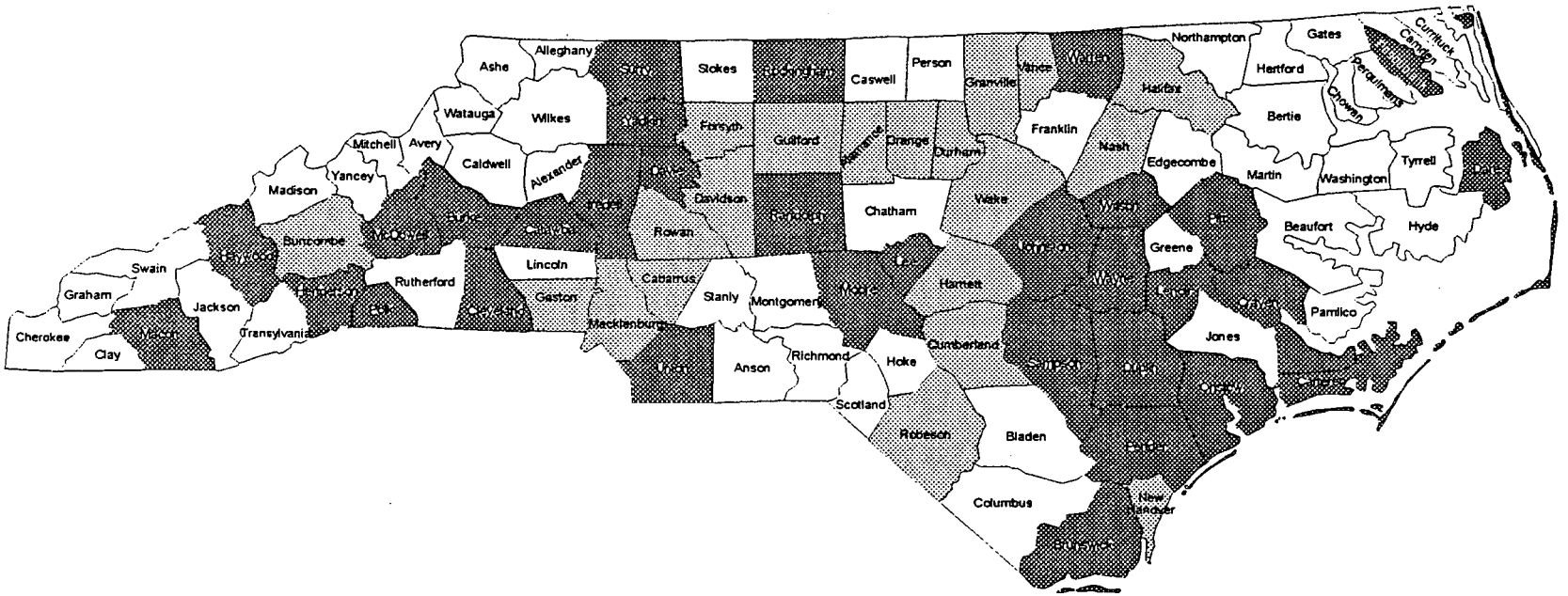
Phase One
1996-1997



Phase One Completed '97

Mobile Data Network

Phase Two
1997-1998



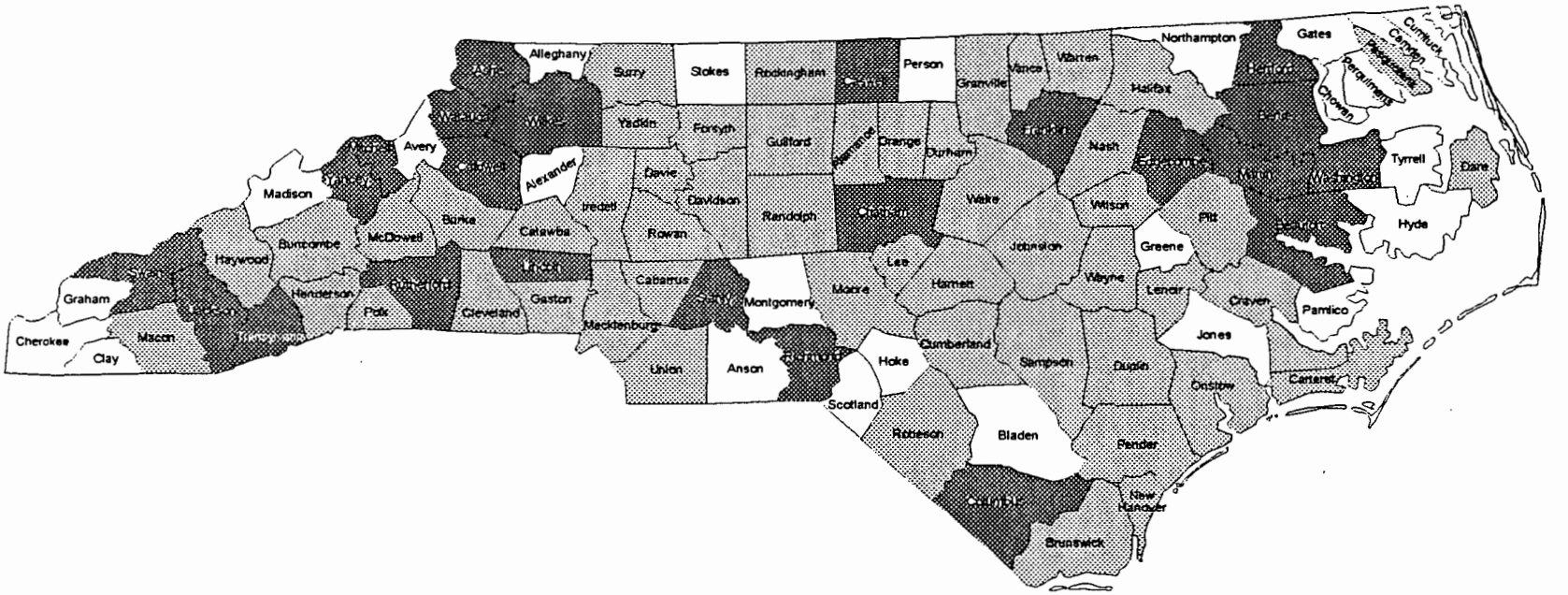
Phase Two '97-'98

Covered in previous Phase

CJIN

Mobile Data Network

Proposed Phase Three
1998-1999



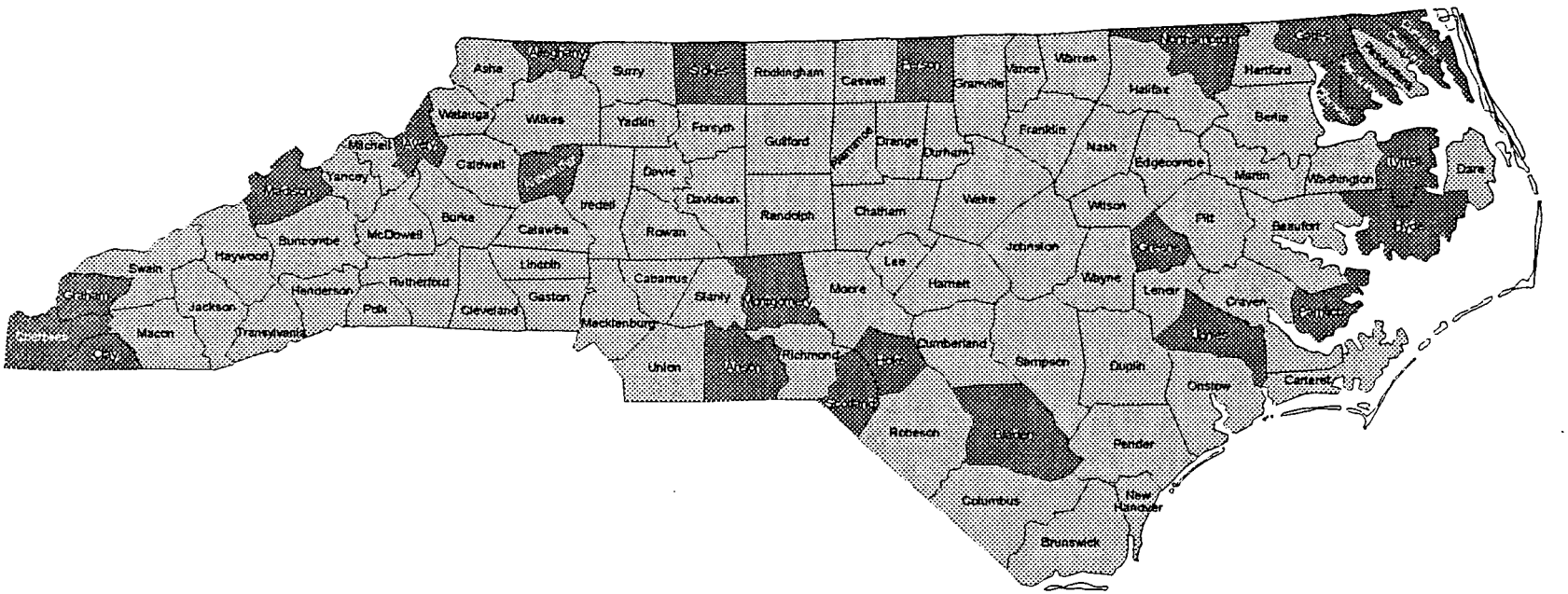
Proposed Phase Three for '98-'99

Covered in previous Phase

CJ

Mobile Data Network

Proposed Phase Four
1999-2000



Phase Four Proposed for 1999-2000

Covered in previous Phase

Criminal Justice Information Network

Mobile Data Network

Phase One 1996-1997	Network Infrastructure	Amount Spent	Current Status	Counties Served	Population Served	Criminal Justice Agencies Served
1996 Legislative Appropriations	$2,000,000	$2,000,000	Completed	20	3,784,858	217
1996 Governors Crime Commission Grant	$500,000	$500,000				
Totals	$2,500,000	$2,500,000				

Provided for CJIN-MDN Message Switch, Radio Network Controllers, 18 Base Station Transmitters, network peripherals, and recurring costs for this phase.

Phase Two 1997-1998	Network Infrastructure	Amount Spent	Current Status	Counties Served	Population Served	Criminal Justice Agencies Served
1997 Legislative Appropriations	$2,406,000	Equipment	Currently being	32	2,169,081	285
1997 Governors Crime Commission Grant	$500,000	Received	Installed			
Totals	$2,906,000	$0				

Will provide for 38 Base Station Transmitters and recurring costs for this phase.

Phase Three 1998-1999	Network Infrastructure	Amount Spent	Current Status	Counties Served	Population Served	Criminal Justice Agencies Served
1998 Legislative Appropriations Requested	$2,406,000	$0	Pending	23	855,887	144
1998 Governors Crime Commission Grant Proposed	$500,000	$0				
Totals	$2,906,000	$0				

Will provide for 38 Base Station Transmitters and recurring costs for this phase.

Phase Four 1999-2000	Network Infrastructure	Amount Spent	Current Status	Counties Served	Population Served	Criminal Justice Agencies Served
1999 Legislative Appropriations Requested	$2,256,000	$0	Proposed	25	449,417	128
1999 Governors Crime Commission Grant Proposed	$500,000	$0				
Totals	$2,756,000	$0				

Will provide for 36 Base Station Transmitters and recurring costs for this phase.

Phase Five 2000-2001 (Optional)	Network Infrastructure	Amount Spent	Current Status	Counties Served	Population Served	Criminal Justice Agencies Served
2000 Legislative Appropriations Requested	$697,000	$0	Proposed	100	7,259,243	As Needed
2000 Governors Crime Commission Grant Proposed	$500,000	$0				
Totals	$1,197,000	$0				

Will provide for 15 "Fill In" Base Station Transmitters and recurring costs for this phase if needed.

Criminal Justice Information Network

Mobile Data Network

Summary

	Network Base Station Transmitters Needed	Network Infrastructure Costs	Total Network Infrastructure plus recurring	Percent of NC Counties Served	Cumulative % of total Counties	Percent of NC Population Served	Cumulative % of total Population
CJIN-MDN Phase One	18	$2,429,800	$2,500,000	20%	20%	52%	52%
CJIN-MDN Phase Two	38	$2,850,000	$2,906,000	32%	52%	30%	82%
CJIN-MDN Phase Three	38	$2,850,000	$2,906,000	23%	75%	12%	94%
CJIN-MDN Phase Four	36	$2,700,000	$2,756,000	25%	100%	6%	100%
CJIN-MDN Phase Five (opt)	15	$1,125,000	$1,197,000				
	145	**$11,954,800**	**$12,265,000**	100%	100%	100%	100%

Participating Agencies:	16
Operational MDTs:	392
MDT Subscribers:	695
Pending Agencies:	39
Pending MDTs:	407

Courtroom Automation

The CJIN Study Final Report identified several "milestone" projects towards the development of a statewide criminal justice information network. One of the four "milestone" projects was courtroom automation. The Administrative Office of the Courts is currently implementing statewide a new application called CourtFlow that will be the first step in automating courtrooms. CourtFlow allows courtroom clerks to use information previously entered into the AOC's CIS Criminal System regarding a criminal case to produce in the courtroom, electronic copies of judgment forms. New information such as sentencing information, fines, restitution, etc., is captured by the CourtFlow and used to update the AOC's CIS Criminal System.

CourtFlow improves the processing of criminal cases in superior court by allowing the courtroom clerk to update or complete any demographic information regarding a defendant while they're physically present tin the court, eliminates redundant data entry by the clerk's office in preparing final judgment and sentencing forms, and expedites the preparation of the judgment, which, in turn, expedites the release of the defendant from the local jail to the Department of Correction.

The General Assembly appropriated funding during its 1997 session to the AOC for the purchase of equipment needed to implementation this system statewide in all 127 courtrooms. The 1997 Judicial Department Reserve for Technology included $531,340 for equipment for CourtFlow.

The target date for statewide implementation of this system is June 1, 1998. The CourtFlow system is now in test in Cumberland, Wake, and Orange Counties. Recurring costs are estimated at $250,000.

Networking and CJIN Security

The integration of the CJIN requires that disparate systems are linked together so that data can be passed throughout the system as the various agencies perform their individual functions. It is the passing and sharing of this data that will enable the creation of information which is then made available to the criminal justice practitioner in a timely manner. When armed with this information, those involved in the administration of criminal justice will be able to make better decisions thus improving operations. It is the improved operations that will lead to reduced crime and increased safety of the public.

In order to safeguard the integrity of the various systems as they are integrated into the CJIN, the integrated system must utilize the appropriate security. This will include firewall protection, encryption, and authentication. When these tools are deployed in a well-planned approach, the integrated system will be protected by a comprehensive security plan.

The FY 1998 federal appropriation of $3.5 million will allow for the development of the initial security components. Firewalls will be installed to protect the various disparate systems as a "first-line" approach to protection. These firewalls will be deployed in conjunction with encryption to protect the integrity of the data and information being passed throughout the network. This encryption will protect against unwanted access to the information while it travels

throughout the network. At the same time, the funding will allow for the first phases of user authentication which will include a detailed assessment of options to identify the best approach. This will enable CJIN to ensure that access to the network is only by authorized personnel.

To assist with the deployment of the above mentioned tools, funding will also be used to obtain the security expertise necessary to bring industry "best practices" to the table for planning and implementation. Further the network infrastructure will be enhanced to the level required to deploy these security tools.

The development of these is planned for two phases over several years and should begin in the third quarter of 1998. Phase two begin in the first quarter of 2000 and should be completed in mid year of 2001.

CJIN-VTN

The CJIN-800 Voice System (CJIN-VTN) is planned with the same successful phased approach used to deploy the CJIN Mobile Data Network. Seven phases, running from 1998 through 2005, will complete the deployment of a seamless voice network in North Carolina. With the implementation of this system, the state will have interagency voice communication to better serve our citizens. The total costs for 800MHz voice is estimated at $137,362,260.

The present system used by the State Highway Patrol and other agencies has reached its useful life span. Vendors are phasing out low band radios and discontinuing the manufacture of replacement parts. Local and State Government Agencies have been investigating alternatives for many years. Some local governments have already replaced existing radio systems. Prior to the CJIN plan, there was no comprehensive communication plan which resulted in an inability to communicate among agencies. Because North Carolina does not have a single statewide voice communication network, officers cannot talk to their counterparts across their own county much less to those across the state.

The CJIN Study Final Report and other studies have recommended a partnership approach to voice communications. We will take advantage of existing systems and fixed based equipment already purchased by local governments. This shared approach will result in savings to our citizens. The implementation of a statewide system can be a costly and risky task if careful planning and readiness activities are not accomplished. A similar approach taken by Michigan and Delaware in building a statewide voice infrastructures gives North Carolina some guidance in going forward.

The State Highway Patrol and other agencies will replace only critical components of existing systems and shift equipment around the state as necessary to accommodate an orderly and economical move to 800 MHZ. When possible, we will use existing state and local tower sites and equipment to save dollars. To implement this technology, all criminal justice agencies in the state will have to work together. The cost of this system demands a partnership. We will try to use limited resources as effectively as possible.

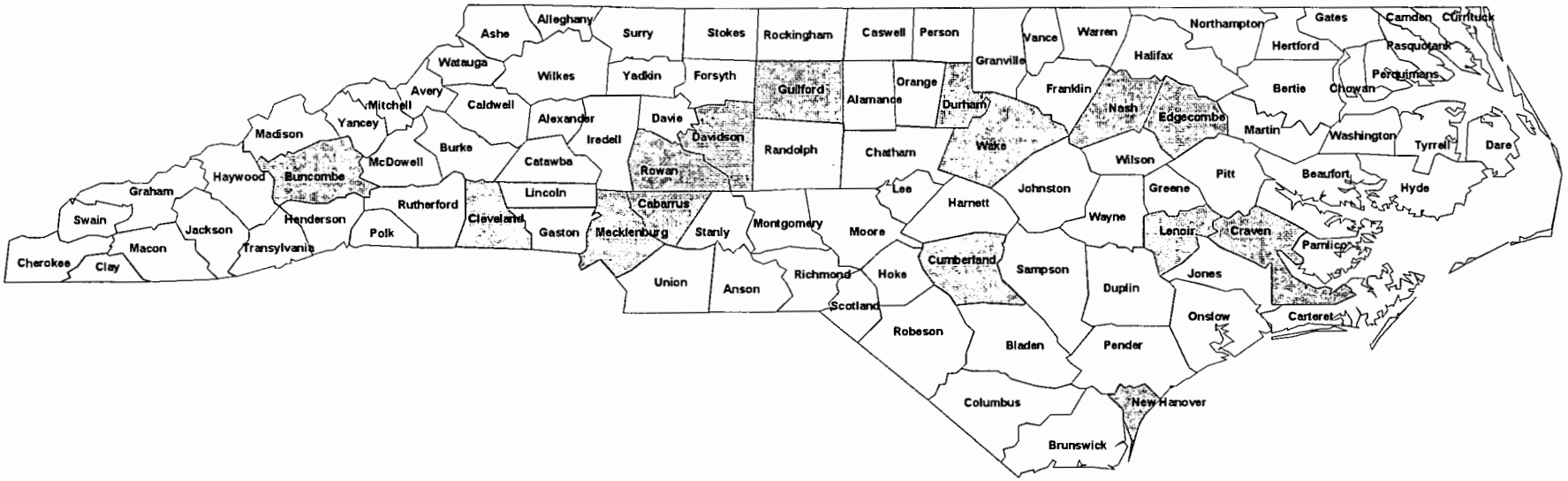
The plan as currently envisioned consists of seven phases. The State Highway Patrol will manage the 800 MHZ voice network under the direction of the Board.

Phase One will enhance existing local 800 MHZ voice systems and interconnect these systems. By using existing resources, we can save money and be more effective in our approach. The existing systems include, Charlotte, Raleigh, Greensboro, Salisbury, Rocky Mount, and several other areas, which includes fifteen counties. A zone switch located at the State Highway Patrol in Raleigh will enable all these officers to talk directly to each other.

With the six other phases, the entire state will be connected and agencies will have direct communication. Officers from any agency will be able to communicate all over the state.

Criminal Justice Information Network

Voice Trunking Network



Proposed Phase 1 1998-1999

NC STATE HIGHWAY PATROL
C & L DIVISION

CJIN

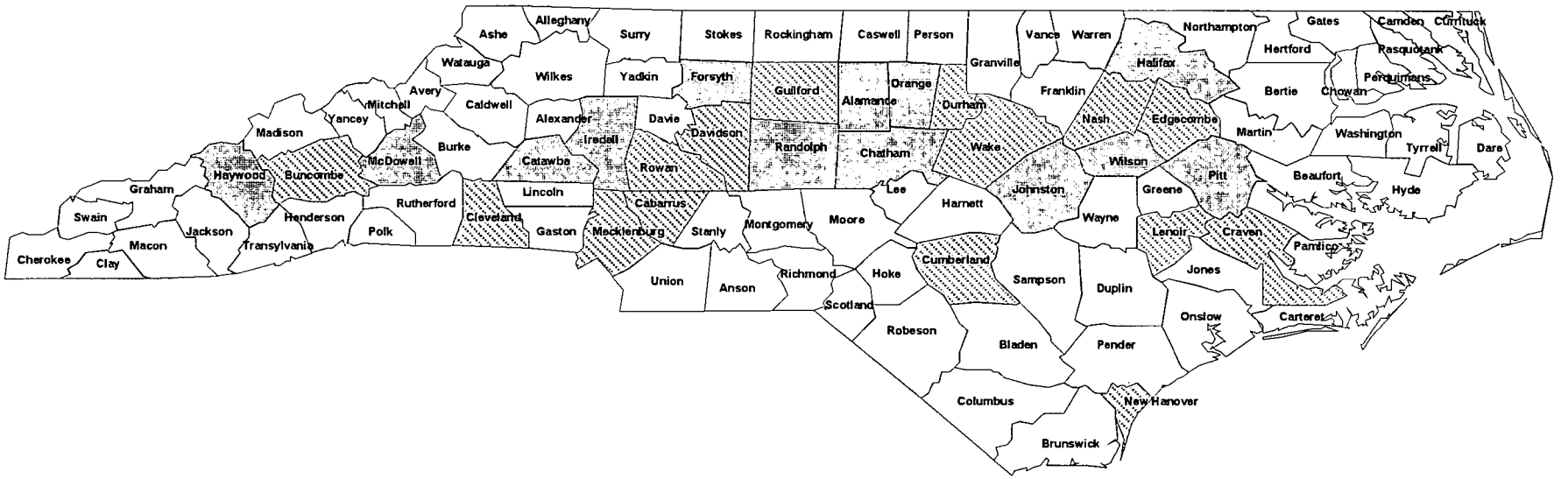
Criminal Justice Information Network
Voice Trunking Network
Phase One 1998-1999

Site No.	County	Proposed Sites this Phase	Population	Square Miles	No. of Criminal Justice Agencies	Cost Per County
1	Buncombe	1	190,987	659.33	15	190,000
2	Cabarrus	1	111,313	364.08	66	190,000
3	Cleveland	1	88,939	468.19	13	190,000
4	Craven	1	86,053	701.47	8	190,000
5	Cumberland	1	300,893	657.26	10	190,000
6	Davidson	1	138,700	548.28	6	190,000
7	Durham	1	196,709	297.74	8	190,000
8	Edgecombe	1	56,651	505.69	6	190,000
9	Guilford	2	373,561	650.77	12	380,000
10	Lenior	1	59,068	402.32	7	190,000
11	Mecklenburg	1	584,856	527.77	15	190,000
12	Nash	1	84,986	539.60	11	190,000
13	New Hanover	1	140,785	184.54	10	190,000
14	Rowan	1	119,108	519.02	11	190,000
15	Wake	1	528,405	854.36	27	190,000
	SUBTOTALS	16	3,061,014	7,880.42	225	3,040,000

Troop C Console update	250,000
Master Smart Zone Switch	2,500,000
Microwave System Interconnect, 16 sites @ 175,000	2,800,000
Microwave System Upgrade, 6 sites @ 175,000	1,050,000
Recurring Line Cost	60,000
Subtotal Mainframe and Transport Cost	6,660,000
Total Projected Cost, Phase One	9,700,000

Criminal Justice Information Network

Voice Trunking Network



Proposed Phase 2 1999-2000

Covered in Previous Phase

NC STATE HIGHWAY PATROL
C & L DIVISION

CJIN

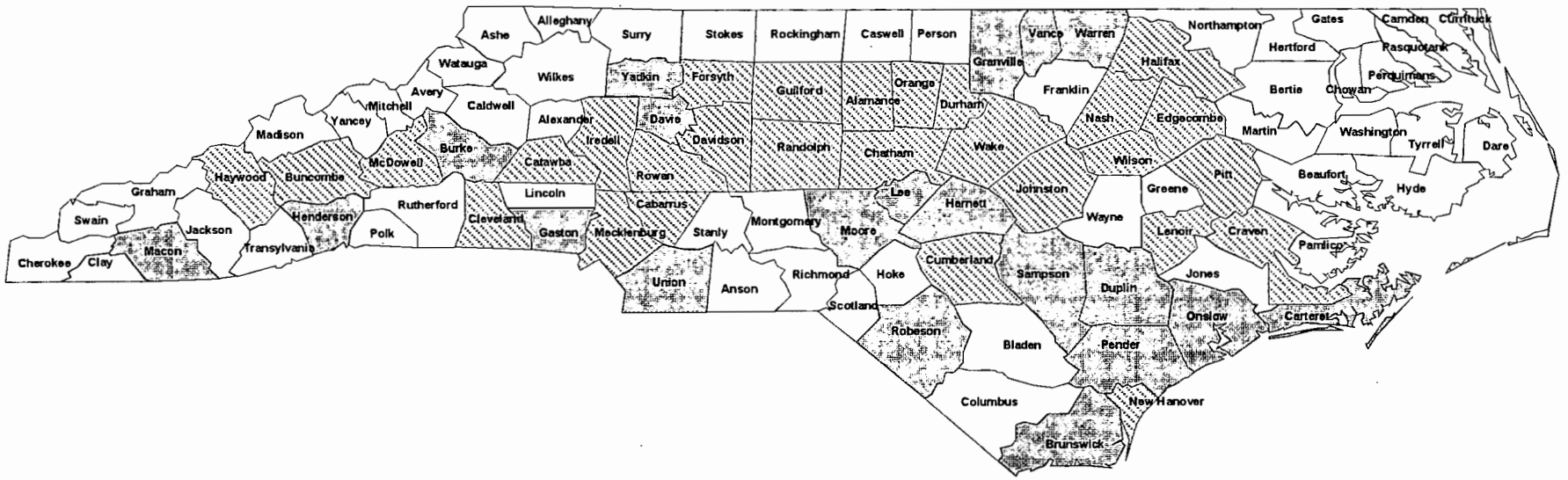
Criminal Justice Information Network
Voice Trunking Network
Phase Two 1999-2000

Site No.	County	Proposed Sites this Phase	Population	Square Miles	No. of Criminal Justice Agencies	Cost Per County
1	Alamance	1	115,567	433.14	8	190,000
2	Chatham	1	43,267	707.91	10	190,000
3	Catawba	2	126,653	395.66	12	190,000
4	Forsyth	1	280,951	412.48	10	225,000
5	Halifax	1	57,902	723.69	10	205,000
6	Haywood	3	49,296	554.85	7	595,000
7	Iredell	1	104,104	574.12	8	190,000
8	Johnston	1	95,571	795.41	13	205,000
9	McDowell	1	37,082	437.39	6	190,000
10	Orange	1	108,386	400.27	8	190,000
11	Pitt	1	119,661	656.52	11	190,000
12	Randolph	1	115,913	788.83	9	190,000
13	Wilson	1	67,907	374.27	10	215,000
	SUBTOTALS	16	1,322,260	7,254.54	122	2,965,000

Onmi Link Switch to Connect 2 Zones with Software	5,000,000
Smart Zone Switch with Software	2,500,000
Troop D, G & B Console Update	750,000
Microwave System Interconnect, 7 sites @ 205,000	1,435,000
Microwave System Upgrade, 25 @ 175,000	4,375,000
New Equipment Buildings 10 @ 35,000	350,000
Recurring Line Cost	75,000
Technical Support, Training and Test Equipment	650,000
Alarm System Interface	95,000
Installation and Integration	500,000
Subtotal Mainframe and Transport Cost	15,730,000
250 Mobile/Portable Radios @ 3850.00 ea	962,500
250 Mobile Chargers @ 550 ea	137,500
Subtotal for Mobile Radios	1,100,000
Total Projected Cost, Phase Two	19,795,000

Criminal Justice Information Network

Voice Trunking Network



Proposed Phase 3 2000-2001

Covered in Previous Phase

NC STATE HIGHWAY PATROL
C & L DIVISION

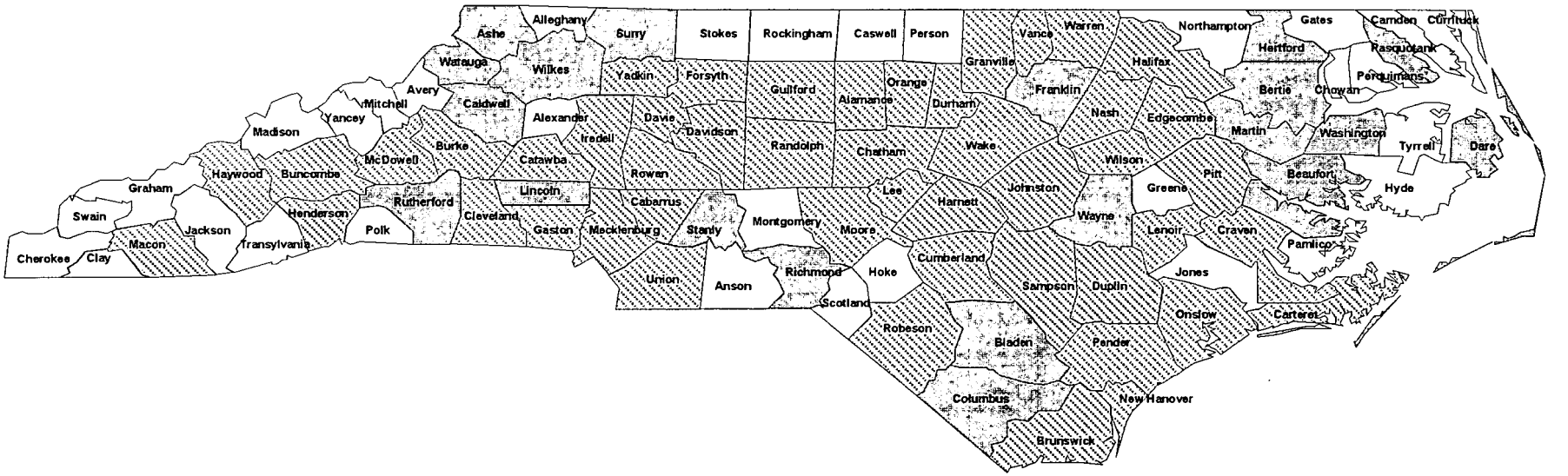
Criminal Justice Information Network
Voice Trunking Network
Phase Three 2000-2001

Site No.	County	Proposed Sites this Phase	Population	Square Miles	No. of Criminal Justice Agencies	Cost Per County
1	Brunswick	3	61,836	860.49	16	590,000
2	Burke	2	81,694	504.45	10	380,000
3	Carteret	2	58,799	525.57	15	380,000
4	Davie	1	30,000	266.59	5	190,000
5	Duplin	1	42,490	819.22	11	190,000
6	Gaston	2	179,945	357.29	15	380,000
7	Granville	2	41,530	533.50	8	380,000
8	Harnett	2	77,759	601.11	9	380,000
9	Henderson	3	77,990	374.39	5	570,000
10	Lee	1	46,150	259.28	6	190,000
11	Macon	3	26,424	516.58	5	570,000
12	Moore	1	67,293	701.25	15	190,000
13	Onslow	2	149,569	762.61	10	380,000
14	Pender	1	35,476	874.82	7	190,000
15	Robeson	2	112,238	949.19	13	380,000
16	Sampson	2	50,525	946.85	9	380,000
17	Union	2	98,575	639.28	7	380,000
18	Vance	1	40,277	248.79	5	190,000
19	Warren	1	18,115	427.10	5	190,000
20	Yadkin	1	33,409	335.74	8	190,000
	SUBTOTALS	35	1,330,094	11,504.1	184	6,670,000

Zone Switch with Software	2,500,000
Antennas and Coxial Cables	375,000
Troop E. F & H Console Update	750,000
Microwave System Interconnect. 25 sites @ 195,000	4,875,000
Microwave System Upgrade. 9 @ 175,000	1,575,000
New Equipment Buildings 22 @ 35,000	770,000
Emergency Generators 16 @ 15,000	240,000
Communications Towers 4@ 140,000 ea	560,000
Technical Support. Training and Test Equipment	650,000
Alarm System Interface	125,000
Installation and Integration	1,150,000
Subtotal Mainframe and Transport Cost	13,570,000
250 Mobile/Portable Radios @ 3850.00 ea	962,500
250 Mobile Chargers @ 550 ea	137,500
Subtotal for Mobile Radios	1,100,000
Total Projected Cost, Phase Three	21,340,000

Criminal Justice Information Network

Voice Trunking Network



Proposed Phase 4 2001-2002

Covered in Previous Phase

NC STATE HIGHWAY PATROL
C & L DIVISION

CJIN

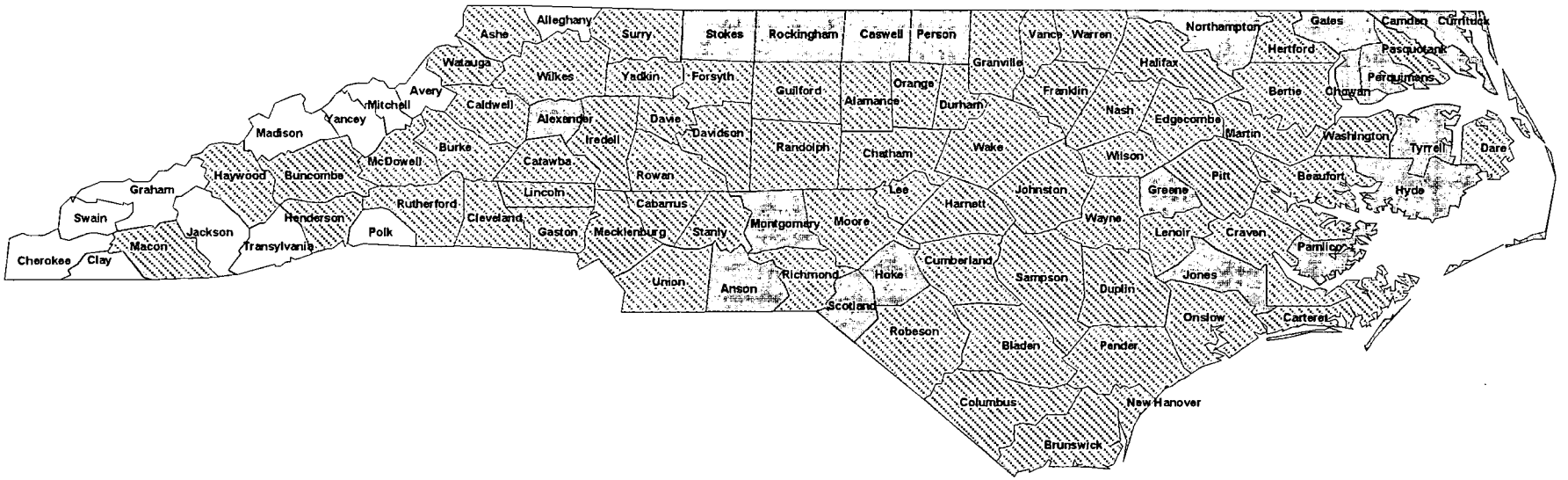
Criminal Justice Information Network
Voice Trunking Network
Phase Four 2001-2002

Site No.	County	Proposed Sites this Phase	Population	Square Miles	No. of Criminal Justice Agencies	Cost Per County
1	Ashe	2	23,109	426.16	6	380,000
2	Beaufort	2	44,044	826.10	10	380,000
3	Bertie	2	20,622	700.93	7	380,000
4	Bladen	2	29,686	878.92	8	380,000
5	Caldwell	1	73,934	471.17	7	190,000
6	Columbus	2	51,336	938.44	9	380,000
7	Dare	4	26,061	390.79	10	690,000
8	Franklin	2	42,036	494.38	7	380,000
9	Hertford	1	22,454	356.09	7	190,000
10	Lincoln	1	56,415	298.26	4	190,000
11	Martin	1	27,059	460.76	6	190,000
12	Richmond	2	45,044	477.19	6	380,000
13	Surry	2	65,178	539.34	7	380,000
14	Wayne	2	110,889	553.70	11	380,000
15	Pasquotank	1	34,158	228.00	5	190,000
16	Rutherford	2	59,139	567.62	8	380,000
17	Stanley	2	54,553	395.78	10	380,000
18	Washington	2	13,863	331.63	5	380,000
19	Watauga	2	40,366	314.05	7	380,000
20	Wilkes	2	61,790	752.21	6	380,000
	SUBTOTALS	37	901,736	10,401.52	146	6,580,380

Zone Switch with Software	2,500,000
Troop A Console Update	250,000
Microwave System Interconnect, 25 sites @ 195,000	4,875,000
Microwave System Upgrade, 7 @ 175,000	1,225,000
New Equipment Buildings 26 @ 35,000	910,000
Emergency Generators 25 @ 15,000	375,000
Communications Tower 1 @ 175,000	175,000
Communications Towers 4@ 140,000 ea	560,000
Technical Support, Training and Test Equipment	650,000
Alarm System Interface	65,000
Annual Reoccurring cost for system maintence	2,000,000
Installation and Integration	1,150,000
Subtotal Mainframe and Transport Cost	14,735,000
300 Mobile/Portable Radios @ 3850.00 ea	1,155,000
300 Mobile Chargers @ 550 ea	165,000
Subtotal for Mobile Radios	1,320,000
Total Projected Cost, Phase Four	22,635,380

Criminal Justice Information Network

Voice Trunking Network



Proposed Phase 5 2002-2003

Covered in Previous Phase

NC STATE HIGHWAY PATROL
C & L DIVISION

CJIN

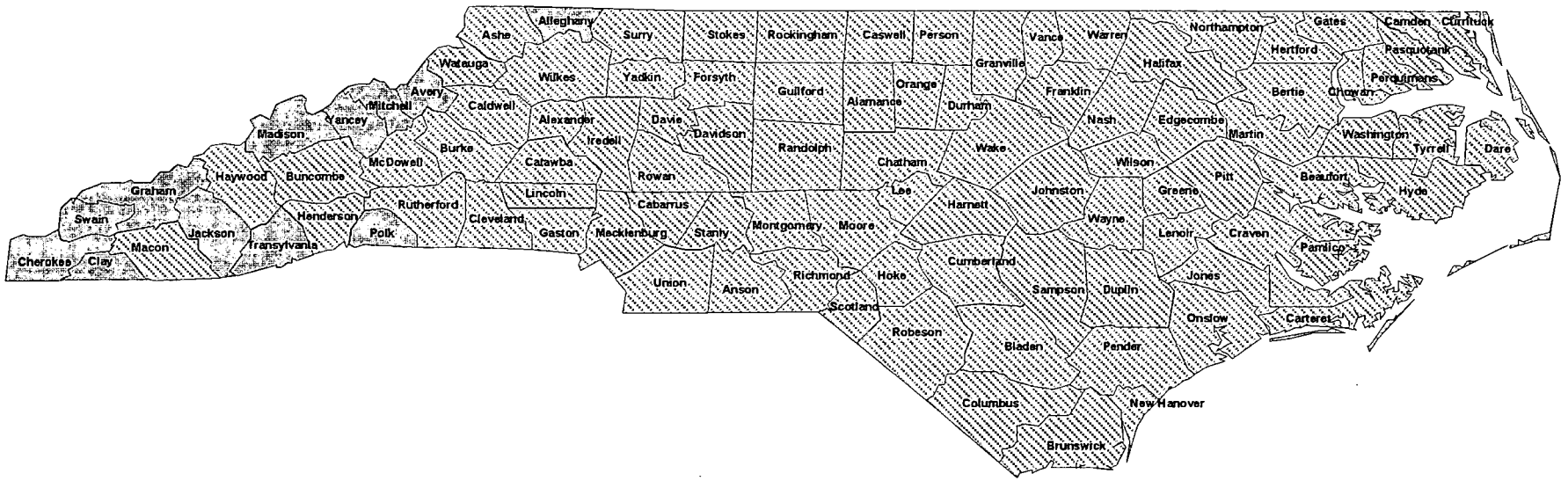
Criminal Justice Information Network
Voice Trunking Network
Phase Five 2002-2003

Site No.	County	Proposed Sites this Phase	Population	Square Miles	No. of Criminal Justice Agencies	Cost Per County
1	Alexander	1	30,494	258.64	4	190,000
2	Anson	2	24,236	533.14	7	380,000
3	Caswell	1	21,502	427.51	4	190,000
4	Camden	2	6,273	240.49	3	380,000
5	Chowan	1	14,068	181.55	4	190,000
6	Currituck	2	16,012	255.59	3	380,000
7	Gates	2	9,856	338.25	4	380,000
8	Greene	1	16,725	266.37	3	190,000
9	Hoke	1	27,890	391.16	4	190,000
10	Hyde	3	5,288	624.22	3	570,000
11	Jones	1	9,595	470.01	5	190,000
12	Montgomery	2	23,582	489.55	8	380,000
13	Northampton	2	20,453	538.32	12	380,000
14	Pamlico	2	11,896	340.73	4	380,000
15	Perquimans	1	10,736	246.40	5	190,000
16	Person	2	32,020	398.02	4	380,000
17	Rockingham	2	88,379	568.64	8	380,000
18	Scotland	2	35,013	319.33	6	380,000
19	Stokes	2	41,162	452.04	7	380,000
20	Tyrrell	1	3,917	406.82	3	190,000
	SUBTOTALS	33	449,097	7,746.78	101	6,270,000

Zone Switch with Software	2,500,000
Antennas and Coxial Cable	277,000
Microwave System Interconnect, 33 sites @ 195,000	6,435,000
New Equipment Buildings 19 @ 35,000	665,000
Emergency Generators 21 @ 15,000	315,000
Communications Tower 3 @ 175,000	525,000
Communications Towers 4@ 140,000 ea	560,000
Technical Support, Training and Test Equipment	950,000
Alarm System Interface	60,000
Annual Reoccurring cost for system maintence	2,500,000
Installation and Integration	1,150,000
Subtotal Mainframe and Transport Cost	15,937,000
300 Mobile/Portable Radios @ 3850.00 ea	1,155,000
300 Mobile Chargers @ 550 ea	165,000
Subtotal for Mobile Radios	1,320,000
Total Projected Cost, Phase Five	23,527,000

Criminal Justice Information Network

Voice Trunking Network



Proposed Phase 6 2003-2004

Covered in Previous Phase

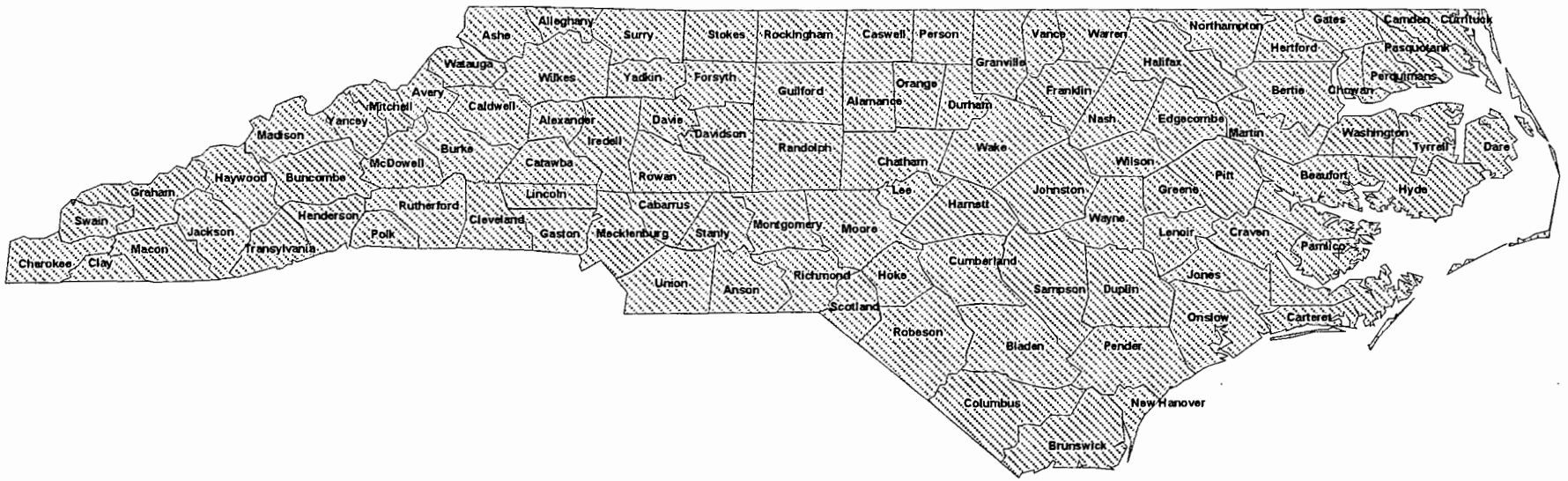
NC STATE HIGHWAY PATROL
C & L DIVISION

Criminal Justice Information Network
Voice Trunking Network
Phase Six 2003-2004

Site No.	County	Proposed Sites this Phase	Population	Square Miles	No. of Criminal Justice Agencies	Cost Per County
1	Allegany	2	9,564	234.52	5	380,000
2	Avery	2	15,269	247.07	8	380,000
3	Cherokee	3	22,787	451.83	5	570,000
4	Clay	2	7,727	312.91	3	380,000
5	Graham	2	7,469	288.69	3	380,000
6	Jackson	3	28,890	490.52	5	570,000
7	Madison	3	17,699	451.31	7	570,000
8	Mitchell	2	14,518	222.00	5	380,000
9	Polk	1	15,824	238.30	6	190,000
10	Swain	3	11,575	525.98	5	570,000
11	Transylvania	3	27,489	378.28	4	570,000
12	Yancey	2	16,231	313.60	5	380,000
	SUBTOTALS	28	195,042	4,155.01	61	4,940,380
		Zone Switch with Software				2,500,000
		Antennas and Coxial Cable				255,000
		Microwave System Interconnect, 32 sites @ 155,000				4,960,000
		New Equipment Buildings 21 @ 35,000				735,000
		Emergency Generators 24 @ 15,000				360,000
		Communications Tower 4 @ 105,000				420,000
		Communications Towers 10@ 55,000 ea				550,000
		4 Additional 5 channel repeaters for fill-in @ 190,000 ea				760,000
		Technical Support, Training and Test Equipment				950,000
		Alarm System Interface				45,000
		Annual Reoccurring cost for system maintence				2,500,000
		Installation and Integration				1,350,000
		Subtotal Mainframe and Transport Cost				15,385,000
		350 Mobile/Portable Radios @ 3850.00 ea				1,347,000
		350 Mobile Chargers @ 550 ea				192,000
		Subtotal for Mobile Radios				1,539,000
		Total Projected Cost, Phase Six				21,864,380

Criminal Justice Information Network

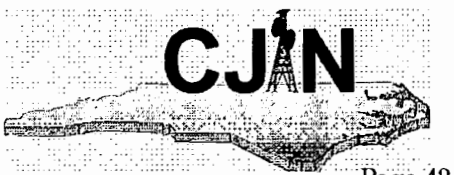
Voice Trunking Network



Proposed Phase 7 2004-2005

Adding additional sites where needed and changing loaded 5 channel sites to 100 channel sites

NC STATE HIGHWAY PATROL
C & L DIVISION



Criminal Justice Information Network Voice Trunking Network Phase Seven 2004-2005		
	Zone Switch with Software	2,500,000
	Antennas and Coaxial Cable	425,000
	Microwave System Interconnect, 18 sites @ 155,000	2,790,000
	New Equipment Buildings 15 @ 35,000	525,000
	Emergency Generators 15 @ 15,000	225,000
	Communications Towers where needed	1,120,000
	12 Sites converted from 5 to 10 channel sites	2,280,000
	20 Additional 5 channel repeaters for fill-in @ 190,000 ea	3,800,000
	Technical Support, Training and Test Equipment	925,000
	Annual Reoccurring cost for system maintenance	2,500,000
	Installation and Integration	550,000
	Maintenance and Administrative Personnel	200,000
	Subtotal Mainframe and Transport Cost	17,840,000
	150 Mobile/Portable Radios @ 3850.00 ea	577,500
	150 Mobile Chargers @ 550 ea	82,500
	Subtotal for Mobile Radios	660,000
	Total Projected Cost, Phase Seven	18,500,000

Juvenile Justice Information Systems

The topic of juvenile justice has become an extremely important issue for the state particularly as it relates to juvenile delinquency. The Governor's Commission on Juvenile Crime and Justice has developed recommendations for addressing the issues associated with this problem. The Commission's Final Report, dated March 10, 1998, includes numerous recommendations regarding the information system needs of the various programs intended to address juvenile crime. It is anticipated that the Governor will recommend funding to begin development of the information systems needed to support the state programs.

Prior to the establishment of the Governor's Commission on Juvenile Crime and Justice, the Governor's Crime Commission funded a project entitled the Juvenile Justice Information Planning Project, now referred to as the Juvenile Information Network Planning Project. It has been the mission of that project to "develop a plan for a statewide information system that will 1) provide timely accurate information regarding juveniles to the courts, law enforcement officers, and those providing treatment and other services for youth in the juvenile justice system; and 2) relate effectively to the criminal justice (adult) system." The project's report, Juvenile Information Network Interim Report, dated February 26, 1998, projected that costs for an automated information network that would include delinquent and undisciplined juveniles and juveniles in conditions of abuse neglect, and dependency are approximately $20,000,000. Estimates for maintaining the information network range from $1,000,000 to $2,000,000 annually. The Juvenile Information Network Planning Project is recommending that initial application development support Court Counselors, Clerks of Superior Court, and Division of Youth Services Programs. Completion of these applications is projected for July 2000. Cost estimates for first year projects are $5,000,000. The detail of this estimate is being developed in support of the Governor's Budget.

End-User Technology

Another important component towards building a statewide CJIN is upgrading end-users technology. This involves the replacement of mainframe terminals, older personal computers with newer technology, or providing computers to first time users to support CJIN applications. As criminal justice agencies continue to deploy applications that push processing to the desktops, users will need state of the art technology to take full advantage of these applications. As well, newer technology will help in implementing the envisioned security measures needed for providing essential data integrity.

Future Projects

As noted earlier in the report, there are several projects which will be addressed at a future date. Two of these are the Statewide Integrated Criminal History Repository and the State Identification Index. The criminal history repository is a critical piece but dependant on the same agencies currently engaged in the other projects. Further, these same agencies are engaged in remediation required to make existing systems Year 2000 compliant. Given the current CJIN projects and Year 2000 compliant projects, it would not be responsible on the part of the Board to attempt to move this project forward. It appears that it would be at least two to three years before significant planning and project development could begin. Given the earliest possible starting time and the ever changing costs associated with such development, it is more accurate to report that the Board will be advancing this project around the year 2002.

The State Identification Index is closely related to a similar project currently under development by the Information Management Resource Commission (IRMC). Because of the similarities in the two efforts

and the need for the same individuals to work with both projects, the Board has chosen to support the IRMC project. As their project develops, CJIN agencies will be working with the IRMC to ensure an ability to incorporate the needs of CJIN. It appears this is another opportunity to leverage existing efforts and resources through partnership with those agencies involved. It is this partnership that remains a mainstay of the CJIN effort.

Total Cost Estimates To Date

The costs known to CJIN are identified below. They reflect the estimates that can be accurately provided at this time.

Project	Implementation Cost	Recurring Cost
Governing Board	$ 200,000	$ 200,000
Data Sharing	$ 859,860	$ 300,000
Mobile Data	$ 12,500,000	$ 250,000
Voice Trunking Network	$137,362,260	$2,500,000
CJIN Security and Networking	$ 3,500,000	$ 100,000
Courtroom Automation	$ 531,340	$ 250,000
Magistrate System	$ 8,750,000	$2,250,000
Statewide AFIS	$ 6,750,000	$1,310,400
Juvenile Justice Network	$ 20,000,000	$1,500,000
TOTALS	$190,453,460	$8,660,400

Summary

From the information provided, it is apparent considerable progress is being made in following the CJIN plan. The support and leadership from the North Carolina General Assembly has enable the Board to be extremely successful in finding additional funding so that the cost of this effort can be spread across the various revenue sources. With this support, several key pieces of the project are either nearing completion or well underway. More and more, state and local criminal justice and public safety users are recognizing the benefits of CJIN and add their support to the effort.

This success has not gone without notice at the state and national levels. The Federal Bureau of Investigation (FBI) has identified the CJIN Mobile Data Network as one of only three participants in their testing for the development of image transfer to vehicles. This is part of a major new system for the FBI's National Crime Information Center (NCIC) known as NCIC 2000.

Recently the Federation of Government Information Processing Councils (FGIPC) selected CJIN as an award recipient. The award, the 1998 FGIPC Intergovernmental Open Systems Solutions Award, recognizes those efforts which have demonstrated success in accomplishing intergovernmental service delivery to citizens.

Finally, the United States Department of Justice, Office of Chief Council, had a representative visit North Carolina to discuss the CJIN project. Having reviewed the CJIN Study Final Report, this individual reported that with the exception to costs, the report was as current as the day it was completed. Based on the CJIN plan and the state's progress, North Carolina was invited to participate in a two-day conference addressing issues associated with integrating criminal justice information.

The course has been charted and steady progress is being made. The CJIN Governing Board eagerly awaits an opportunity to present this report.

Handout #6

The Administrative Office of the Courts
Report to the Joint Appropriation Subcommittees on Justice and Public Safety

District Attorney and Public Defender Case Management System (CMS)

Non-recurring $760,000; Recurring $112,860

For the 19 prosecutorial/public defender districts slated to receive this equipment:

- All needed site surveys have been completed.
- All equipment has been ordered.
- Installation of equipment is being planned.
- Training schedules are being developed.

Courtroom Automation (CJIN Milestone) – CourtFlow

Non-recurring $531,340; Recurring $78,905

- Pilot test underway in three counties: Wake, Cumberland, and Orange Counties.
- Pilot test has been received with much success.
- Equipment has been ordered and equipment installation schedule is being ironed out.
- Training schedule is being developed to include basic and PC Windows training.
- Expect first counties to be trained on CourtFlow in early June 1998.
- CourtFlow will capture disposition and sentencing information and upload it to the automated CIS Criminal System.
- Equipment that was in courtrooms (to provide electronic warehousing of judicial forms to courtroom clerk) is being placed in clerk offices to support another application, a bond tracking system, which was developed in-house. The bond tracking system involves printing a high volume of forms and was developed under the umbrella of our civil case processing system.

Criminal Tracking System – Magistrate Module, including Warrant Repository

Non-recurring $2,000,000; Recurring $0

Total cost: Non-recurring $8,750,000; Recurring $2,000,000 to $2,250,000 per year.

Total funding, received and expected, from both federal and state sources:

State appropriation	$2,000,000
Federal grant award	$ 396,702
Federal grant (expected)	$4,000,000
Total	$6,396,702
Still needed	$2,353,298

- AOC was awarded $396,702 in non-recurring federal funding April 1, 1998

- AOC expects to receive $ 4 million in non-recurring federal funding. A joint CJIN grant application for $10 million was sent to Washington, D.C., and the Office of Justice Programs has asked CJIN and related criminal justice agencies to submit two grant applications for these funds: one for criminal tracking system (since the AOC has already received an award), and another grant application for the two remaining CJIN projects.

Selection of Software:

- AOC has finished identifying vendors which can offer a close as possible off the shelf solution.

End User Technology

Non-recurring $577,500; Recurring $85,760

- All equipment ordered and is being scheduled for installation in court offices.

Data Center Upgrade

Non-recurring 296,720; Recurring $44,176

- Purchased needed software to provide 24 by 7 support for criminal tracking system – magistrate module. Software acquisition made in full compliance with state purchasing requirements.

- Statewide implementation of new civil case processing system, completing statewide implementation of all clerk offices onto financial management system has increased overhead in our data center. General software tools such as change management software will be purchased to improve overall data center operations efficiency.

New Technology Positions

Non-recurring $661,460; Recurring $140,910

- Almost all new positions have been filled.

- 5 analyst programmers.
- 1 telecommunications specialist.
- 1 help desk specialist.
- 5 local area network (LAN) support specialists.
- 1 systems accountant.
- 2 personal computer support specialists.

Handout # 7

N.C. Post-Release Supervision and Parole Commission

Report on Staffing Reorganization and Reduction

April 1998

Juanita H. Baker, Chairman

Table of Contents

I.	Executive Summary	3
II.	Automation of Parole Commission Functions	4
III.	Parole Workload	5
IV.	Post-Release Supervision	7
V.	Staff Reorganization	9
VI.	Staff Reductions	11

Appendices

Appendix A	Parole Review Criteria
Appendix B	Parole Review Memoranda
Appendix C	Post-Release Supervision Memorandum
Appendix D	Organizational Chart

The Post-Release Supervision and Parole Commission shall report to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections Oversight Committee by March 1, 1998, on a staffing reorganization and reduction plan. The report shall address the impact on Commission staffing of the declining parole workload, the automation of Commission functions, and the anticipated role of the Commission in Post-Release Supervision. The report shall include a transition plan for implementing staff reductions over the next five years, including a minimum of a ten percent (10%) reduction in the 1998-99 fiscal year over the 1997-98 fiscal year.

NOTE: On February 26, 1998, Secretary of Correction Mack Jarvis sent a memorandum to the Chairmen of the Joint Legislative Committee on Governmental Operations and the Chairmen of the Joint Legislative Corrections Oversight Committee requesting a delay in the Commission's report until April 1998.

I. Executive Summary

The Post-Release Supervision and Parole Commission's primary responsibility is to protect the public by keeping incarcerated those offenders believed to be a threat to society. The Commission substantially was able to accomplish that goal in 1997 as more offenders were denied parole than were approved. The construction of 15,000 new prison beds since 1993, the advent of Structured Sentencing in 1994, and repeal of the prison cap in 1996 all have helped contribute to this positive change for North Carolina's citizens. These changes allow the Commission to base its parole decisions on the merit of the individual and not on the number of incarcerated offenders or available prison beds.

As positive as this turnaround is for the state, it's important to remember what drastic changes have occurred over the last dozen years and how those changes in the criminal justice system have impacted the Commission, its staff, and its operations.

When the prison cap legislation was enacted in the late 1980s, the Commission was thrust into the position of managing the prison population. The Commission was asked to alter its review process and do what was necessary to maintain the prison population at a mandated level. The number of paroles per year quickly doubled. These numbers were accomplished with only a small addition to the staff. Normal work weeks routinely were 50 to 60 hours. The hours were long and the decisions difficult, but the Commission kept the prison population below the prison cap. This helped the state avoid a federal takeover of its prison system and additional lawsuits.

As the number of paroles declined in the last three years, the Commission assessed its parole review process and now requires its analysts to provide the commissioners with more information in their reviews. A list of the more than 30 criteria to be included in every review, if applicable, is presented in Appendix A. The additional information and detailed analyses enable the Commissioners to make better decisions about which offenders deserve an opportunity for parole and which should remain incarcerated because they are believed to be a threat to society.

The number of offenders who will be eligible for discretionary release will continue to decline in the years ahead. But many thousands of such offenders remain in the penal system and are subject to have their cases reviewed at least annually. There must be a certain base staff in place to conduct the reviews, analyze the data, and make recommendations to the Commission. There also is a need to establish meaningful supervision plans for those eligible for parole and for the offenders who will be subject to post-release supervision after completing their Structured Sentences.

The Commission staff has been reduced 27 percent since 1995. The special budget provision calls for a 10 percent cut, to be effective July 1, 1998. The positions targeted for elimination equal 18 percent of the total number of positions and 10 percent of the Commission's overall budget. This reduction will be accomplished by attrition, retirements, and reduction in force (RIF). As a result of changing needs and position cuts, staff responsibilities have shifted. A current organization chart is presented later in this document.

Finally, the Commission remains in a state of transition. It continues to explore the use of advancing technology to fulfill its responsibilities more efficiently and effectively. It continues to explore ways to improve the parole review process in order to ensure greater public safety. This report examines the Commission's responsibilities, workload, and plan for fulfilling its mission in the 21st century.

II. Automation of Parole Commission Functions

Prior to the implementation of the Department of Correction's Offender Population Unified System (OPUS), clerical staff were paired with parole case analysts to complete support functions related to parole reviews. The conversion of Parole Commission functions to OPUS in October 1995 reduced the need for clerical support staff. Since that time, nine clerical positions assigned to the Commission have been eliminated. This reduction has occurred through attrition, legislative elimination of positions, and reduction in force.

Automation of Parole Commission functions also has affected parole case analysts, who are now required to input data into the system in reference to their work, and the Parole Commissioners, who vote and review cases electronically via OPUS.

III. Parole Workload

A. Parole Reviews

The best measure of the Commission's workload is the number of parole reviews conducted. The Commission is required to review the cases of eligible offenders at least annually. Once an offender reaches parole eligibility, the Commission may, at its discretion, review a case as often as it deems necessary. The time and energy required for parole case analysts to collect and analyze data and to review a case is the same whether the offender is ultimately approved or denied for parole. Appendix B illustrates this point by presenting case analysts' recommendations, both for and against discretionary release, and for 90-day mandatory parole, which is required by the Fair Sentencing Act.

Since the repeal of North Carolina's prison cap in January 1996, the Commission staff has worked diligently to restore the parole review process to the level of detailed analysis required to ensure public safety. While some may make a quick glance of the number of offenders paroled during the early and mid-'90s and say that if the number of paroles have declined significantly that the workload has declined at the same rate. That comparison is not valid. During the years of the prison cap, the Commission approved approximately 80 percent of the cases it reviewed. Therefore, in 1994, the Commission reviewed approximately 30,245 cases when 24,196 offenders were approved for parole.

In 1997, the Commission reviewed a total of 20,996 cases for possible parole. Of this total, 9,520 or 45 percent, were approved and 11,476 or 55 percent were denied.

Table A illustrates that while the number of paroles has decreased 61 percent since 1994, the corresponding number of parole reviews has dropped only 31 percent.

Table A - Comparison of Number of Reviews and Paroles - 1994 and 1997

Year	# Parole Reviews	# Paroles Approved
1994	30,245	24,196
1997	20,996	9,520
% Change	-31%	-61%

B. *Other Analytical Tasks*

In addition to the tasks associated with parole reviews, there are other actions that must be completed before a review can take place. Parole case analysts are required to certify the parole eligibility status of offenders in the prison system. In 1997, 25,000 eligibility dates were certified.

Also, parole case analysts must monitor cases to ensure that needed information, such as crime versions, victim data, medical and mental health data, and so on have been received. This type of event is referred to as status reviews and were performed 48,248 times in 1997. Also, staff are required to document phone calls and visits from persons interested in a case. Such work is documented as General Comments and occurred 7,802 times in 1997. The complexity of parole case analysts' responsibilities should not be overlooked. There are approximately 30 separate provisions of law which either govern or impact parole eligibility.

For purposes of this report, workload comparisons use 1996 and 1997 calendar year data. The Commission functions within the OPUS system came online in October 1995. OPUS is able to capture and document a great deal of data concerning Commission activities that previously was done manually and was not tabulated. The Commission realizes the General Assembly makes decisions on a fiscal year basis, however since two full years of data could be generated on a calendar year basis, it was felt that this is a more appropriate approach.

Table B -Commission Workload Comparisons - 1996 and 1997

Type	1996	1997
Parole Denied	12,237	11,476
Parole Approved	12,588	9,520
Work Release Denied	30	27
Work Release Approved	28	36
Parole Review Complete	24,825	20,996
Supervision Files Received	14,650	10,111
DWI School Consideration	1,879	2,013
Status Review	44,778	48,248
General Comments	3,647	7,802
Eligibility Date Certified	30,650	25,000

C. *Legal Interpretation/Judicial Review*

While some offenders initially may appear ineligible for parole due to their sentence structure, the Commission has received an advisory letter from the Attorney General's Office indicating that consolidation of Fair and Structured Sentences could result in some offenders being eligible for parole consideration.

Judicial review also affects the Commission and a recent N.C. Supreme Court decision will have a significant impact on Commission operations and workload. On March 6, 1998, a Supreme Court decision in *Robbins v. Freeman* indicated that there is no statutory authority for "paper paroles." Paper parole is the process by which the Parole Commission grants parole from one sentence to begin serving a subsequent sentence; it is not a parole to the community. The Commission had been considering and granting this type of parole since 1987. As of this date, the total number of cases affected by this ruling has not been determined. A representative from the Attorney General's Office will provide additional information to the Legislature on the impact of the Court's ruling.

D. *DART/DWI Program at Goldsboro*

In addition to offenders who are released on supervision, the Commission is involved in paroling offenders to the DART/DWI Program at Cherry Hospital. The DWI program coordinator is responsible for identifying and referring appropriate offenders for placement in the DWI parole facility in Goldsboro. The coordinator recommends cases to the Commissioners, implements their decisions and processes appropriate paperwork for transfer of the offenders to the facility. This position requires a great deal of contact with staff at prison units, the DWI treatment facility and with the Division of Adult Probation and Parole.

The Commission presently paroles approximately 30 offenders per week to the DWI 28-day program and may parole offenders to the 90-day treatment program as it deems appropriate, working within criteria established by the Department of Correction.

IV. Post-Release Supervision

A. *Commission Responsibilities*

Although the Commission does not make decisions concerning when

offenders convicted under the Structured Sentencing Act will be released, it is responsible for establishing the conditions of post-release supervision for certain felon offenders whose release is followed by a period of supervision in the community. This requirement applies to offenders whose crimes are class B1-E felonies. Examples of crimes in these categories are second degree rape, assault with a deadly weapon, kidnaping, armed robbery, burglary, voluntary manslaughter, and some drug trafficking offenses. The Commission also has the authority to revoke offenders who violate the conditions of post-release supervision.

Because the period of supervision is short - either six or nine months, except for sex offenders - it is imperative that the conditions established by the Commission are tailored to an offender's needs. Parole case analysts examine a post-release case before the anticipated release date to identify needs, to review prison program participation, and to recommend supervision conditions matching an offender's needs with community resources. An example of a review for post-release supervision is provided in Appendix C.

B. Projection of Post-Release Cases

The number of post-release cases is increasing as the number of Structured Sentencing offenders in the prison system increases. In 1996, the Commission set conditions in 19 post-release cases. In 1997, that number increased to 238.

The number of anticipated post-release cases in the next five years is presented below. The estimates are provided by the N.C. Sentencing and Policy Advisory Commission.

Table C - Projection of Post-Release Supervision Cases

FY Ending June 30	Entries to post-release supervision
1998	305
1999	506
2000	787
2001	1,047
2002	1,298

V. Staff Reorganization

A. Previous Reductions and Reorganizations

The number of Parole Commission staff positions reached a high of 60 in 1992. Since that time, the staff has been reduced to 44 current budgeted positions (excluding the five appointed Commissioners).

In 1994, the Office of State Budget and Management prepared a reorganization plan to promote efficiency and effectiveness and that plan was subsequently implemented.

In 1996, the clerical staff was reorganized as a result of the Commission's changing needs following the implementation of the OPUS system. Prior to automation of some Commission functions, analysts and secretaries were paired as teams. The onset of OPUS eliminated some clerical support functions and consequently, the number of clerical positions began to decrease and job responsibilities were shifted. The 1996 reorganization created a secretarial pool, a telephone call center, and a release team to coordinate the electronic generation of parole agreements. As the number of positions has declined since 1996, continued reassignment of duties has been necessary.

B. Current Staffing Pattern

As noted earlier, there are currently 44 staff positions assigned to the Commission. A current organizational chart is presented in Appendix D.

The primary responsibilities of the parole case analysts have been described earlier in the section titled Parole Workload. In addition to the analysts who carry standard caseloads, some analytical staff carry specialized caseloads. One senior parole case analyst handles cases of offenders serving sentences in county jails who are eligible for parole and manages the receipt of files from Division of Adult Probation and Parole officers seeking action from the Commission on cases under active supervision.

The support staff performs administrative tasks which include typing and proofreading dictation, processing paperwork associated with parole decisions, such as denial and investigation letters, and coordinating release papers. Responsibilities of the support section also include serving as call center agents and providing general information to citizens who call the Commission office. Some support staff members also transfer offender files and parolee supervision files to commissioners for parole decisions, coordinate meeting planning, and perform purchasing functions.

Administrative staff includes the executive director, psychologist, researcher/statistician, and public information officer.

The executive director has responsibility for the staff and office operations. Also, the executive director serves as the budget officer, personnel chief, primary contact for all Management Information Systems needs via OPUS, and as liaison between the parole commissioners and the staff.

The psychologist conducts complete psychological evaluations on persons referred by the Commission. The evaluations address, among other things, potential for violence, attitudes toward assaultiveness and sexuality, interpersonal relationships and the individual's value system. In addition, the psychologist conducts case consultations with Division of Prisons mental health staff for offenders who have an identified mental disorder. The psychologist also monitors offenders who participated in the Sex Offender Accountability and Responsibility program (SOAR).

The researcher/statistician is responsible for researching information related to the accuracy of parole projections and statistical data related to Commission operations. In addition, this staff member is the chief liaison with the Attorney General's Office and other agencies concerning legal issues. This person also serves as the liaison with other agencies involved in various treatment programs.

The public information officer is responsible for responding to all media inquiries, issuing news releases as needed, developing and maintaining the Commission's site on the World Wide Web, drafting speeches and position papers for the Commission chairman, and making presentations to citizens groups. The public information officer also serves as the Commission's legislative liaison, interacts with other state agencies about issues of mutual interest and represents the Commission on the state's Sentencing Commission.

C. *Victim Services*

The Commission has provided victim notification for several years. However, the development of a comprehensive victim services program did not take place until a full-time victim services coordinator was hired in November 1996.

Victims can provide input to the Commission by phone, by letter, by meeting in person with a commissioner in Raleigh, or by participating in a video conference from one of five sites throughout North Carolina. The video conferences, which are funded by a grant by the Governor's Crime Commission and funneled through DAPP, are an effective means of making the Commission more accessible to all victims. Begun in May 1997, the video conferences have saved victims 34,668 miles and 432 work hours since they can now participate

from a site much closer to their home.

Other victim services include sending a Parole Commission Victim Reference Guide in every parole investigation and denial notification, verifying and correcting victim data in the OPUS system, serving as the primary referral source for victims within the Department of Correction, developing and conducting victim sensitivity training for Commission staff, as well as prisons and probation/parole personnel.

In a project that spans agency lines, the victim services coordinator took the lead in developing and distributing a Post-Sentencing Victim Information Packet. This material is now available for victims at all district attorney's offices and provides information about how an offender progresses through the correctional system.

VI. Staff Reductions

A. 10% Reduction effective July 1, 1998

The Commission recognizes that as the number of parole eligible offenders and the number of paroles decline, that the staff needed also will decline. In order to achieve the reduction outlined in the special budget provision, the Commission recommends eliminating one parole case analyst position and seven clerical support positions. These reductions will be accomplished through attrition, retirements and reduction in force (RIFs).

The positions targeted for elimination equal 18 percent of the total number of positions and 10 percent of the Commission's overall budget.

B. Five-Year Plan

The Commission realizes that the number of parole reviews will decline as the number of incarcerated offenders subject to discretionary release drops in the next several years. Consequently, it is reasonable to expect that the number of staff needed to perform Commission functions will also decrease.

Table D illustrates the projected workload over the next five years, if projections are accurate and if applicable laws remain unchanged.

Table D - Five-year Workload Projection

Fiscal Year	Paroles[1]	Parole Reviews[2]	Post-release Supervision Cases[3]	Total Cases Considered
97-98	7,637	19,092	305	19,397
98-99	6,234	15,585	506	16,091
99-00	5,199	12,997	787	13,784
00-01	3,963	9,907	1,047	10,954
01-02	3,368	8,420	1,298	9,718

[1] Source: Office of Research and Planning, Department of Correction

[2] Projections based on a 40 percent approval rate of cases considered

[3] Source: N.C. Sentencing and Policy Advisory Commission

Based on the above projections, the Commission proposes to enact a 5 percent staff reduction, effective July 1, 1999, and a 10 percent staff reduction in each of the succeeding four fiscal years. The rationale in proposing a 5 percent cut in the first year deals with the lingering consequences of recalculating eligibility and re-reviewing cases affected by the *Robbins* Supreme Court decision.

At this time, the Commission feels it is not in a position to designate specific positions to be eliminated, and requests that it be given management flexibility to make those decisions based on staffing needs in the future.

Appendix A
PAROLE REVIEW CRITERIA

In preparing a written analysis and making a recommendation, an analyst should include information about each of the following 31 factors, if applicable.

Offender's age

Offender's IQ

Offender's educational background

Information about previous parole violations

Information about previous probation violations

Offender's criminal history (i.e., arrests and/or convictions, highlighting similar crimes and assaultive type crimes. This should include information from other states, the Federal system, etc.)

Offender's previous incarcerations (numbers and charges)

DMV record (if driving-related offense is involved, noting number of DWI convictions)

Training school information for the offender

Information about offender's current crime

- original charge if different from current conviction (i.e., common law robbery which was originally charged as armed robbery)
- note severity and harshness of crime(s)
- give brief synopsis of offense(s)

Relationship of offender to victim

Status of victim, if known

- extent of injuries
- age

- any disabilities, etc.

Co-defendants' names and status

Detainer information

Pending charges (status from AOC screen)

Status of restitution ordered by sentencing court

Offender's current mental health status (if offender has a history, note diagnosis and treatment)

Previous psychological information about offender

Offender's substance abuse history

Offender's family/work/military history

Offender's residence/employment prospects

Offender's current custody level (note if offender has been in close/maximum custody during incarceration)

Offender's infractions while in custody

- number
- most recent
- number involving assaultive/aggressive behavior
- repeat infractions
- escapes
- is offender currently in segregation?

Offender's program involvement (i.e. work release, DART, SOAR. Note successful completion of programs.)

Division of Prisons recommendations/protests

Information from offender's attorney

Recommendations/protests from public, district attorneys, victims, and interested parties

Commission meeting information

Previous instructions given by the Commission at a prior review

Comments from DAPP supervision or law enforcement officers

Any other information or facts deemed necessary by the analyst

Appendix B

Community Service Parole Denial Recommended

FELON

Release Date: 7/02/2011

Custody: Minimum 2 **Control:** Regular Population

Activity: Road Squad **Location:** Gaston CC

Crime(s): Tamper with Motor Vehicle; Breaking and Entering (5)

Inmate aged 26 is serving a 2 year misdemeanor sentence beginning 8/18/92 for Tampering with a Motor Vehicle and Misdemeanor Larceny/probation revocation at his own request and 5 Fair sentences totalling 50 years active for 29 counts of B&E's of private homes which occurred from 1/30/92 through 5/29/92 and began approximately 2 months after probation supervision in sentence # 1 had begun. He was part of a theft ring which broke into private homes in 3 different counties and involved 10 or 11 individuals. Those co-defendants are not listed on the official crime version and their names are therefore unknown. This inmate claims that 2 co-defendants received supervised probation for their involvement and the 2 others received active prison sentences. Most of the items stolen were VCR's, televisions, guns, jewelry, and money and few of the items were ever recovered by police and so a significant amount of restitution is owed to these 26 crime victims. Originally, $103,623.07 was owed in restitution on all of his sentences but sentence #2 has since expired and restitution amount of $31,687.91 cannot be collected through parole conditions. Restitution is still owed in active sentences #3 through #4 in the amount of $71,935.16. His current sentence is the result of a guilty plea by plea arrangement.

He denies having a drug abuse or alcohol problem and says that he stole for financial reasons only. His parents have submitted information that he did well while he lived under their supervision. He graduated from high school with honors and then was employed at a grocery store warehouse, earning $11.00 per hour for 4 years but, after he moved out on his own, he began to associate with negative peer groups, lost his job, and then began to steal from others as part of a theft ring. His family has recently filed numerous petitions of support which are located in the case file.

One crime victim had scheduled a Parole Commission meeting for 11/4/97 but was unable to attend due to sickness. That crime victim protests his release for this year.

Inmate is a first admission. No prior record indicated. He has been in Minimum 2 custody since 10/95 and has incurred only 1 rule infraction so far which was on 3/20/94 for Possess Unauthorized Funds. He has been an active participant in the Think Smart Program both in prison and at area schools for years and this is a positive factor in his favor since his case manager has recently noted that this inmate is sincere about that particular program. He completed the 1 year furniture school program at Iredell Correctional Center in 2/94 and was then assigned as a prison cook but was removed for stealing food. This was his 3/94 rule infraction. He is considered likeable by prison staff and inmates and a correctional officer and retired correctional superintendent have filed letters of support for him from 10/97. Letters from students in the public school system, a hospital, and work shelter show that this inmate makes a good impression in the Think Smart Program.

However, there is a significant negative factor to consider in this case. DOP officials commented in 9/97 that "(inmate) is a study in contradiction". His prison conduct and program participation leads me to believe that he is an exceptional inmate. However, in 5/97, he was placed on administrative segregation due to suspicion that he was involved in drug and alcohol trafficking at the correctional center which is in one of the counties that the break-ins occurred. An ex-inmate was arrested by the police department on 5/9/97 as he was attempting to leave drugs near the correctional center. The ex-inmate supposedly informed police that he was leaving the drugs for this inmate and supposedly this inmate's brother was with the ex-inmate. Numerous inmates confined at the correctional center have confidentially indicated that this inmate deals heavily in drugs and alcohol although he has never been caught. The extensive freedom that he has been given by DOP officials through the Think Smart Program does allow him much community contact and that 5/97 arrest does show that some inmate housed at another correctional facility wanted the drugs and alcohol that allegedly was left for him.

Since this inmate committed the 29 B&E's in the community while he was unemployed, it will be necessary for this inmate to participate in the Work Release Program prior to any favorable parole release being considered and given the large amount of restitution that is owed to all crime victims and the number of break-ins involved. This inmate's current maximum release date in the year 2011 is also a negative factor and he should be repaying some restitution through the Work Release Program prior to being released under Community Service Parole supervision since his required community service hours would take away from employment hours that could better be used to repay the large restitution amount still owed. DOP officials have implemented a prison program plan for this inmate which includes that he will be placed in the Life Skills class in 12/97, will be approved for community volunteer passes in 3/98, and they anticipate that he will begin the Work Release Program in 9/98. He is currently assigned to the road squad and has previously worked on the community work crew.

This is a dual supervision case. He will be on 5 years supervised probation when released beginning with intensive supervision for a felony B&E conviction on 10/22/92 which is related to his current crimes. Due to seriousness and number of property thefts involved and need for continued correctional treatment involving future Work Release Program participation, recommend CSP be denied and review again in one year. Please consider the 5/97 alleged incident at the correctional center which shows anti-social behavior and lack of rehabilitation, if true.

Community Service Parole Approval Recommended

FELON

Release Date: 8/23/99

Custody: Minimum 1 **Control:** Regular Population

Activity: Maintenance **Location:** Central Prison

Crime(s): Conspiracy to Sell/Deliver Schedule II;
Forgery and Uttering (2)

This 38 year old inmate is serving time on his first prison term. He received 3 sentences that total 10 years 3 months and 25 days for crimes of Conspiracy to Sell and Deliver Cocaine, Forgery and Uttering.

He has now finished two of these sentences and only has time remaining on sentence 3, which is a 5 year sentence for 3 counts of Forgery and 3 counts of Uttering. These crimes involved him stealing checks from his father's checkbook and writing a series of checks so he could get money to purchase crack cocaine.

He was originally placed on supervised probation for these crimes on 5/21/90 and 6/9/93 but his terms of probation were revoked on 12/3/96. He has now served about 1 year and 8 months on these sentences. He was given an opportunity on parole 4/6/94 and his parole was revoked on 1/15/97. He violated his parole by absconding supervision about 1 year following his release from prison.

This man is married and has 3 children. He does not have any mental health problems. His major problem in the past has been drug abuse. He admits to using drugs since he was 20 years old. Prior to coming into prison he was abusing crack cocaine on a daily basis. He also admits to using marijuana regularly. He did get some treatment in the past and was in the ARC at Butner. During this prison term he has also gotten treatment and completed DART on 4/5/94 and has attended AA meetings.

He is in Minimum 1 custody and has remained infraction free. He has participated on gaintime work doing maintenance and working on the road squad. He has been very cooperative with prison officials and seems to have been a good inmate. He has skills as a heavy equipment operator and has a job waiting with a company in Warrenton. He has a residence plan with his sister which a Probation/Parole Officer checked out and found acceptable. Appears to be a good case for parole and I would recommend approval for CSP with EHA conditions.

90-Day Mandatory Parole

FELON

Release Date: 4/22/98

Custody: Medium **Control:** Regular Population

Activity: Assignment Pending **Location:** Randolph CC

Crime(s): Indecent Liberties with a Child

Inmate aged 55 is serving a 10 year Fair sentence beginning 10/11/94 (with 23 days jail credit) for Indecent Liberties With Child/probation revocation for technical reasons. Inmate had sexual intercourse twice with his 13 year old niece against her will on 5/4/91 while he was intoxicated. It was determined by doctors the next day that she was a virgin. Second NC admission. He served a prior 7 year active sentence beginning in 5/92 for Indecent Liberties With a Child which is the other sexual intercourse with the same crime victim mentioned above for which he was paroled and terminated (P&T'd) 9/29/93 due to prison overcrowding conditions. He also served a 2 year active sentence in 1970 in West Virginia for Grand Larceny and 4 years active there in 1959 for B&E&L. No contact with the crime victim and sexual offender rules have been included as parole conditions in this case.

He only completed the 4th grade of school, worked as a heavy equipment operator on and off for 30 years and has been unemployed since 1992 due to medical problems with his feet which he says is when his alcohol abuse problems also began. He completed DART during a previous incarceration and attended AA meetings from 12/5/96 through 4/97. Substance abuse monitoring rules have been included as a parole condition. He admits that he has used alcohol daily most of his life but does not believe it became a problem for him until 1992. He has not attended the SOAR Program.

Inmate says that his probation was revoked for his not working, not reporting to his probation officer as directed, and for his failure to pay his court indebtedness. He has been in Minimum 1 custody since 5/95 and is infraction free. His proposed release plans are with a friend in Catawba County and he will need 30 days to develop a job plan when released. He was last denied 270-Day Parole on 7/22/97 for 90-Day Mandatory Parole only. Due to his serious alcohol abuse history and lack of SOAR Program participation, recommend 90-Day Mandatory Parole only be approved to comply with current NC law. His current 90-Day Mandatory Parole date is 12/24/97.

Interim 90-Day Mandatory Parole Review

On 10/10/97, this sexual offender was approved for his 90-Day Mandatory Parole release and he had a 90-Day Mandatory Parole date of 12/24/97 at that time. Parole papers were mailed and then inmate's release date was modified after he was taken off gaintime on 11/7/97 due to a rule infraction on 10/14/97 for testing positive for both marijuana and cocaine use. His new 90-Day Mandatory Parole date is 2/21/98. However, the parole papers have been returned and the prison unit placed a hold on this case due to the fact that inmate signed a written statement on 1/15/98 refusing 90-Day Mandatory Parole release and says that he wants to max out. That statement of refusal is attached to front of file.

In light of inmate's written request, recommend the previous approval be suspended.

Appendix C

Post-Release Supervision Approval

FELON

Release Date: 3/4/98

Custody: Medium **Control:** Regular Population

Activity: Groundskeeper **Location:** NCCIW

Crime(s): AWDWISI (2)

Inmate aged 29 is serving a 27-42 months Class E structured sentence beginning 10/11/95 (with 9 days jail credit) for AWDWISI on 2/19/95 and a 3 year Fair sentence beginning 10/11/95 for AWDWISI on 6/13/94 which has expired.

She is being released on 6 months post-release supervision after sentence #1 expires on 1/8/98. No restitution is owed in that case and no restitution will be collected in sentence #2 which has expired.

Sentence #2 occurred on 6/13/94 where inmate says that 3 women tried to stab her as she left a nightclub and so a male friend gave her a gun and then another man attempted to take the gun from her and she shot him in the leg. She was also charged with Felonious Riot for this 6/13/94 incident but that charge was voluntarily dismissed 10/11/95. Sentence #1 occurred on 2/19/95 where she and the victim (her female cousin) and several other females were walking down the road together. A man stopped and gave inmate a gun to hold for him which she placed inside her purse. The official crime details are unclear as to how or why the cousin was then shot by inmate with the gun. According to inmate, her cousin is a former mental health patient who had not taken her medication that day and her cousin was getting into an unknown man's car and inmate wanted her out of the car and so she pointed a gun at her cousin and ordered her out of the car and, she says, someone reached for the gun and the gun went off accidentally and she shot her cousin in the throat.

Given her assaultive history, she is lucky that she has not mortally shot any of her victims so far since her arrest record and prison conduct show a volatile and argumentative individual who instigates disturbances between others, according to DOP officials.

She is a second admission. She was P&T'd 1/5/94 from a 1 year active sentence for Possess Drug Paraphanalia and Marijuana and 3 counts of Resist and Obstruct LEO, and she has numerous other arrests for primarily misdemeanor larcenies and trespasses which were mostly voluntarily dismissed. These include four 2nd Degree Trespass charges which were granted voluntary leave on 10/20/96, a misdemeanor Larceny and DWLR and Resist Officer charge which were voluntarily dismissed 12/2/93, a Forcible Trespass charge was voluntarily dismissed 5/5/93, a 2nd Degree Trespass charge and Aid and Abet Shoplift charge was voluntarily dismissed 10/11/95 and 7/15/91 respectively, received a 29 day active sentence in April 1992 for Unauthorized Use of Motor Vehicle, received a 60 day sentence suspended for 2 years unsupervised probation on 10/26/90 for misdemeanor Larceny, received a 2 year sentence suspended for 2 years unsupervised probation on 5/5/93 for misdemeanor Larceny and received a 6 months sentence suspended for 3 years unsupervised probation on 12/2/93 for Shoplifting. She was also arrested in Virginia in October 1993 for Larceny and Shoplifting (further disposition unknown).

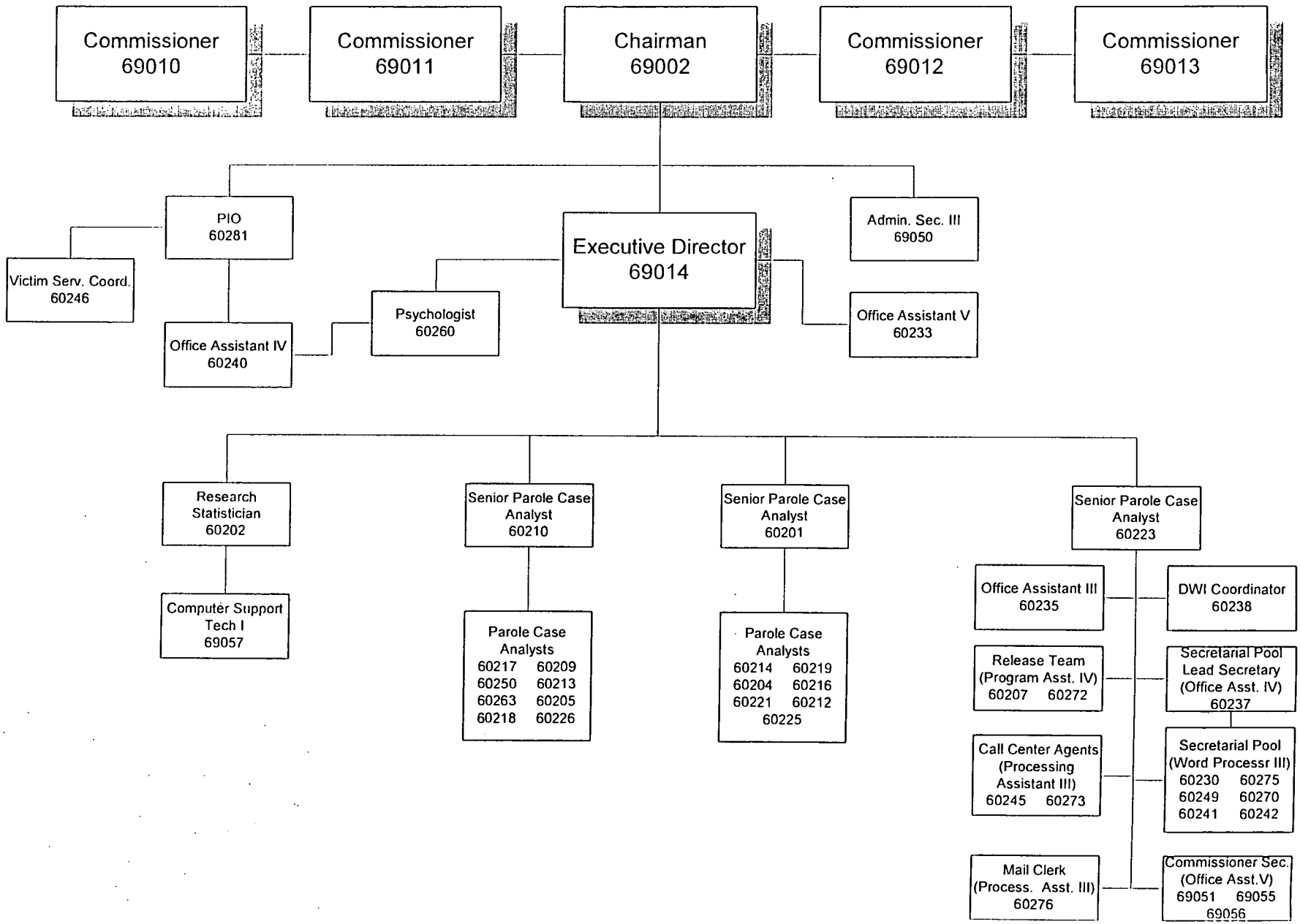
She admits that she has used marijuana mostly on the weekends while in the community and so substance abuse monitoring rules have been included as post-release conditions as well as no contact with the crime victim, her cousin. Her proposed release plans are with her mother in Guilford County and she will need 30 days to develop a job plan when released.

She completed the 11th grade of school and her primary work has been as a waitress or with a janitorial service. She is single and has 1 dependent who resides with her mother.

She has incurred a total of 13 rule infractions with another one still pending from 9/26/97 for Disobey Order but most of these are for Disobey Order and Disruptive Behavior (such as she wore curlers to the dining hall, she let another inmate wear a see-through teddy that she had and took pictures of that which were mailed to a male inmate even though DOP officials had told her to mail the teddy back home earlier. She argues with DOP staff in a disrespectful way when she cannot have her way and is argumentative, is late for work, breaks dorm rules, etc.). She is in medium custody. This inmate's attitude towards others has not changed and it is highly likely that she will be seen in the system again. Recommend post-release be approved.

Appendix D

Parole Commission



VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 4/21/98

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Katherine Joyce	SEANC
Gwynn Swinson	Justice
Roslyn Savitt	NC Coalition Against Domestic Violence
Darrell Carmical	NC SBI
James Coman	NC SBI
Denise A. Seasoms	DOJ
Kevin Howell	NCBA
Chuck Cram	OSPL
Joe Stewart	
Juanita H. Baker	PC
Juliet Groome	Parole Commission
Elizabeth F. Parsons	Attorney General's Office

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 4/21/98

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Mary Carmichael	Mecklenburg County
Janie Beaver	Court Services - Mecklenburg County
Peter McDermott	Asst DA 26th Dist
Bob Brinson	Correction
Jeanne Bonds	Admin. Office of the Courts
Chris Marks	" " " "
John Tate	" " " "
Denise A. Sessoms	DOJ
George Ake	State Highway Patrol
Joe Stewart	CCPS
Sec. Richard Moore	

VISITOR REGISTRATION SHEET

Name of Committee Justice & Public Safety Date 4/21/98

VISITORS: Please sign below and return to Committee Clerk.

NAME	FIRM OR STATE AGENCY AND ADDRESS
Jack Cozort	Parker Poe Adams & Bernstein - Raleigh
Ron Haney	SBI

HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Wednesday April 22, 1998 9:00 a.m. (or immediately after House Session)
Room 612, Legislative Office Building

I. **CALL TO ORDER**

Chairmen: Senator Wib Gulley
Representative Gregg Thompson
Representative Larry Justus, **Presiding**
Representative Joe Kiser

II. **PRESENTATIONS**

Morning

- Report on Reduction and Reorganization Plan, NC Post Release Supervision and Parole Commission

  Juanita Baker, Chair
  Tracy Little, Public Information Officer

- Justice Wide Area Network (JWAN) – Henderson Criminal Information System

  Larry Nordlinger, Project Director
  Pam Lusk and Christopher Smith, Project Assistants

- Report on Study to Combine Programs to Help Women and Children (Domestic Violence and Rape Crisis Center Grant Programs)

  Jeff Hibbard
  Office of State Budget and Management

- Victims Rights Issues and Draft Report to LRC on HB 665 -- House JPS Subcommittee

  Jim Mills, Fiscal Research Division

- Comments on HB 665

  Agency and Program Representatives

Afternoon

- Department of Correction – Report on Governor's Proposed Operating Efficiencies (Budget Reductions)

Joe Hamilton and Gregg Stahl
Department of Correction

III. **OTHER BUSINESS**

IV. **ADJOURNMENT**

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
INTERIM STUDY 1997-98
April 22, 1998

House Members Present: [6] Representatives Justus, Thompson, Kiser, Sexton, Smith and Easterling

Senate Members Present: [4]

The Interim Joint Appropriations Subcommittee on Justice and Public Safety met on Wednesday, April 22, 1998, in Room 612 of the Legislative Office Building. Representative Justus called the meeting to order at 9:32 AM. Representative Justus requested a moment of silence in honor of Senator Sanford.

- Report on Reduction and Reorganization Plan, NC Post Release Supervision and Parole Commission

Representative Justus recognized Tracy Little, Public Information Officer, to continue the presentation given yesterday. Ms. Little continued with information provided in Attachment 1 -- *NC Post-Release Supervision and Parole Commission –Report on Staffing Reorganization and Reduction* -- provided to committee members yesterday. Ms. Little stated that there are 8,636 offenders eligible for parole at this time. .Representative Kiser asked if DWIs are included in these figures. Ms. Little replied that 550 of those eligible are DWIs. Of the 8,636 eligible for parole: 1,064 are serving life sentences; 281 were sentenced pre fair sentencing; 2,316 are non assaultive fair sentencing felons, and 5,406 are assaultive fair sentencing felons. In addition 914 are committed youthful offenders. Representative Thompson asked, if parole documents used to make those decisions are public records? Ms. Little responded that some of the record is public but letters sent to the parole commissioners and notes of the commissioners are not public.

Ms. Little added that there are 44 positions assigned to the Parole Commission. The Parole Commission has provided victim notification for several years. A full-time victim services coordinator was hired in November 1996. Victims can provide information to the Commission by phone, letter, or by a personal meeting with a commissioner in Raleigh, or by participating in a video conference from one of five sites in North Carolina.

The Parole Commission is proposing a 10% staff reduction effective July 1, 1998. Ms. Little continued with the five year workload projection as outlined on page 12 of Attachment 1.

- Justice Wide Area Network (JWAN) -- Henderson County Information System

Representative Justus introduced Larry Nordlinger, Projector Director of Henderson Counties' Justice Wide Area Network, along with Pam Lusk and Christopher Smith, Project Assistants, from Henderson County. Kelly Pounder from Henderson County was also recognized.

Larry Nordlinger told the committee that JWAN was funded from grants from the Governor's Crime commission and the Criminal Justice Partnership Program plus funding from Henderson County. JWAN was created to bring data supplied from agencies to one point to be used by all law enforcement agencies. Phase I of JWAN is to bring together information on the offender; Phase II of JWAN will be focused on notification of victims. There are three victim notification options: 1. A person can make phone calls. 2. JWAN can interface with the VINE system. 3. JWAN can build a notification system. Presently there is no easily accessible information between state and local agencies on offenders and victims. The solution to this problem is data sharing. In Henderson County the JWAN staff has connected the Police Department, Sheriffs Department, Probation and Parole, the District Attorney, magistrates' office, jail and the Day Reporting Center. Major Ake, of the North Carolina Highway Patrol, announced that mobile data from CJIN will be going to Henderson County this week.

Representative Sexton expressed concern about the costs to low wealth counties for this service. Mr. Nordlinger stated that he is working on costs for other counties. They will probably be able to receive information on the Internet when the system is complete.

A demonstration of the regional JWAN system was presented to the committee. The slide attachments are included in these minutes as attachment 2.

The committee recessed at 11:00 for lunch to reconvene at 1:30 PM.

At 1:45 PM Representative Justus dismissed the committee for the lack of a quorum.

Larry Justus
Representative Larry Justus
Chairman

Carolyn Justus
Carolyn Justus
Committee Clerk

ATT. 1

N.C. Post-Release Supervision and Parole Commission

Report on Staffing Reorganization and Reduction

April 1998

Juanita H. Baker, Chairman

Table of Contents

I.	Executive Summary	3
II.	Automation of Parole Commission Functions	4
III.	Parole Workload	5
IV.	Post-Release Supervision	7
V.	Staff Reorganization	9
VI.	Staff Reductions	11

Appendices

Appendix A	Parole Review Criteria
Appendix B	Parole Review Memoranda
Appendix C	Post-Release Supervision Memorandum
Appendix D	Organizational Chart

The Post-Release Supervision and Parole Commission shall report to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections Oversight Committee by March 1, 1998, on a staffing reorganization and reduction plan. The report shall address the impact on Commission staffing of the declining parole workload, the automation of Commission functions, and the anticipated role of the Commission in Post-Release Supervision. The report shall include a transition plan for implementing staff reductions over the next five years, including a minimum of a ten percent (10%) reduction in the 1998-99 fiscal year over the 1997-98 fiscal year.

NOTE: On February 26, 1998, Secretary of Correction Mack Jarvis sent a memorandum to the Chairmen of the Joint Legislative Committee on Governmental Operations and the Chairmen of the Joint Legislative Corrections Oversight Committee requesting a delay in the Commission's report until April 1998.

I. Executive Summary

The Post-Release Supervision and Parole Commission's primary responsibility is to protect the public by keeping incarcerated those offenders believed to be a threat to society. The Commission substantially was able to accomplish that goal in 1997 as more offenders were denied parole than were approved. The construction of 15,000 new prison beds since 1993, the advent of Structured Sentencing in 1994, and repeal of the prison cap in 1996 all have helped contribute to this positive change for North Carolina's citizens. These changes allow the Commission to base its parole decisions on the merit of the individual and not on the number of incarcerated offenders or available prison beds.

As positive as this turnaround is for the state, it's important to remember what drastic changes have occurred over the last dozen years and how those changes in the criminal justice system have impacted the Commission, its staff, and its operations.

When the prison cap legislation was enacted in the late 1980s, the Commission was thrust into the position of managing the prison population. The Commission was asked to alter its review process and do what was necessary to maintain the prison population at a mandated level. The number of paroles per year quickly doubled. These numbers were accomplished with only a small addition to the staff. Normal work weeks routinely were 50 to 60 hours. The hours were long and the decisions difficult, but the Commission kept the prison population below the prison cap. This helped the state avoid a federal takeover of its prison system and additional lawsuits.

As the number of paroles declined in the last three years, the Commission assessed its parole review process and now requires its analysts to provide the commissioners with more information in their reviews. A list of the more than 30 criteria to be included in every review, if applicable, is presented in Appendix A. The additional information and detailed analyses enable the Commissioners to make better decisions about which offenders deserve an opportunity for parole and which should remain incarcerated because they are believed to be a threat to society.

The number of offenders who will be eligible for discretionary release will continue to decline in the years ahead. But many thousands of such offenders remain in the penal system and are subject to have their cases reviewed at least annually. There must be a certain base staff in place to conduct the reviews, analyze the data, and make recommendations to the Commission. There also is a need to establish meaningful supervision plans for those eligible for parole and for the offenders who will be subject to post-release supervision after completing their Structured Sentences.

The Commission staff has been reduced 27 percent since 1995. The special budget provision calls for a 10 percent cut, to be effective July 1, 1998. The positions targeted for elimination equal 18 percent of the total number of positions and 10 percent of the Commission's overall budget. This reduction will be accomplished by attrition, retirements, and reduction in force (RIF). As a result of changing needs and position cuts, staff responsibilities have shifted. A current organization chart is presented later in this document.

Finally, the Commission remains in a state of transition. It continues to explore the use of advancing technology to fulfill its responsibilities more efficiently and effectively. It continues to explore ways to improve the parole review process in order to ensure greater public safety. This report examines the Commission's responsibilities, workload, and plan for fulfilling its mission in the 21st century.

II. Automation of Parole Commission Functions

Prior to the implementation of the Department of Correction's Offender Population Unified System (OPUS), clerical staff were paired with parole case analysts to complete support functions related to parole reviews. The conversion of Parole Commission functions to OPUS in October 1995 reduced the need for clerical support staff. Since that time, nine clerical positions assigned to the Commission have been eliminated. This reduction has occurred through attrition, legislative elimination of positions, and reduction in force.

Automation of Parole Commission functions also has affected parole case analysts, who are now required to input data into the system in reference to their work, and the Parole Commissioners, who vote and review cases electronically via OPUS.

III. Parole Workload

A. Parole Reviews

The best measure of the Commission's workload is the number of parole reviews conducted. The Commission is required to review the cases of eligible offenders at least annually. Once an offender reaches parole eligibility, the Commission may, at its discretion, review a case as often as it deems necessary. The time and energy required for parole case analysts to collect and analyze data and to review a case is the same whether the offender is ultimately approved or denied for parole. Appendix B illustrates this point by presenting case analysts' recommendations, both for and against discretionary release, and for 90-day mandatory parole, which is required by the Fair Sentencing Act.

Since the repeal of North Carolina's prison cap in January 1996, the Commission staff has worked diligently to restore the parole review process to the level of detailed analysis required to ensure public safety. While some may make a quick glance of the number of offenders paroled during the early and mid-'90s and say that if the number of paroles have declined significantly that the workload has declined at the same rate. That comparison is not valid. During the years of the prison cap, the Commission approved approximately 80 percent of the cases it reviewed. Therefore, in 1994, the Commission reviewed approximately 30,245 cases when 24,196 offenders were approved for parole.

In 1997, the Commission reviewed a total of 20,996 cases for possible parole. Of this total, 9,520 or 45 percent, were approved and 11,476 or 55 percent were denied.

Table A illustrates that while the number of paroles has decreased 61 percent since 1994, the corresponding number of parole reviews has dropped only 31 percent.

Table A - Comparison of Number of Reviews and Paroles - 1994 and 1997

Year	# Parole Reviews	# Paroles Approved
1994	30,245	24,196
1997	20,996	9,520
% Change	-31%	-61%

B. *Other Analytical Tasks*

In addition to the tasks associated with parole reviews, there are other actions that must be completed before a review can take place. Parole case analysts are required to certify the parole eligibility status of offenders in the prison system. In 1997, 25,000 eligibility dates were certified.

Also, parole case analysts must monitor cases to ensure that needed information, such as crime versions, victim data, medical and mental health data, and so on have been received. This type of event is referred to as status reviews and were performed 48,248 times in 1997. Also, staff are required to document phone calls and visits from persons interested in a case. Such work is documented as General Comments and occurred 7,802 times in 1997. The complexity of parole case analysts' responsibilities should not be overlooked. There are approximately 30 separate provisions of law which either govern or impact parole eligibility.

For purposes of this report, workload comparisons use 1996 and 1997 calendar year data. The Commission functions within the OPUS system came online in October 1995. OPUS is able to capture and document a great deal of data concerning Commission activities that previously was done manually and was not tabulated. The Commission realizes the General Assembly makes decisions on a fiscal year basis, however since two full years of data could be generated on a calendar year basis, it was felt that this is a more appropriate approach.

Table B -Commission Workload Comparisons - 1996 and 1997

Type	1996	1997
Parole Denied	12,237	11,476
Parole Approved	12,588	9,520
Work Release Denied	30	27
Work Release Approved	28	36
Parole Review Complete	24,825	20,996
Supervision Files Received	14,650	10,111
DWI School Consideration	1,879	2,013
Status Review	44,778	48,248
General Comments	3,647	7,802
Eligibility Date Certified	30,650	25,000

C. *Legal Interpretation/Judicial Review*

While some offenders initially may appear ineligible for parole due to their sentence structure, the Commission has received an advisory letter from the Attorney General's Office indicating that consolidation of Fair and Structured Sentences could result in some offenders being eligible for parole consideration.

Judicial review also affects the Commission and a recent N.C. Supreme Court decision will have a significant impact on Commission operations and workload. On March 6, 1998, a Supreme Court decision in *Robbins v. Freeman* indicated that there is no statutory authority for "paper paroles." Paper parole is the process by which the Parole Commission grants parole from one sentence to begin serving a subsequent sentence; it is not a parole to the community. The Commission had been considering and granting this type of parole since 1987. As of this date, the total number of cases affected by this ruling has not been determined. A representative from the Attorney General's Office will provide additional information to the Legislature on the impact of the Court's ruling.

D. *DART/DWI Program at Goldsboro*

In addition to offenders who are released on supervision, the Commission is involved in paroling offenders to the DART/DWI Program at Cherry Hospital. The DWI program coordinator is responsible for identifying and referring appropriate offenders for placement in the DWI parole facility in Goldsboro. The coordinator recommends cases to the Commissioners, implements their decisions and processes appropriate paperwork for transfer of the offenders to the facility. This position requires a great deal of contact with staff at prison units, the DWI treatment facility and with the Division of Adult Probation and Parole.

The Commission presently paroles approximately 30 offenders per week to the DWI 28-day program and may parole offenders to the 90-day treatment program as it deems appropriate, working within criteria established by the Department of Correction.

IV. Post-Release Supervision

A. *Commission Responsibilities*

Although the Commission does not make decisions concerning when

offenders convicted under the Structured Sentencing Act will be released, it is responsible for establishing the conditions of post-release supervision for certain felon offenders whose release is followed by a period of supervision in the community. This requirement applies to offenders whose crimes are class B1-E felonies. Examples of crimes in these categories are second degree rape, assault with a deadly weapon, kidnaping, armed robbery, burglary, voluntary manslaughter, and some drug trafficking offenses. The Commission also has the authority to revoke offenders who violate the conditions of post-release supervision.

Because the period of supervision is short - either six or nine months, except for sex offenders - it is imperative that the conditions established by the Commission are tailored to an offender's needs. Parole case analysts examine a post-release case before the anticipated release date to identify needs, to review prison program participation, and to recommend supervision conditions matching an offender's needs with community resources. An example of a review for post-release supervision is provided in Appendix C.

B. Projection of Post-Release Cases

The number of post-release cases is increasing as the number of Structured Sentencing offenders in the prison system increases. In 1996, the Commission set conditions in 19 post-release cases. In 1997, that number increased to 238.

The number of anticipated post-release cases in the next five years is presented below. The estimates are provided by the N.C. Sentencing and Policy Advisory Commission.

Table C - Projection of Post-Release Supervision Cases

FY Ending June 30	Entries to post-release supervision
1998	305
1999	506
2000	787
2001	1,047
2002	1,298

V. Staff Reorganization

A. Previous Reductions and Reorganizations

The number of Parole Commission staff positions reached a high of 60 in 1992. Since that time, the staff has been reduced to 44 current budgeted positions (excluding the five appointed Commissioners).

In 1994, the Office of State Budget and Management prepared a reorganization plan to promote efficiency and effectiveness and that plan was subsequently implemented.

In 1996, the clerical staff was reorganized as a result of the Commission's changing needs following the implementation of the OPUS system. Prior to automation of some Commission functions, analysts and secretaries were paired as teams. The onset of OPUS eliminated some clerical support functions and consequently, the number of clerical positions began to decrease and job responsibilities were shifted. The 1996 reorganization created a secretarial pool, a telephone call center, and a release team to coordinate the electronic generation of parole agreements. As the number of positions has declined since 1996, continued reassignment of duties has been necessary.

B. Current Staffing Pattern

As noted earlier, there are currently 44 staff positions assigned to the Commission. A current organizational chart is presented in Appendix D.

The primary responsibilities of the parole case analysts have been described earlier in the section titled Parole Workload. In addition to the analysts who carry standard caseloads, some analytical staff carry specialized caseloads. One senior parole case analyst handles cases of offenders serving sentences in county jails who are eligible for parole and manages the receipt of files from Division of Adult Probation and Parole officers seeking action from the Commission on cases under active supervision.

The support staff performs administrative tasks which include typing and proofreading dictation, processing paperwork associated with parole decisions, such as denial and investigation letters, and coordinating release papers. Responsibilities of the support section also include serving as call center agents and providing general information to citizens who call the Commission office. Some support staff members also transfer offender files and parolee supervision files to commissioners for parole decisions, coordinate meeting planning, and perform purchasing functions.

Administrative staff includes the executive director, psychologist, researcher/statistician, and public information officer.

The executive director has responsibility for the staff and office operations. Also, the executive director serves as the budget officer, personnel chief, primary contact for all Management Information Systems needs via OPUS, and as liaison between the parole commissioners and the staff.

The psychologist conducts complete psychological evaluations on persons referred by the Commission. The evaluations address, among other things, potential for violence, attitudes toward assaultiveness and sexuality, interpersonal relationships and the individual's value system. In addition, the psychologist conducts case consultations with Division of Prisons mental health staff for offenders who have an identified mental disorder. The psychologist also monitors offenders who participated in the Sex Offender Accountability and Responsibility program (SOAR).

The researcher/statistician is responsible for researching information related to the accuracy of parole projections and statistical data related to Commission operations. In addition, this staff member is the chief liaison with the Attorney General's Office and other agencies concerning legal issues. This person also serves as the liaison with other agencies involved in various treatment programs.

The public information officer is responsible for responding to all media inquiries, issuing news releases as needed, developing and maintaining the Commission's site on the World Wide Web, drafting speeches and position papers for the Commission chairman, and making presentations to citizens groups. The public information officer also serves as the Commission's legislative liaison, interacts with other state agencies about issues of mutual interest and represents the Commission on the state's Sentencing Commission.

C. Victim Services

The Commission has provided victim notification for several years. However, the development of a comprehensive victim services program did not take place until a full-time victim services coordinator was hired in November 1996.

Victims can provide input to the Commission by phone, by letter, by meeting in person with a commissioner in Raleigh, or by participating in a video conference from one of five sites throughout North Carolina. The video conferences, which are funded by a grant by the Governor's Crime Commission and funneled through DAPP, are an effective means of making the Commission more accessible to all victims. Begun in May 1997, the video conferences have saved victims 34,668 miles and 432 work hours since they can now participate

from a site much closer to their home.

Other victim services include sending a Parole Commission Victim Reference Guide in every parole investigation and denial notification, verifying and correcting victim data in the OPUS system, serving as the primary referral source for victims within the Department of Correction, developing and conducting victim sensitivity training for Commission staff, as well as prisons and probation/parole personnel.

In a project that spans agency lines, the victim services coordinator took the lead in developing and distributing a Post-Sentencing Victim Information Packet. This material is now available for victims at all district attorney's offices and provides information about how an offender progresses through the correctional system.

VI. Staff Reductions

A. 10% Reduction effective July 1, 1998

The Commission recognizes that as the number of parole eligible offenders and the number of paroles decline, that the staff needed also will decline. In order to achieve the reduction outlined in the special budget provision, the Commission recommends eliminating one parole case analyst position and seven clerical support positions. These reductions will be accomplished through attrition, retirements and reduction in force (RIFs).

The positions targeted for elimination equal 18 percent of the total number of positions and 10 percent of the Commission's overall budget.

B. Five-Year Plan

The Commission realizes that the number of parole reviews will decline as the number of incarcerated offenders subject to discretionary release drops in the next several years. Consequently, it is reasonable to expect that the number of staff needed to perform Commission functions will also decrease.

Table D illustrates the projected workload over the next five years, if projections are accurate and if applicable laws remain unchanged.

Table D - Five-year Workload Projection

Fiscal Year	Paroles[1]	Parole Reviews[2]	Post-release Supervision Cases[3]	Total Cases Considered
97-98	7,637	19,092	305	19,397
98-99	6,234	15,585	506	16,091
99-00	5,199	12,997	787	13,784
00-01	3,963	9,907	1,047	10,954
01-02	3,368	8,420	1,298	9,718

[1] Source: Office of Research and Planning, Department of Correction

[2] Projections based on a 40 percent approval rate of cases considered

[3] Source: N.C. Sentencing and Policy Advisory Commission

Based on the above projections, the Commission proposes to enact a 5 percent staff reduction, effective July 1, 1999, and a 10 percent staff reduction in each of the succeeding four fiscal years. The rationale in proposing a 5 percent cut in the first year deals with the lingering consequences of recalculating eligibility and re-reviewing cases affected by the *Robbins* Supreme Court decision.

At this time, the Commission feels it is not in a position to designate specific positions to be eliminated, and requests that it be given management flexibility to make those decisions based on staffing needs in the future.

Appendix A
PAROLE REVIEW CRITERIA

In preparing a written analysis and making a recommendation, an analyst should include information about each of the following 31 factors, if applicable.

Offender's age

Offender's IQ

Offender's educational background

Information about previous parole violations

Information about previous probation violations

Offender's criminal history (i.e., arrests and/or convictions, highlighting similar crimes and assaultive type crimes. This should include information from other states, the Federal system, etc.)

Offender's previous incarcerations (numbers and charges)

DMV record (if driving-related offense is involved, noting number of DWI convictions)

Training school information for the offender

Information about offender's current crime

- original charge if different from current conviction (i.e., common law robbery which was originally charged as armed robbery)
- note severity and harshness of crime(s)
- give brief synopsis of offense(s)

Relationship of offender to victim

Status of victim, if known

- extent of injuries
- age

- any disabilities, etc.

Co-defendants' names and status

Detainer information

Pending charges (status from AOC screen)

Status of restitution ordered by sentencing court

Offender's current mental health status (if offender has a history, note diagnosis and treatment)

Previous psychological information about offender

Offender's substance abuse history

Offender's family/work/military history

Offender's residence/employment prospects

Offender's current custody level (note if offender has been in close/maximum custody during incarceration)

Offender's infractions while in custody

- number
- most recent
- number involving assaultive/aggressive behavior
- repeat infractions
- escapes
- is offender currently in segregation?

Offender's program involvement (i.e. work release, DART, SOAR. Note successful completion of programs.)

Division of Prisons recommendations/protests

Information from offender's attorney

Recommendations/protests from public, district attorneys, victims, and interested parties

Commission meeting information

Previous instructions given by the Commission at a prior review

Comments from DAPP supervision or law enforcement officers

Any other information or facts deemed necessary by the analyst

Appendix B

Community Service Parole Denial Recommended

FELON

Release Date: 7/02/2011

Custody: Minimum 2 **Control:** Regular Population

Activity: Road Squad **Location:** Gaston CC

Crime(s): Tamper with Motor Vehicle; Breaking and Entering (5)

Inmate aged 26 is serving a 2 year misdemeanor sentence beginning 8/18/92 for Tampering with a Motor Vehicle and Misdemeanor Larceny/probation revocation at his own request and 5 Fair sentences totalling 50 years active for 29 counts of B&E's of private homes which occurred from 1/30/92 through 5/29/92 and began approximately 2 months after probation supervision in sentence # 1 had begun. He was part of a theft ring which broke into private homes in 3 different counties and involved 10 or 11 individuals. Those co-defendants are not listed on the official crime version and their names are therefore unknown. This inmate claims that 2 co-defendants received supervised probation for their involvement and the 2 others received active prison sentences. Most of the items stolen were VCR's, televisions, guns, jewelry, and money and few of the items were ever recovered by police and so a significant amount of restitution is owed to these 26 crime victims. Originally, $103,623.07 was owed in restitution on all of his sentences but sentence #2 has since expired and restitution amount of $31,687.91 cannot be collected through parole conditions. Restitution is still owed in active sentences #3 through #4 in the amount of $71,935.16. His current sentence is the result of a guilty plea by plea arrangement.

He denies having a drug abuse or alcohol problem and says that he stole for financial reasons only. His parents have submitted information that he did well while he lived under their supervision. He graduated from high school with honors and then was employed at a grocery store warehouse, earning $11.00 per hour for 4 years but, after he moved out on his own, he began to associate with negative peer groups, lost his job, and then began to steal from others as part of a theft ring. His family has recently filed numerous petitions of support which are located in the case file.

One crime victim had scheduled a Parole Commission meeting for 11/4/97 but was unable to attend due to sickness. That crime victim protests his release for this year.

Inmate is a first admission. No prior record indicated. He has been in Minimum 2 custody since 10/95 and has incurred only 1 rule infraction so far which was on 3/20/94 for Possess Unauthorized Funds. He has been an active participant in the Think Smart Program both in prison and at area schools for years and this is a positive factor in his favor since his case manager has recently noted that this inmate is sincere about that particular program. He completed the 1 year furniture school program at Iredell Correctional Center in 2/94 and was then assigned as a prison cook but was removed for stealing food. This was his 3/94 rule infraction. He is considered likeable by prison staff and inmates and a correctional officer and retired correctional superintendent have filed letters of support for him from 10/97. Letters from students in the public school system, a hospital, and work shelter show that this inmate makes a good impression in the Think Smart Program.

However, there is a significant negative factor to consider in this case. DOP officials commented in 9/97 that "(inmate) is a study in contradiction". His prison conduct and program participation leads me to believe that he is an exceptional inmate. However, in 5/97, he was placed on administrative segregation due to suspicion that he was involved in drug and alcohol trafficking at the correctional center which is in one of the counties that the break-ins occurred. An ex-inmate was arrested by the police department on 5/9/97 as he was attempting to leave drugs near the correctional center. The ex-inmate supposedly informed police that he was leaving the drugs for this inmate and supposedly this inmate's brother was with the ex-inmate. Numerous inmates confined at the correctional center have confidentially indicated that this inmate deals heavily in drugs and alcohol although he has never been caught. The extensive freedom that he has been given by DOP officials through the Think Smart Program does allow him much community contact and that 5/97 arrest does show that some inmate housed at another correctional facility wanted the drugs and alcohol that allegedly was left for him.

Since this inmate committed the 29 B&E's in the community while he was unemployed, it will be necessary for this inmate to participate in the Work Release Program prior to any favorable parole release being considered and given the large amount of restitution that is owed to all crime victims and the number of break-ins involved. This inmate's current maximum release date in the year 2011 is also a negative factor and he should be repaying some restitution through the Work Release Program prior to being released under Community Service Parole supervision since his required community service hours would take away from employment hours that could better be used to repay the large restitution amount still owed. DOP officials have implemented a prison program plan for this inmate which includes that he will be placed in the Life Skills class in 12/97, will be approved for community volunteer passes in 3/98, and they anticipate that he will begin the Work Release Program in 9/98. He is currently assigned to the road squad and has previously worked on the community work crew.

This is a dual supervision case. He will be on 5 years supervised probation when released beginning with intensive supervision for a felony B&E conviction on 10/22/92 which is related to his current crimes. Due to seriousness and number of property thefts involved and need for continued correctional treatment involving future Work Release Program participation, recommend CSP be denied and review again in one year. Please consider the 5/97 alleged incident at the correctional center which shows anti-social behavior and lack of rehabilitation, if true.

Community Service Parole Approval Recommended

FELON

Release Date: 8/23/99

Custody: Minimum 1 **Control:** Regular Population

Activity: Maintenance **Location:** Central Prison

Crime(s): Conspiracy to Sell/Deliver Schedule II;
Forgery and Uttering (2)

This 38 year old inmate is serving time on his first prison term. He received 3 sentences that total 10 years 3 months and 25 days for crimes of Conspiracy to Sell and Deliver Cocaine, Forgery and Uttering.

He has now finished two of these sentences and only has time remaining on sentence 3, which is a 5 year sentence for 3 counts of Forgery and 3 counts of Uttering. These crimes involved him stealing checks from his father's checkbook and writing a series of checks so he could get money to purchase crack cocaine.

He was originally placed on supervised probation for these crimes on 5/21/90 and 6/9/93 but his terms of probation were revoked on 12/3/96. He has now served about 1 year and 8 months on these sentences. He was given an opportunity on parole 4/6/94 and his parole was revoked on 1/15/97. He violated his parole by absconding supervision about 1 year following his release from prison.

This man is married and has 3 children. He does not have any mental health problems. His major problem in the past has been drug abuse. He admits to using drugs since he was 20 years old. Prior to coming into prison he was abusing crack cocaine on a daily basis. He also admits to using marijuana regularly. He did get some treatment in the past and was in the ARC at Butner. During this prison term he has also gotten treatment and completed DART on 4/5/94 and has attended AA meetings.

He is in Minimum 1 custody and has remained infraction free. He has participated on gaintime work doing maintenance and working on the road squad. He has been very cooperative with prison officials and seems to have been a good inmate. He has skills as a heavy equipment operator and has a job waiting with a company in Warrenton. He has a residence plan with his sister which a Probation/Parole Officer checked out and found acceptable. Appears to be a good case for parole and I would recommend approval for CSP with EHA conditions.

90-Day Mandatory Parole

FELON

Release Date: 4/22/98

Custody: Medium **Control:** Regular Population

Activity: Assignment Pending **Location:** Randolph CC

Crime(s): Indecent Liberties with a Child

Inmate aged 55 is serving a 10 year Fair sentence beginning 10/11/94 (with 23 days jail credit) for Indecent Liberties With Child/probation revocation for technical reasons. Inmate had sexual intercourse twice with his 13 year old niece against her will on 5/4/91 while he was intoxicated. It was determined by doctors the next day that she was a virgin. Second NC admission. He served a prior 7 year active sentence beginning in 5/92 for Indecent Liberties With a Child which is the other sexual intercourse with the same crime victim mentioned above for which he was paroled and terminated (P&T'd) 9/29/93 due to prison overcrowding conditions. He also served a 2 year active sentence in 1970 in West Virginia for Grand Larceny and 4 years active there in 1959 for B&E&L. No contact with the crime victim and sexual offender rules have been included as parole conditions in this case.

He only completed the 4th grade of school, worked as a heavy equipment operator on and off for 30 years and has been unemployed since 1992 due to medical problems with his feet which he says is when his alcohol abuse problems also began. He completed DART during a previous incarceration and attended AA meetings from 12/5/96 through 4/97. Substance abuse monitoring rules have been included as a parole condition. He admits that he has used alcohol daily most of his life but does not believe it became a problem for him until 1992. He has not attended the SOAR Program.

Inmate says that his probation was revoked for his not working, not reporting to his probation officer as directed, and for his failure to pay his court indebtedness. He has been in Minimum 1 custody since 5/95 and is infraction free. His proposed release plans are with a friend in Catawba County and he will need 30 days to develop a job plan when released. He was last denied 270-Day Parole on 7/22/97 for 90-Day Mandatory Parole only. Due to his serious alcohol abuse history and lack of SOAR Program participation, recommend 90-Day Mandatory Parole only be approved to comply with current NC law. His current 90-Day Mandatory Parole date is 12/24/97.

Interim 90-Day Mandatory Parole Review

On 10/10/97, this sexual offender was approved for his 90-Day Mandatory Parole release and he had a 90-Day Mandatory Parole date of 12/24/97 at that time. Parole papers were mailed and then inmate's release date was modified after he was taken off gaintime on 11/7/97 due to a rule infraction on 10/14/97 for testing positive for both marijuana and cocaine use. His new 90-Day Mandatory Parole date is 2/21/98. However, the parole papers have been returned and the prison unit placed a hold on this case due to the fact that inmate signed a written statement on 1/15/98 refusing 90-Day Mandatory Parole release and says that he wants to max out. That statement of refusal is attached to front of file.

In light of inmate's written request, recommend the previous approval be suspended.

Appendix C

Post-Release Supervision Approval

FELON

Release Date: 3/4/98

Custody: Medium **Control:** Regular Population

Activity: Groundskeeper **Location:** NCCIW

Crime(s): AWDWISI (2)

Inmate aged 29 is serving a 27-42 months Class E structured sentence beginning 10/11/95 (with 9 days jail credit) for AWDWISI on 2/19/95 and a 3 year Fair sentence beginning 10/11/95 for AWDWISI on 6/13/94 which has expired.

She is being released on 6 months post-release supervision after sentence #1 expires on 1/8/98. No restitution is owed in that case and no restitution will be collected in sentence #2 which has expired.

Sentence #2 occurred on 6/13/94 where inmate says that 3 women tried to stab her as she left a nightclub and so a male friend gave her a gun and then another man attempted to take the gun from her and she shot him in the leg. She was also charged with Felonious Riot for this 6/13/94 incident but that charge was voluntarily dismissed 10/11/95. Sentence #1 occurred on 2/19/95 where she and the victim (her female cousin) and several other females were walking down the road together. A man stopped and gave inmate a gun to hold for him which she placed inside her purse. The official crime details are unclear as to how or why the cousin was then shot by inmate with the gun. According to inmate, her cousin is a former mental health patient who had not taken her medication that day and her cousin was getting into an unknown man's car and inmate wanted her out of the car and so she pointed a gun at her cousin and ordered her out of the car and, she says, someone reached for the gun and the gun went off accidentally and she shot her cousin in the throat.

Given her assaultive history, she is lucky that she has not mortally shot any of her victims so far since her arrest record and prison conduct show a volatile and argumentative individual who instigates disturbances between others, according to DOP officials.

She is a second admission. She was P&T'd 1/5/94 from a 1 year active sentence for Possess Drug Paraphanalia and Marijuana and 3 counts of Resist and Obstruct LEO, and she has numerous other arrests for primarily misdemeanor larcenies and trespasses which were mostly voluntarily dismissed. These include four 2nd Degree Trespass charges which were granted voluntary leave on 10/20/96, a misdemeanor Larceny and DWLR and Resist Officer charge which were voluntarily dismissed 12/2/93, a Forcible Trespass charge was voluntarily dismissed 5/5/93, a 2nd Degree Trespass charge and Aid and Abet Shoplift charge was voluntarily dismissed 10/11/95 and 7/15/91 respectively, received a 29 day active sentence in April 1992 for Unauthorized Use of Motor Vehicle, received a 60 day sentence suspended for 2 years unsupervised probation on 10/26/90 for misdemeanor Larceny, received a 2 year sentence suspended for 2 years unsupervised probation on 5/5/93 for misdemeanor Larceny and received a 6 months sentence suspended for 3 years unsupervised probation on 12/2/93 for Shoplifting. She was also arrested in Virginia in October 1993 for Larceny and Shoplifting (further disposition unknown).

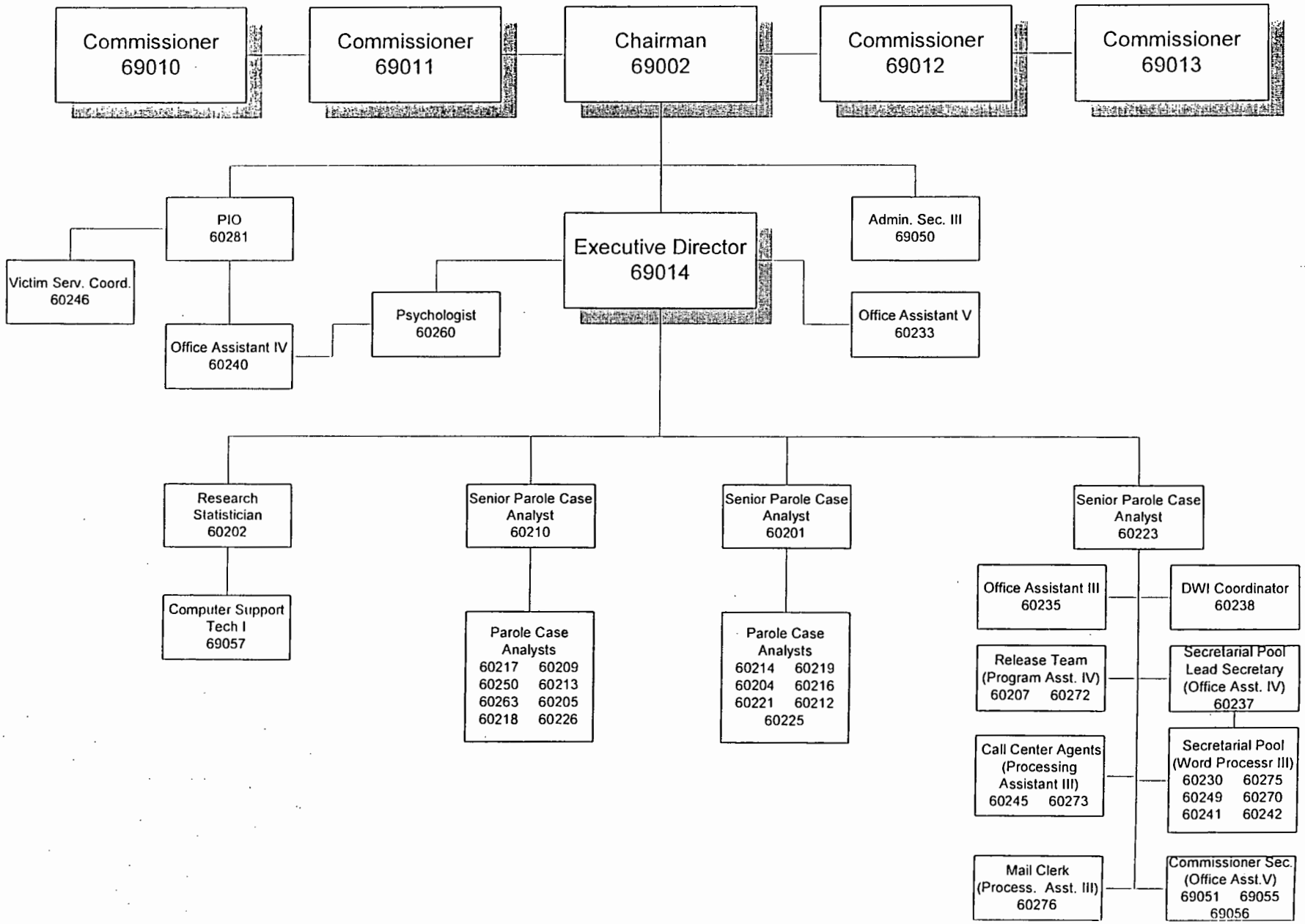
She admits that she has used marijuana mostly on the weekends while in the community and so substance abuse monitoring rules have been included as post-release conditions as well as no contact with the crime victim, her cousin. Her proposed release plans are with her mother in Guilford County and she will need 30 days to develop a job plan when released.

She completed the 11th grade of school and her primary work has been as a waitress or with a janitorial service. She is single and has 1 dependent who resides with her mother.

She has incurred a total of 13 rule infractions with another one still pending from 9/26/97 for Disobey Order but most of these are for Disobey Order and Disruptive Behavior (such as she wore curlers to the dining hall, she let another inmate wear a see-through teddy that she had and took pictures of that which were mailed to a male inmate even though DOP officials had told her to mail the teddy back home earlier. She argues with DOP staff in a disrespectful way when she cannot have her way and is argumentative, is late for work, breaks dorm rules, etc.). She is in medium custody. This inmate's attitude towards others has not changed and it is highly likely that she will be seen in the system again. Recommend post-release be approved.

Appendix D

Parole Commission



ATT. 2

Welcome!
JWAN
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What is JWAN?

The Justice Wide Area Network is a computer network and integrated database that connects local, state, and federal criminal justice agencies.

And Much More!!!

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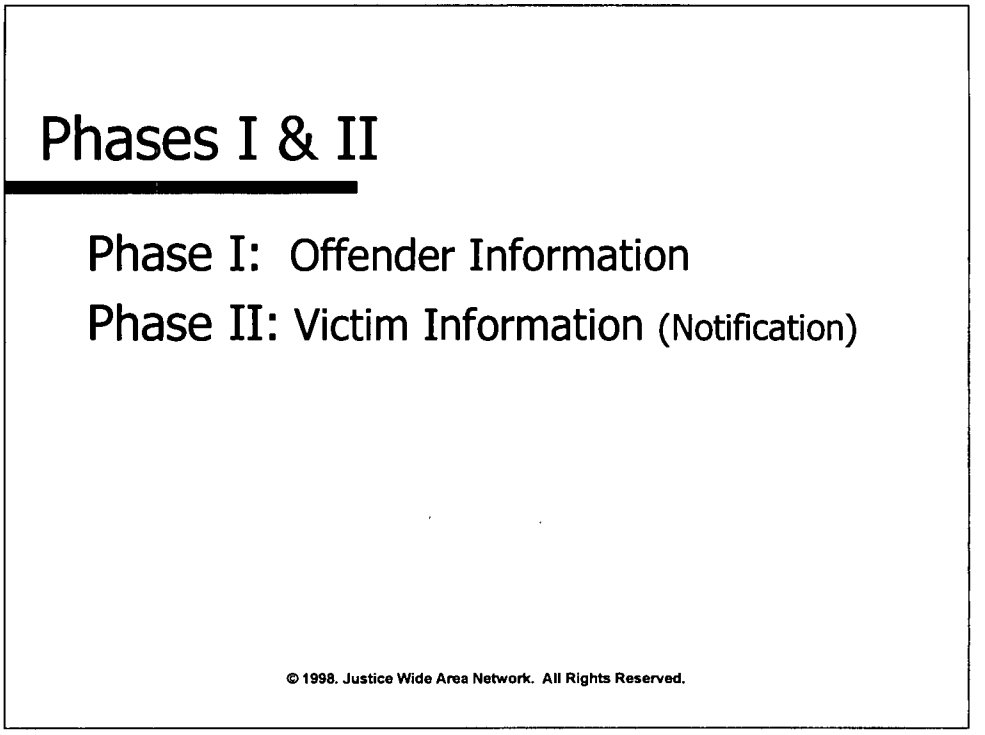
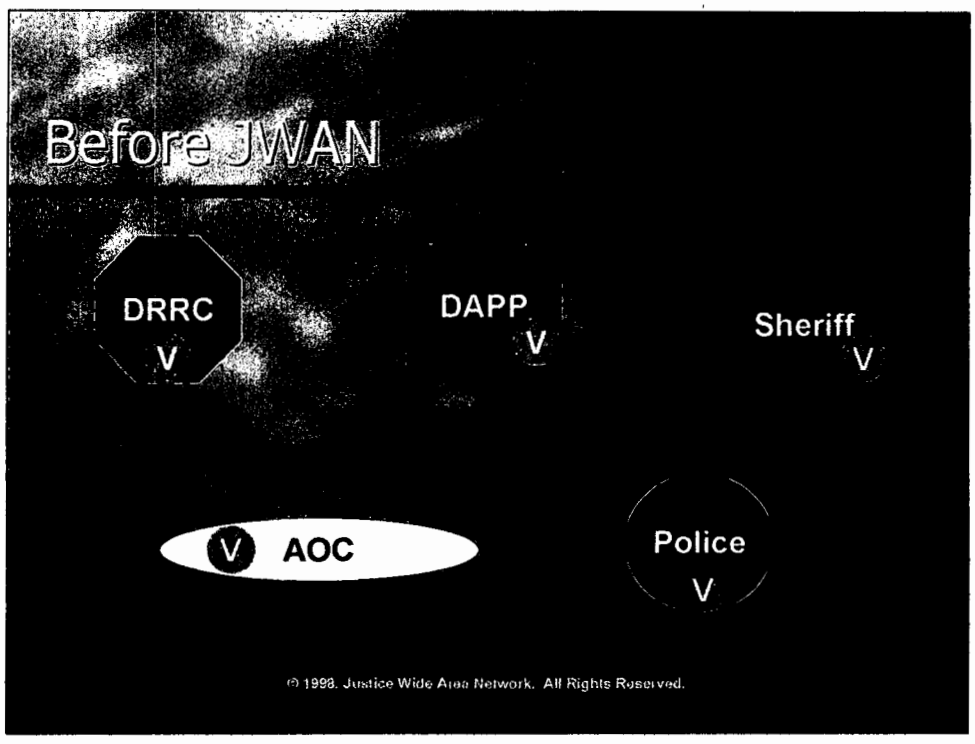
JWAN is establishing precedents in cooperation and information sharing among criminal justice agencies. Using new technologies and the power of computer networking, these traditionally competitive and jurisdictional departments have given wholehearted support to JWAN.



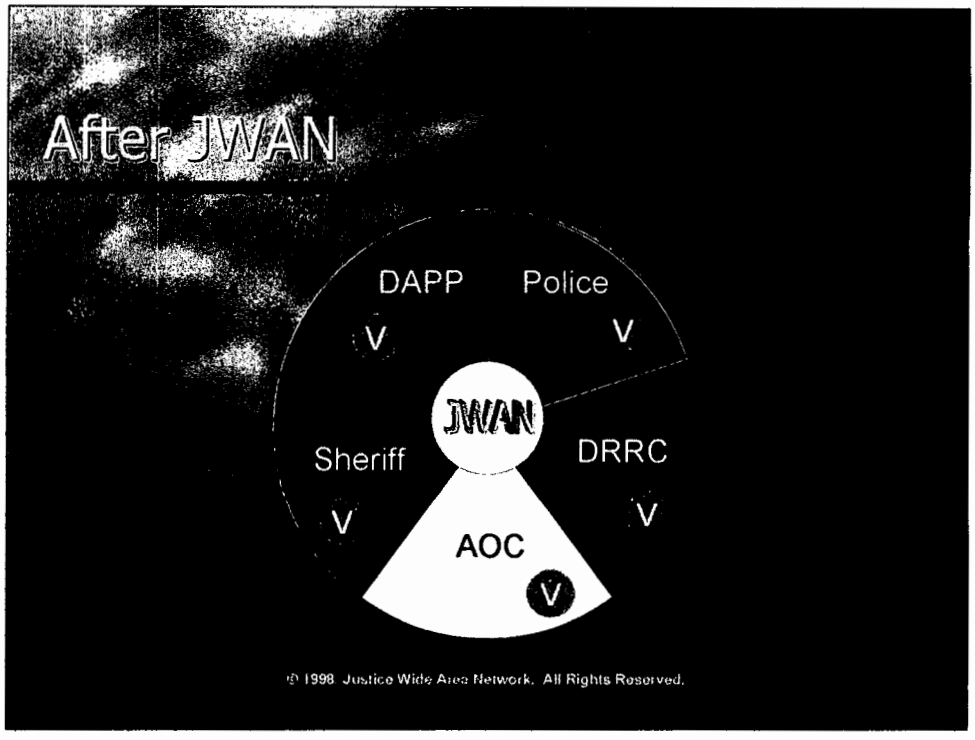
We have designed a comprehensive database for all offenders in Henderson County. This is called the Criminal Offender Database, and represents Phase One of the JWAN project.

Phase Two will add information about crime victims in Henderson County. When shared with the Criminal Offender Database, we will be able to link victims with their perpetrators to better serve victims' security and notification needs.



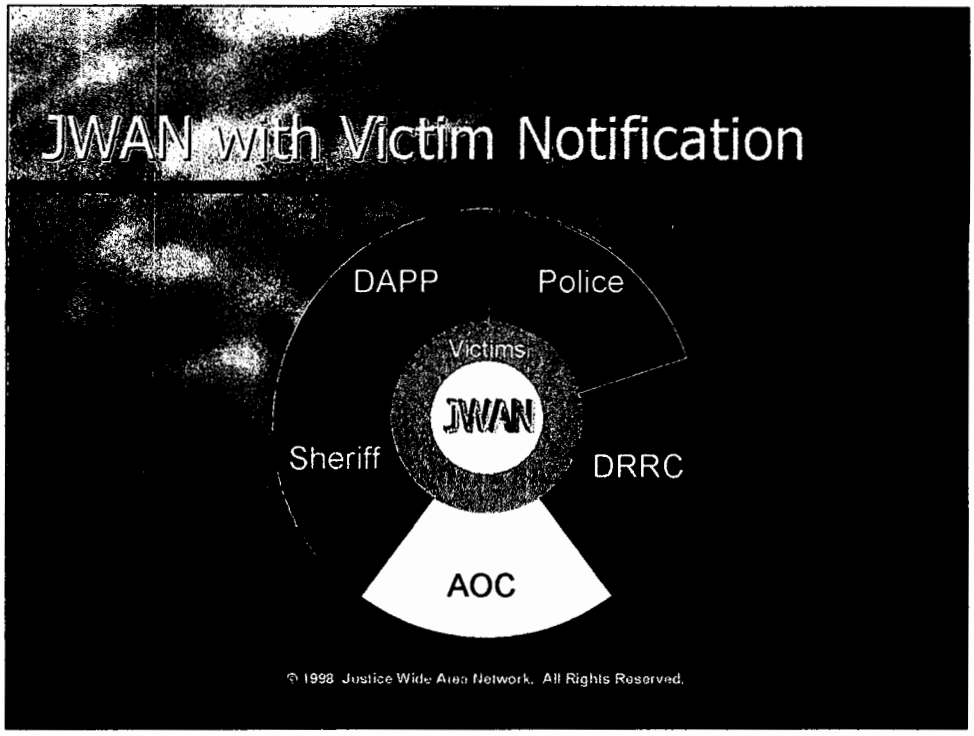
These shapes represent the agencies connected to JWAN, and emphasize the fact that each agency has its own data system, which is incompatible with other agencies. These agencies are not connected for data sharing or efficient inter-agency communication.

The gray circle within each agency represents victim information. Currently, there is no inter-agency cooperation or system for walking victims through the criminal justice process.



With the JWAN system in place (represented by the white circle in the center), all agencies are connected to a central file server by a high-speed computer network. This constant connection allows the agencies to communicate instantly and to share a central repository of criminal offender data. As JWAN accesses each agency's system to gather criminal information, that agency's existing data is left intact and unchanged.

However, each agency still handles victim information and contacts apart from the other agencies. There is no central repository for victim information as there is for criminal information.



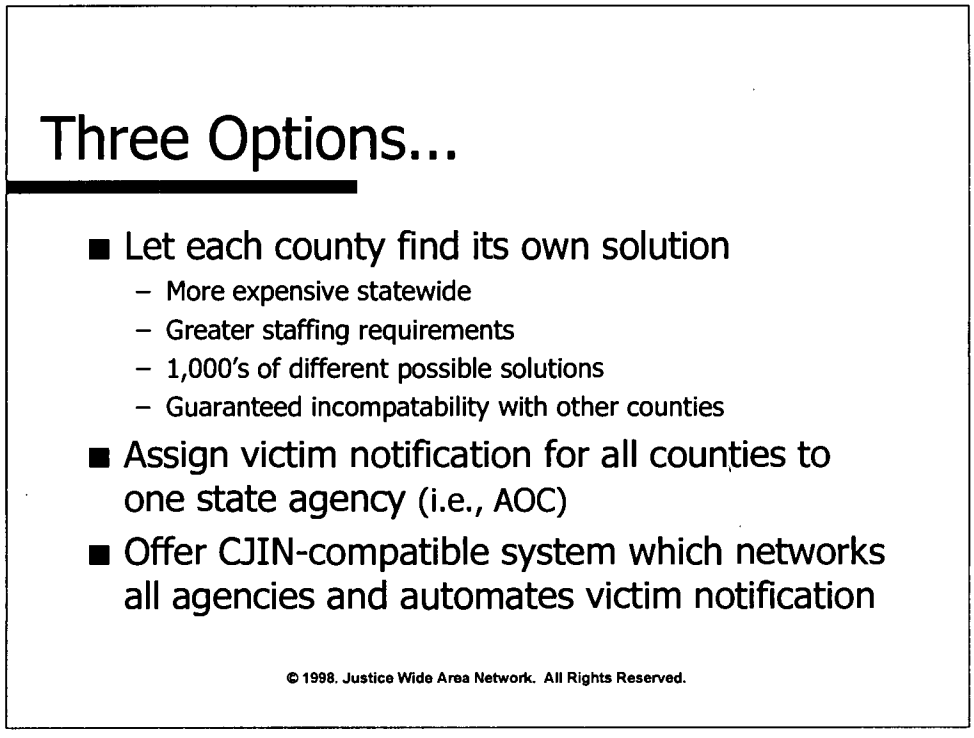
North Carolina House Bill 665 - the Crime Victims Rights Act effective July 1999 - will require two types of communication:

- Agency-to-Agency notification, and
- Agency-to-Victim notification.

The agencies shown above will be required to cooperate in both types of notification throughout the criminal justice process.

Since JWAN has an established network already connecting these agencies, the groundwork has been laid to electronically automate victim notification processes, resulting in lower manpower demands and less paperwork statewide.

By establishing a central repository for victim information and notification, JWAN can create links between victims and their perpetrators. This will allow criminal justice personnel to quickly assess victim/offender relationships.

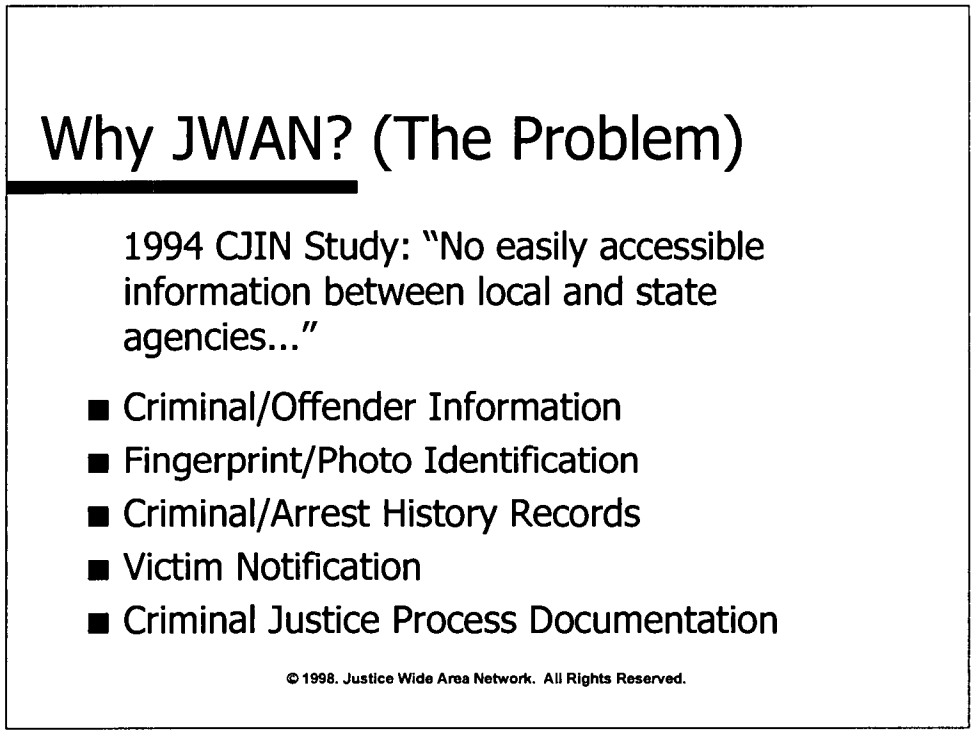


There are basically three options for complying with the requirements set forth in House Bill 665. These are listed above. JWAN is in position to automate victim notification, and provide inter-agency communication and data-sharing at the same time (third option).

VINE's (Victim Information and Notification Everyday) is an automated Victim Notification system used throughout the United States. They specialize in contacting victims directly, by phone and U.S. mail, to alert them of changes in the disposition of the accused.

A possible solution for Victim Notification in North Carolina is a partnership with VINES and JWAN:

- JWAN for inter-agency contacts
- VINES for victim contacts.



The idea of a Wide Area Network to serve multiple criminal justice agencies was conceived as the result of a 1995 study done by North Carolina's Criminal Justice Information Network (CJIN). This study revealed critical gaps in the availability of offender information among city, county, and state agencies. JWAN was an ambitious project, designed to centralize offender information from all jurisdictional levels: federal, state, county, and city/township.

The project received funding through state-level grants from the Criminal Justice Partnership Program (CJPP) and the Governor's Crime Commission, which established JWAN as a separate entity not associated with any particular criminal justice agency. This separation proved crucial to the success of the project, since the Network would serve each agency equally, and required across-the-board cooperation from all agencies.

Henderson County, N.C. was approved as the development and testing site. An emphasis was placed on designing the system to be portable and easily duplicated by other counties across the state.

The Solution

To improve the overall efficiency of the Henderson County Criminal Justice system through enhanced communication and data sharing among agencies.

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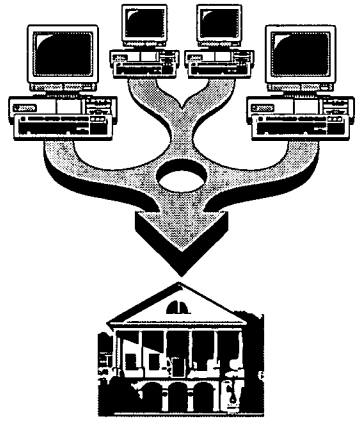
The obvious solution to the lack of communication and data sharing among criminal justice agencies was to:

- Create an inter-agency computer network
- Create a common database/repository of criminal information
- Involve local and state criminal justice agencies

The Solution: Create a Network

Link all Criminal Justice Agencies to a central file server in the Henderson County Courthouse



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The Solution: Monitor Offenders

- Criminal histories
- Personal profiles
- Digitized photographs
- Legal documentation
- Victim notification and restitution
- Collect data for improved crime analysis and future evaluation

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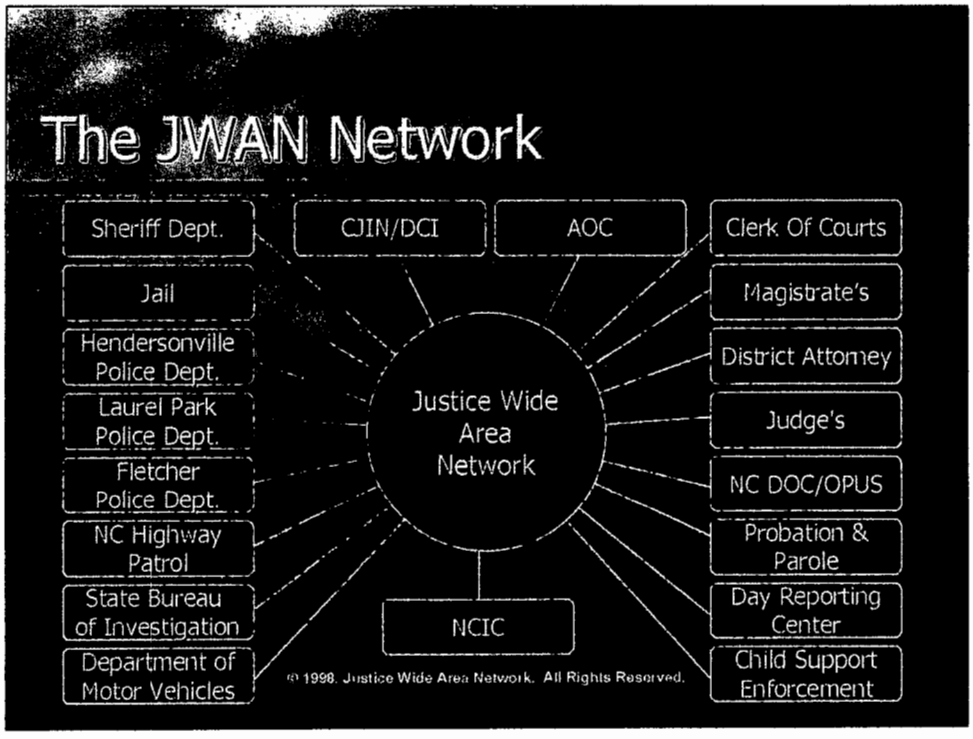
These agencies were targeted for data sharing within the JWAN Criminal Offender Database. Many are actively sharing data through JWAN.



The goal is to connect every agency with jurisdiction in Henderson County to the JWAN Network.

Design Goals

- Eliminate redundant data entry
- Provide security for confidentiality
- Direct access by all agencies
- Use existing hardware and software
- Rapid update of data
- Interface with AOC, DOC and DCI

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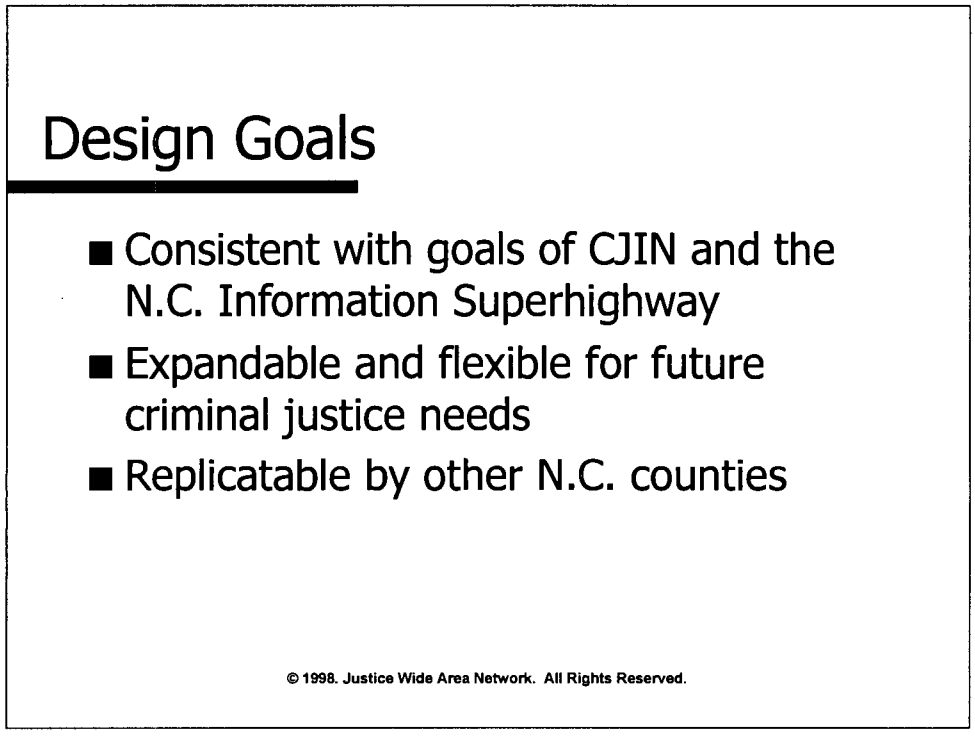
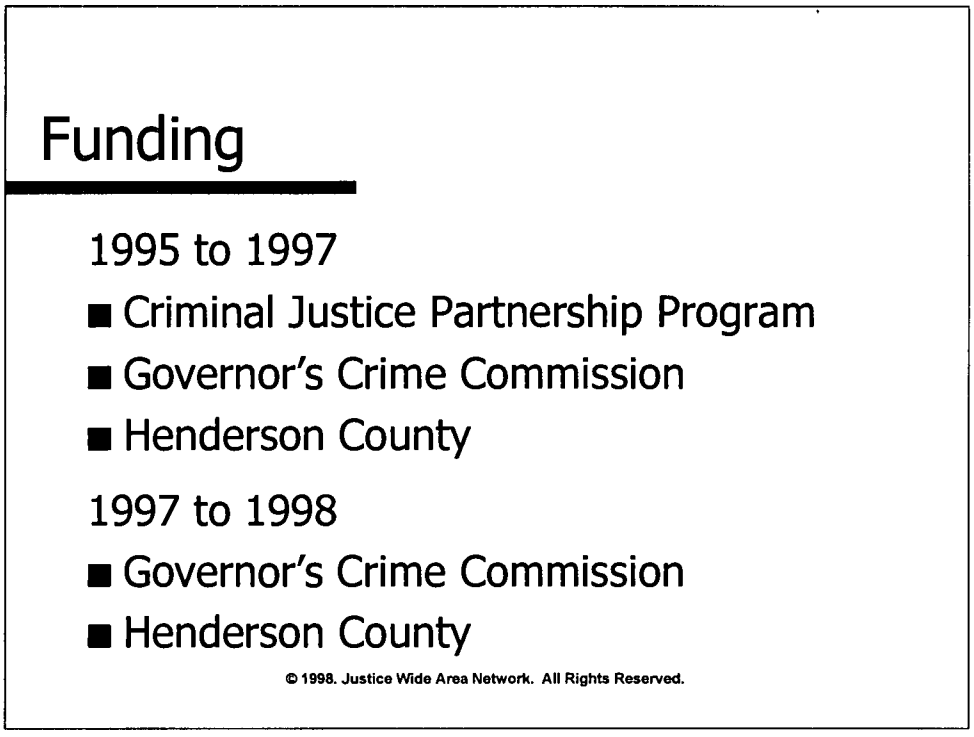
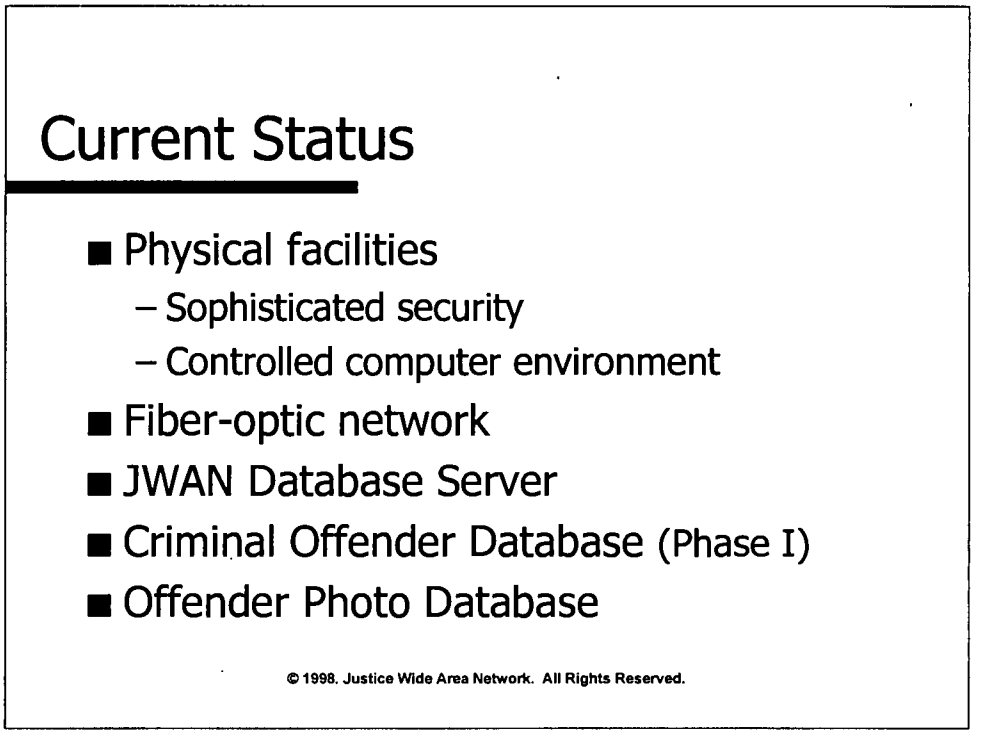
JWAN was designed in accordance with the statewide technical computer standards recommended in the 1994 CJIN analysis. The goal was to create a system which would increase the effectiveness of local and state agencies, without requiring them to change their existing data systems.



Another important design goal for JWAN was portability - creating a system that could easily be adopted by other counties across North Carolina. The CJIN Board saw JWAN in Henderson County as a model for the rest of the state in criminal justice data-sharing.



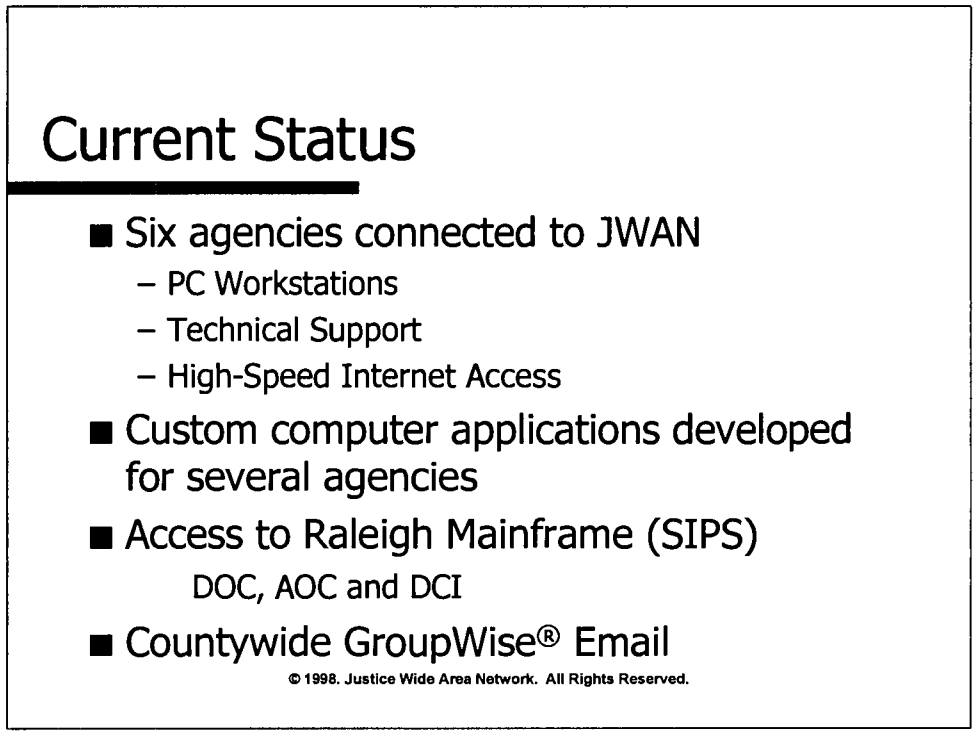
JWAN was initially funded through grants from the CJPP and the Governor's Crime Commission. Continued funding for development and maintenance was provided by Henderson County.



A JWAN Information Center was established in the Henderson County Courthouse. The area is currently shared with the county MIS (Management Information Systems) department. The area is secured to protect the sensitive criminal and victim information stored on-site.

A fiber optic computer network is in place, connecting the major justice agencies in the county to the JWAN file server. Other agencies will be connected through other methods, including conventional computer networks, high-speed telephone lines, and standard modem connections.

The Criminal Offender Database is currently populated with over 10,000 offenders and 6,500 digitized offender photographs.

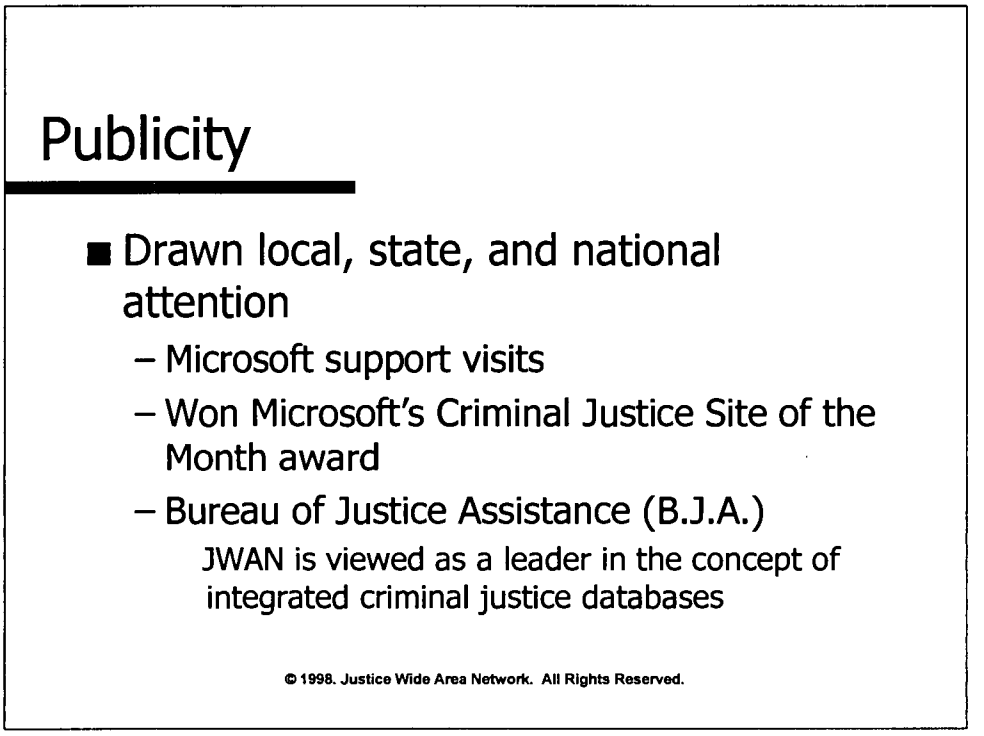


Currently six criminal justice agencies are communicating and sharing data through JWAN. Each of these agencies has been provided with one or two JWAN workstations. High-speed Internet access has been provided as well. In the near future, JWAN plans to convert to a secure Internet-based system to lower the cost of state-wide expansion.

Several of the agencies connected to JWAN previously kept records on paper rather than in a computer. In order to connect them to JWAN, custom computer databases were created. One example is the Department of Adult Probation and Parole. Randy Eggen, DAPP District Manager, cites a 15-20% increase in the amount of time officers spend in the field since implementing the new computer-based system, and over 40,000 electronic comments on offenders' status have been recorded by Parole Officers in the first five months. This information is now in electronic form, which allows other criminal justice personnel to access the most current information available on offenders.

JWAN is connected to SIPS in Raleigh, and has access through SIPS to DOC (Department of Corrections) and AOC (Administrative Office of the Courts) records. In the next thirty to sixty days, JWAN will also establish a link to DCI (Department of Criminal Investigations) as well.

A county-wide email system has been established using Novell GroupWise®. This communication tool allows justice agency personnel to communicate instantly and with 100% security for criminal justice information.

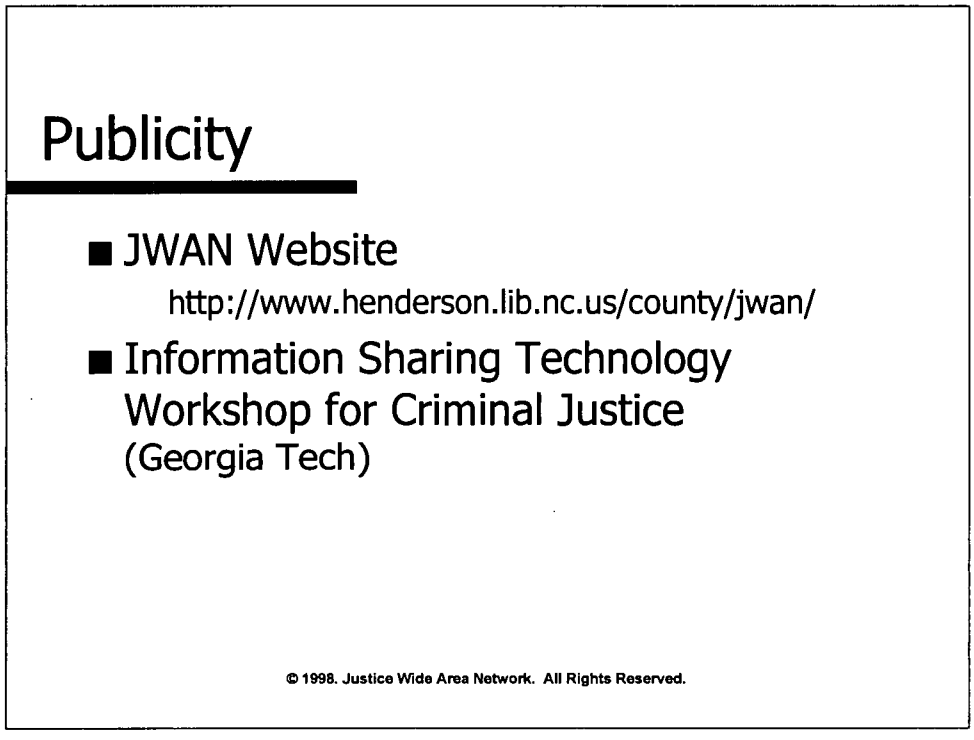


JWAN continues to attract the attention of criminal justice concerns from all over the nation.

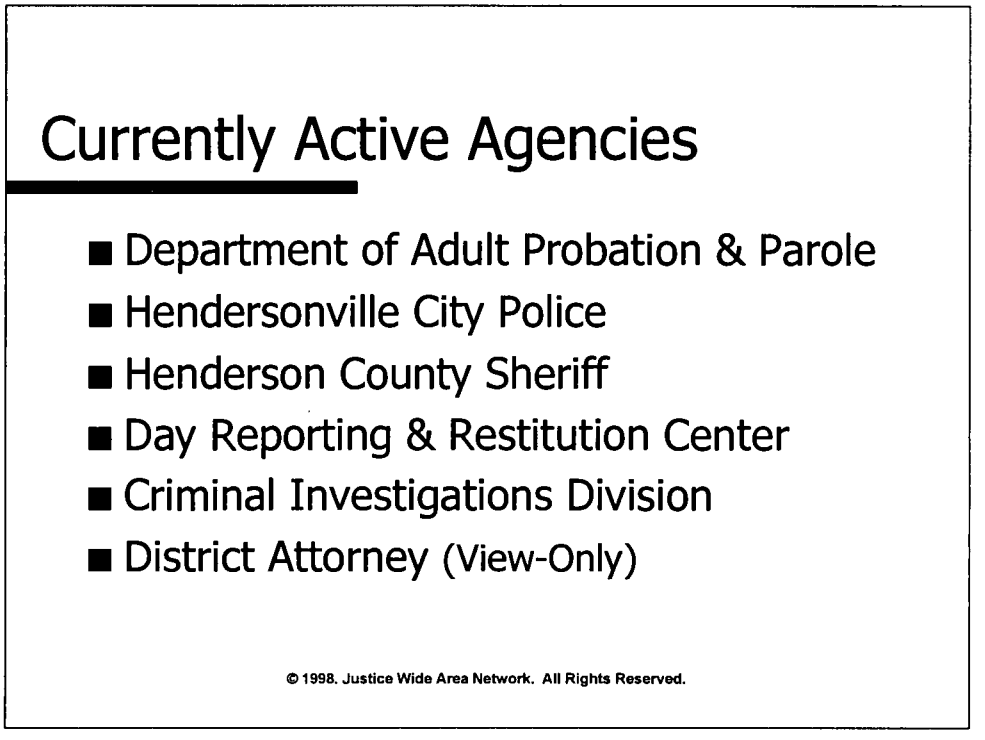
Microsoft has repeatedly sent representatives to Henderson County to discuss the JWAN project and provide assistance. JWAN maintains an ongoing relationship with Microsoft's Justice and Public Safety division.

JWAN was awarded "Criminal Justice Site of the Month" on the Microsoft web site for the month of April 1998. The award recognized the JWAN web site, which describes and demonstrates the Network and software.

The U.S. Bureau of Justice Assistance has also recognized JWAN as a leader in the concept of shared criminal data and integrated criminal justice databases.



In May of 1998, Georgia Tech will hold an Information Sharing Technology Workshop for Criminal Justice. JWAN's project manager, Larry Nordlinger, has been invited speak to the participants on the technical aspects of combining data of different formats from different agencies.



These agencies are currently sharing criminal offender data through JWAN. With the information provided by these agencies, criminal histories can be constructed, physical characteristics collected, and offenders can be tracked through the criminal justice process.

JWAN's Criminal Offender Database

- Automatically downloads offender information from each agency
- Reformats data into common structure
- Combines records from each agency
- Presents data to users in a searchable format

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At the core of the Justice Wide Area Network is a database which combines criminal information from local and state justice agencies. This software is called the Criminal Offender Database.

JWAN's Criminal Offender Database

- Quick Searches
- Criminal Histories
- Multiple Physical Characteristics and Photos

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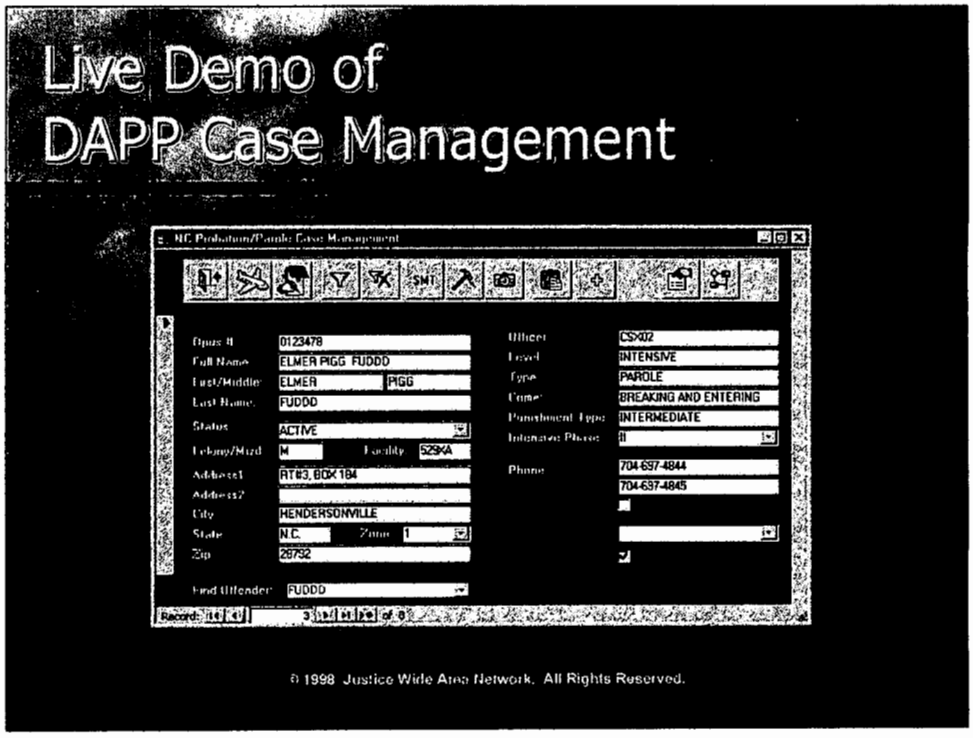
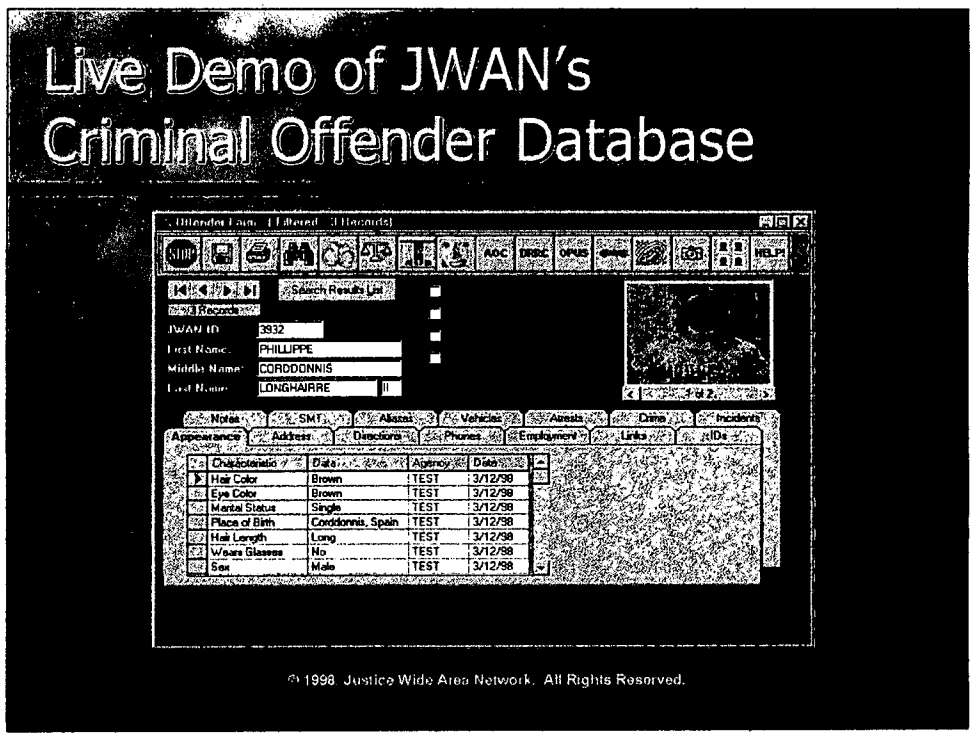


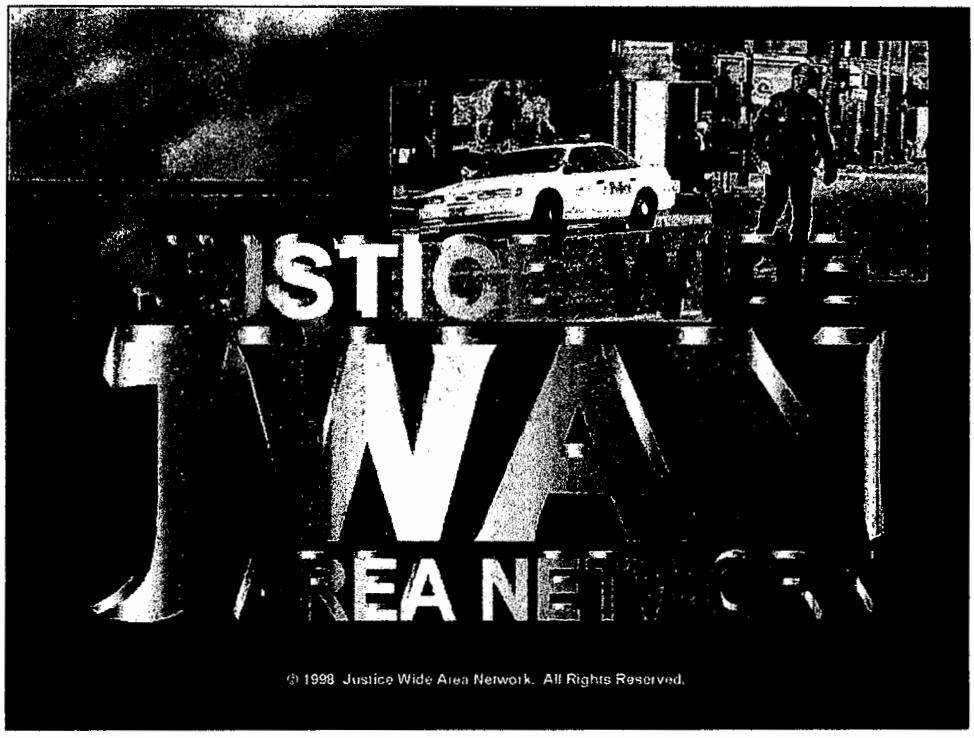
One example of where JWAN gets the data for the Criminal Offender Database is the Department of Adult Probation and Parole's Case Management application. Probation officers in Henderson County update this information on a daily basis.

A demo and complete explanation of DAPP's Case Management system is available on the World Wide Web, at http://www.henderson.lib.nc.us/county/jwan/preview.html.



The Criminal Offender Database is the core of the JWAN project. This software automatically retrieves live criminal offender information from connected agencies. In this demonstration, we will do several searches by physical characteristics and view detailed information within the Database.

A demo and complete explanation of the Criminal Offender Database is available on the World Wide Web, at http://www.henderson.lib.nc.us/county/jwan/preview.html.



On April 6th, 1998, the Jwan staff officially unveiled the JWAN Criminal Offender Database and Network. The system is successfully fulfilling the ultimate mission of the project: to improve the overall efficiency of the Henderson County criminal justice system.

Development will continue as JWAN adds agency after agency to the Network and Database, increasing the quantity of data available on Henderson County offenders. The foundation has been laid for a system that will serve the Henderson County criminal justice system well into the 21st century.

VISITOR REGISTRATION SHEET

Appropriations Subcommittee Justice & Public Safety — **April 22, 1998**

Name of Committee — Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Chuck Crann	Office of State Planning
Joe Stewart	CaPS
Major Jon Ake	SHP
David R. Jones	Governor's Crime Commission
Kelly T. Saunders	Henderson County
Juanita H. Baker	PC
Linda Broome	Parole Commission
Tracy Little	" "
DAVE SIMMONS	KEANE INC
Roslyn Savitt	NC Coalition Against Domestic Violence
Greg Ford	AOC
Don Ace	State PATROL -
Don Nay	DOT/SBI
Larry Hodlinger	JWAN
Randy Eggers	Probation/Parole
Elizabeth Parsons	AG's Office
[illegible]	NCIA
Ron Mahr	AOC
Eddie Caldwell	NC Sheriffs Assn/NC Law Enf Off Assn
Bud Ledbetter	NC Gov Crime Comm
[illegible]	AOC
Jeanne Bonds	AOC

SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Thursday April 23, 1998 9:00 a.m.
Room 612, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Representative Gregg Thompson
Representative Larry Justus
Representative Joe Kiser

Senator Wib Gulley, Presiding

II. PRESENTATIONS

- Victims Rights Issues and Draft Report to LRC on HB 665 -- House JPS Subcommittee

  Jim Mills, Fiscal Research Division

- Comments on HB 665

  Agency and Program Representatives

- Department of Correction – Report on Governor's Proposed Operating Efficiencies (Budget Reductions)

  Joe Hamilton, Deputy Secretary
  Department of Correction

  Gregg Stahl, Assistant Secretary
  Department of Correction

III. OTHER BUSINESS

IV. ADJOURNMENT

SENATE AND HOUSE JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
April 23, 1998

The Senate and House Joint Appropriations Subcommittee on justice and Public Safety met at 9:00 a.m. on Thursday, April 23, 1998 in Room 612 of the Legislative Office Building. Representative Justus, Thompson, Kiser, Sexton and Easterling and three senators were present. Senator Ballance Vice-Chair and Senator Gulley presided.

In the absence of Senator Gulley, Co-Chair, Senator Ballance, Vice-Chair Ballance opened the meeting. Jim Mills, Fiscal Research Division was recognized to present to the Committee the Victims Rights Issues and the Draft Report to LRC on HB 665. (Handouts #l). HB 665 is the House version of the Crime Victims Rights Act. This Committee has been reviewing this bill at various meetings both jointly and separately during the interim. The bill was assigned to the House and the Senate Appropriations Sub-Committees by the LRC. A report can be made on this bill and on Crime Victims Rights generally to the LRC and that report is due by May l, 1998. The draft report needs to be ready for members by tomorrow, Friday, April 24, 1998. He explained the report can be a House, Senate, or joint. Mr. Mills said it is his understanding that the Senate which has a Crime Victims Act in Judiciary is not likely to report to the LRC on Crime Victims Rights or on this particular House Bill. The senate bill was not assigned to this sub-committee. Mr. Mills continued presenting the summary of HB 665.

Next, Mr. Mills explained Potential Funding For Crime Victims Rights Act. Handout #2). This chart compares their estimate at the time of potential cost of HB 665 compared to the final JPS budget that was passed in the 1997 Session. **Senator Ballance asked for a breakdown on indigent defense cost, and Senator Wellons asked for the cost of post conviction hearings. Staff will get this information for the Committee.** Jim Mills continued explaining the funding chart. He said this was the fiscal note at the time it was in JPS last year. The 1997-98 figure can be increased by about 10% to 15% or maybe a little higher for 1998-99.

Mr. Mills continued explaining victims rights and Mr. Gregg Stahl assisted in explaining.

Mr. Mills presented at this time draft for discussion the interim report to the 1997-98 General Assembly by the House Appropriations Subcommittee on Justice and Public Safety on the study of victims rights and House Bill 665 - the Crime Victims Rights Act –pursuant to G.S. 120-130.17 (1), which passed the House JJPS Committee at the end of the 1997 Session but was not referred to the full House or other Committees. (Handout #3). During the discussion of domestic violence a handout was given on the definition of domestic violence for the enabling legislation of the Victims' Rights Amendment. (Handout #4). Mr. Greg Stahl assisted with the explanation. Rep. Easterling asked for the statues pertaining to this and Charles Perusse, staff read it for the Committee.

Senator Gulley arrived for the meeting and was asked to preside . Mr. Mills continued explaining the draft of the report. With only the House members voting a motion was made by Representative Justus to accept this report to be presented to the Legislative Research Commission. The motion carried. Senator Gulley asked the staff to write a letter to the LRC that will say that the Senate members of the Appropriations Subcommittee on JPS are not going to make a report prior to their reporting deadline but will continue to work on the issue during the Short Session. Also, add the discussions on this were held jointly. Committee members will receive a finished copy of the report.

Mr. Joe Hamilton, Deputy Secretary of the Department of Correction was introduced at this time to present the Report on Governor's Operating Efficiencies (Budget Reductions). (Handout #5). Secretary of Corrections and Mr. Hamilton both felt that each operating entity in the agency should review their budget and things they thought they could do to improve efficiency. With this direction each operation entity contributed to the reductions presented in this report. During discussions and questions Mr. Greg Stahl and Mr. Buddy Humphrey assisted Mr. Hamilton. Mr. Greg Stahl explained State Matching Funds for Federal Grants number 5 in the report. Mr. Hamilton explained the Welfare Fund as being the profits from the canteens. The Welfare Fund is used for a variety of inmate related cost such as televisions in a dormitory, education, recreation equipment, special programs. The terminology is in the statutes. A chart showing receipts and expenditures actual and projected of the welfare funds was given out. (Handout #6). During the discussion on inmate draws a chart explaining this was given out. (Handout #7). Inmates can earn money on the incentive wage program and can receive money from their families and from this can draw $1.00 a day. A computer program keeps these records.

During the discussion on closing Small Inefficient Units of prisons, Mr. Hamilton explained those people employed at these units will be offered a position in a unit that remains open. Mr. Greg Stahl assisted in answering questions.

The meeting adjourned at 11:45 a.m.

Senator Wib Gulley, Co-Chair

Sarah Murphy, Acting Committee Clerk

SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY - INTERIM MEETING

Thursday April 23, 1998 9:00 a.m.
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- Department of Correction – Report on Governor's Proposed Operating Efficiencies (Budget Reductions)

  Joe Hamilton, Deputy Secretary
  Department of Correction

  Gregg Stahl, Assistant Secretary
  Department of Correction

III. OTHER BUSINESS

IV. ADJOURNMENT

Handout #1

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE BILL 665
Committee Substitute Favorable 6/25/97
Committee Substitute #2 Favorable 7/10/97
Proposed Committee Substitute H665-PCS7371

Short Title: Crime Victims' Rights Act. (Public)

Sponsors:

Referred to:

March 27, 1997

A BILL TO BE ENTITLED

AN ACT TO CREATE THE CRIME VICTIMS' RIGHTS ACT, TO ASSIST VICTIMS OF DOMESTIC VIOLENCE, TO ALLOW THE ENFORCEMENT OF ORDERS FOR RESTITUTION IN CRIMINAL CASES IN THE SAME MANNER AS CIVIL JUDGMENTS, TO CREATE AN EXCEPTION TO THE STATUTORY EXEMPTIONS FOR EXECUTION OF RESTITUTION JUDGMENTS, AND TO CHANGE THE ORDER OF PRIORITY FOR DISBURSEMENT OF FUNDS IN CRIMINAL CASES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 15A of the General Statutes is amended by adding a new Subchapter to read:

"SUBCHAPTER XVI. CRIME VICTIMS' RIGHTS.

"ARTICLE 101.

"Crime Victims' Rights Act.

"**§ 15A-2010. Definitions.**

(a) The following definitions apply in this Article:

(1) Accused. -- A person who has been arrested and charged with committing a crime covered by this Article.

(2) Law enforcement agency. -- Law enforcement agency includes the following:

a. Arresting law enforcement agency. -- The law enforcement agency that makes the arrest of an accused.
b. Custodial agency. -- The agency that has legal custody of an accused or defendant arising from a charge or conviction of a crime covered by this Article including, but not limited to, local jails or detention facilities, regional jails or detention facilities, or the Department of Correction.
c. Investigating law enforcement agency. -- The law enforcement agency with primary responsibility for investigating the crime committed against the victim.

(3) Next of kin. -- The victim's spouse, children, parents, siblings, or grandparents. The term does not include the accused unless the charges are dismissed or the person is found not guilty.

(4) Victim. -- A person against whom there is probable cause to believe one of the following crimes was committed:
a. A Class A, B1, B2, C, D, or E felony.
b. A Class F felony if it is a violation of one of the following: G.S. 14-16.6(b); 14-16.6(c); 14-18; 14-32.1(e); 14-32.2(b)(3); 14-32.3(a); 14-32.4; 14-34.2; 14-34.6(c); 14-41; 14-43.2; 14-43.3; 14-190.17; 14-190.19; 14-202.1; or 14-288.9.
c. A Class G felony if it is a violation of one of the following: G.S. 14-32.3(b); 14-51; 14-58; 14-87.1; 20-138.5; or 20-141.4.
d. A Class H felony if it is a violation of one of the following: G.S. 14-32.3(a); 14-32.3(c); or 14-33.2.
e. A Class I felony if it is a violation of one of the following: G.S. 14-277.3; 14-32.3(b); 14-34.6(b); or 14-190.17A.
f. An attempt of any of the felonies listed in this subdivision if the attempted felony is punishable as a felony.

(b) If the victim is deceased, then the next of kin, in the order set forth in the definition contained in this section, is entitled to the victim's rights under this Article, except for the rights contained in G.S. 15A-2014. An individual entitled to exercise the victim's rights as a member of the class of next of kin may designate anyone in the class to act on behalf of the class.

"**§ 15A-2010.1. Assistance to victims of domestic violence.**

Effective July 1, 1999, victims of domestic violence shall be entitled to all of the rights of victims under this Article. For purposes of this Article, a victim of domestic violence is any person against whom there is probable cause to believe that a felony or misdemeanor which fits the definition of domestic violence contained in G.S. 50B-1 has been committed, including G.S. 14-33, 14-134.3, 14-277.1, and 14-318.2, as well as the attempt of any such felony or misdemeanor. These crimes are in addition to the felonies set forth in G.S. 15A-2010(a)(4).

"**§ 15A-2011. Responsibilities of law enforcement agency.**

(a) Within 24 hours after identifying a victim covered by this Article, the investigating law enforcement agency shall provide the victim with the following information:

(1) The availability of medical services, if needed.

(2) The availability of crime victims' compensation funds under Chapter 15B of the General Statutes and the address and telephone number of the agency responsible for dispensing the funds.

(3) The address and telephone number of the district attorney's office that will be responsible for prosecuting the victim's case.

(4) The name and telephone number of an investigating law enforcement agency employee whom the victim may contact if the victim has not been notified of an arrest in the victim's case within six months after the crime was reported to the law enforcement agency.

(5) Information about an accused's opportunity for pretrial release.

(6) The name and telephone number of an investigating law enforcement agency employee whom the victim may contact to find out whether the accused has been released from custody.

(b) Within 24 hours after receiving notification from the arresting law enforcement agency that the accused has been arrested, the investigating law enforcement agency shall forward to the district attorney's office that will be responsible for prosecuting the case the victim's name, address, date of birth, social security number, race, sex, and telephone number, unless the victim refuses to disclose any or all of the information, in which case, the investigating law enforcement agency shall so inform the district attorney's office.

(c) Upon receiving the information in subsection (a) of this section, the victim shall, on a form provided by the investigating law enforcement agency, indicate whether the victim wishes to receive any further notices from the investigating law enforcement agency. If the victim elects to receive further notices, the victim shall be responsible for notifying the investigating law enforcement agency of any changes in the victim's name, address, and telephone number.

(d) Within 24 hours after the arrest of a person believed to have committed a crime covered by this Article, the arresting law enforcement agency shall inform the investigating law enforcement agency of the arrest. Within 24 hours of being notified of the arrest, the investigating law enforcement agency shall notify the victim of the arrest.

"**§ 15A-2012. Responsibilities of the district attorney's office.**

(a) Within 21 days after the arrest of the accused, but not less than 24 hours before the accused's first scheduled probable cause hearing, the district attorney's office shall provide to the victim a pamphlet or other written material that explains in a clear and concise manner the following:

(1) The victim's rights under this Article, including the right to confer with the attorney prosecuting the case about the disposition of the case and the right to provide a victim impact statement.
(2) The responsibilities of the district attorney's office under this Article.
(3) The victim's eligibility for compensation under the Crime Victims' Compensation Act and the deadlines by which the victim must file a claim for compensation.
(4) The steps generally taken by the district attorney's office when prosecuting a felony case.
(5) Suggestions on what the victim should do if threatened or intimidated by the accused or someone acting on the accused's behalf.
(6) The name and telephone number of a victim and witness assistant in the district attorney's office whom the victim may contact for further information.

(b) Upon receiving the information in subsection (a) of this section, the victim shall, on a form provided by the district attorney's office, indicate whether the victim wishes to receive notices of some, all, or none of the trial and posttrial proceedings involving the accused. If the victim elects to receive notices, the victim shall be responsible for notifying the district attorney's office or any other department or agency that has a responsibility under this Article of any changes in the victim's address and telephone number. The victim may alter the request for notification at any time by notifying the district attorney's office and completing the form provided by the district attorney's office.

(c) The district attorney's office shall notify a victim of the date, time, and place of all trial court proceedings of the type which the victim has elected to receive notice. All notices required to be given by the district attorney's office shall be given in a manner that is reasonably calculated to be received by the victim prior to the date of the court proceeding.

(d) Whenever practical, the district attorney's office shall provide a secure waiting area during court proceedings that does not place the victim in close proximity to the defendant or the defendant's family.

(e) When the victim is to be called as a witness in a court proceeding, the court shall make every effort to permit the fullest attendance possible by the victim in the proceedings.

(f) Prior to the disposition of the case, the district attorney's office shall offer the victim the opportunity to consult with the prosecuting attorney to obtain the views of the victim about the disposition of the case, including the victim's views about dismissal, plea or negotiations, sentencing, and any pretrial diversion programs.

(g) At the sentencing hearing, the prosecuting attorney shall submit to the court a copy of a form containing the identifying information set forth in G.S. 15A-2011(b) about any victim electing to receive further notices under this Article. The form shall be included with the final judgment and commitment transmitted to the Department

of Correction or other agency receiving custody of the defendant and shall be maintained by the custodial agency as a confidential file.

"§ 15A-2013. Evidence of victim impact.

(a) A victim has the right to offer evidence of the impact of the crime, which shall be considered by the court or jury, as the case may be, in sentencing the defendant. The evidence may include the following:

(1) A description of the nature and extent of any physical, psychological, or emotional injury suffered by the victim as a result of the offense committed by the defendant.

(2) An explanation of any economic or property loss suffered by the victim as a result of the offense committed by the defendant.

(3) A request for restitution and an indication of whether the victim has applied for or received compensation under the Crime Victims' Compensation Act.

(b) No victim shall be required to offer evidence of the impact of the crime. No inference or conclusion shall be drawn from a victim's decision not to offer evidence of the impact of the crime.

"§ 15A-2014. Restitution.

(a) Upon conviction of the defendant or upon a plea of guilty, the court shall, in addition to any penalty authorized by law, require that the defendant make restitution to a victim or the victim's estate for any injuries or damages arising out of the offense committed by the defendant. In determining the amount of restitution, the court shall consider the following:

(1) The cost of any medical or other professional services and devices or equipment required by the victim.

(2) The cost of physical therapy, occupational therapy, and rehabilitation required by the victim.

(3) Any income loss, after taxes, suffered by the victim.

(4) The cost of any psychological or medical treatment for the victim's next of kin.

(5) The cost of the victim's funeral and any related services.

(6) Any other injuries or damages arising out of the offense committed by the defendant.

(b) The court may require that the victim or the victim's estate provide evidence that documents the costs claimed by the victim or the victim's estate under this section. Any such documentation shall be shared with the defendant before the sentencing hearing.

(c) In determining the amount of restitution to be made, the court shall take into consideration the resources of the defendant including all real and personal property owned by the defendant and the income derived from the property, the defendant's ability to earn, the defendant's obligation to support dependents, and any other matters that pertain to the defendant's ability to make restitution, but the court is not required to make findings of fact or conclusions of law on these matters. The amount of restitution must be limited to that supported by the record, and the court may

order partial restitution when it appears that the damage or loss caused by the offense is greater than that which the defendant is able to pay.

(d) An order providing for restitution does not abridge the right of a victim or the victim's estate to bring a civil action against the defendant for damages arising out of the offense committed by the defendant.

(e) The court may order the defendant to make restitution to a person other than the victim, or to any organization, corporation, or association, including the Crime Victims' Compensation Fund that provided assistance to the victim following the commission of the offense by the defendant. Restitution shall be made to the victim or the victim's estate before it is made to any other person, organization, corporation, or association.

(f) The court may require the defendant to make full restitution no later than a certain date or, if the circumstances warrant, may allow the defendant to make restitution in installments over a specified time period.

(g) If the defendant is placed on probation or post-release supervision, any restitution ordered under this Article shall be a condition of probation or post-release supervision.

(h) If the court orders partial restitution, the court shall state on the record the reasons for such an order.

"**§ 15A-2015. Enforcement of order for restitution.**

(a) An order for restitution under this Article may be enforced in the same manner as a civil judgment, subject to the provisions of this section.

(b) The order for restitution under this Article shall be docketed and indexed in the county of the original conviction in the same manner as a civil judgment. The order for restitution may be collected in the same manner as a civil judgment unless the order to pay restitution is a condition of probation. If the order to pay restitution is a condition of probation, the judgment may only be collected in accordance with subsection (c) of this section.

(c) If the defendant is ordered to pay restitution as a condition of probation, the docketed judgment may not be collected until the date of notification to the clerk of superior court in the county of the original conviction that the judge presiding at the probation termination or revocation hearing has made a finding that restitution in a sum certain remains due and payable, that the defendant's probation has been terminated or revoked, and that the remaining balance of restitution owing may be collected by execution on the judgment. The clerk shall then enter upon the judgment docket the amount that remains due and payable on the judgment, together with amounts equal to the standard fees for docketing, copying, certifying, and mailing, as appropriate, and shall notify the victim by first-class mail at the victim's last known address that the judgment may be executed upon, together with the amount of the judgment. Until the clerk receives notification of termination or revocation of probation and the amount that remains due and payable on the order of restitution, the clerk shall not be required to update the judgment docket to reflect partial payments on the order of restitution as a condition of probation.

(d) An appeal of the conviction upon which the order of restitution is based shall stay execution on the judgment until the appeal is completed. If the conviction is overturned, the judgment shall be removed from the judgment docket.

"**§ 15A-2016. Posttrial responsibilities.**

(a) Within 30 days after the final proceeding of the trial phase of the case, the district attorney's office shall notify the victim, in writing, of:

(1) The final disposition of the case.

(2) The crimes of which the defendant was convicted.

(3) The defendant's right to appeal, if any.

(b) Upon a defendant's giving notice of appeal to the Court of Appeals or the Supreme Court, the district attorney's office shall forward to the Attorney General's Office the victim's name, address, and telephone number. Upon receipt of this information, and thereafter as the circumstances require, the Attorney General's Office shall provide the victim with the following:

(1) A clear and concise explanation of how the appellate process works, including information about possible actions that may be taken by the appellate court.

(2) Notice of the date, time, and place of any appellate proceedings involving the defendant. Notice shall be given in a manner that is reasonably calculated to be received by the victim prior to the date of the proceedings.

(3) The final disposition of an appeal.

(c) If the defendant has been released on bail pending the outcome of the appeal, the agency that has custody of the defendant shall notify the investigating law enforcement agency, and the investigating law enforcement agency shall notify the victim that the defendant has been released.

(d) If the defendant's conviction is overturned, and the district attorney's office decides to retry the case or the case is remanded to superior court for a new trial, the victim shall be entitled to the same rights under this Article as if the first trial did not take place.

(e) The Conference of District Attorneys shall maintain a repository relating to victims' identities, addresses, and other appropriate information for use by agencies charged with responsibilities under this Article.

"**§ 15A-2017. Responsibilities of agency with custody of defendant.**

The Department of Correction shall notify the victim of:

(1) The projected date by which the defendant can be released from custody. The calculation of the release date shall be as exact as possible, including earned time and disciplinary credits if the sentence of imprisonment exceeds 90 days.

(2) An inmate's assignment to a minimum custody unit and the address of the unit. This notification shall include notice that the inmate's minimum custody status may lead to the inmate's participation in one or more community-based programs such as work release or supervised leaves in the community.

(3) The victim's right to submit any concerns to the agency with custody and the procedure for submitting such concerns.
(4) The defendant's escape from custody.
(5) The defendant's capture.
(6) The date the defendant is scheduled to be released from the facility. Whenever practical, notice shall be given 60 days before release.
(7) The defendant's death.

"§ 15A-2018. Responsibilities of Division of Adult Probation and Parole.

The Division of Adult Probation and Parole shall notify the victim of:

(1) The defendant's regular conditions of probation or post-release supervision, special or added conditions, supervision requirements, and any subsequent changes.
(2) The date of a hearing to determine whether the defendant's supervision should be revoked, continued with or without modifications, or terminated.
(3) The final disposition of any hearing referred to in subdivision (2) of this section.
(4) Any restitution modification.
(5) The defendant's movement into or out of any intermediate sanction as defined in G.S. 15A-1340.11(6).
(6) The defendant absconding supervision.
(7) The capture of a defendant described in subdivision (6) of this section.
(8) The date when the defendant is terminated or discharged.
(9) The defendant's death.

"§ 15A-2019. Notice of commuted sentence or pardon.

The Governor's Clemency Office shall notify a victim when it is considering commuting the defendant's sentence or pardoning the defendant. The Governor's Clemency Office shall also give notice that the victim has the right to present a written statement to be considered by the Office before the defendant's sentence is commuted or the defendant is pardoned. The Governor's Clemency Office shall notify the victim of its decision. Notice shall be given in a manner that is reasonably calculated to allow for a timely response to the commutation or pardon decision.

"§ 15A-2020. No money damages.

This Article does not create a claim for damages against the State, a county, or a municipality, or any of its agencies, instrumentalities, officers, or employees.

"§ 15A-2021. No ground for relief.

The failure or inability of any person to provide a right or service under this Article may not be used by a defendant in a criminal case, by an inmate, or by any other accused as a ground for relief in any criminal or civil proceeding.

"§ 15A-2022. Incompetent victim's rights exercised.

When a victim is rendered mentally or physically incompetent or when the victim is a minor, the victim's rights under this Article, other than the rights provided by G.S. 15A-2014 and G.S. 15A-2015, may be exercised by the victim's next of kin."

Section 1.1. The Joint Legislative Corrections Oversight Committee shall study alternative methods for providing grants to local law enforcement agencies to provide services specified in the Crime Victims' Rights Act to designated victims of crime. The Committee shall report the findings of its study and its recommendations to the 1998 Regular Session of the 1997 General Assembly.

Section 2. The provisions of Article 45 of Subchapter VIII of Chapter 15A of the General Statutes are supplemental to the provisions of Article 101 of Subchapter XVI of Chapter 15A of the General Statutes as enacted in Section 1 of this act. If there is any conflict between the provisions of Article 45 and Article 101, the provisions of Article 101 shall control.

Section 2.1. G.S. 1C-1601(e) reads as rewritten:

"(e) Exceptions. -- The exemptions provided in this Article are inapplicable to claims

(1) Of the United States or its agencies as provided by federal law;

(2) Of the State or its subdivisions for taxes, appearance bonds or fiduciary bonds;

(3) Of lien by a laborer for work done and performed for the person claiming the exemption, but only as to the specific property affected;

(4) Of lien by a mechanic for work done on the premises, but only as to the specific property affected;

(5) For payment of obligations contracted for the purchase of the specific real property affected;

(6) Repealed by Session Laws 1981 (Regular Session, 1982), c. 1224, s. 6;

(7) For contractual security interests in the specific property affected; provided, that the exemptions shall apply to the debtor's household goods notwithstanding any contract for a nonpossessory, nonpurchase money security interest in any such goods;

(8) For statutory liens, on the specific property affected, other than judicial liens;

(9) For child support, alimony or distributive award order pursuant to Chapter 50 of the General ~~Statutes.~~ Statutes;

(10) For criminal restitution orders docketed as civil judgments pursuant to G.S. 15A-2015."

Section 2.2. G.S. 7A-304(d) reads as rewritten:

"(d) In any criminal case in which the liability for costs, fines, restitution, or any other lawful charge has been finally determined, the clerk of superior court shall, unless otherwise ordered by the presiding judge, disburse such funds when paid in accordance with the following priorities:

(1) Sums in restitution prorated among the persons entitled thereto;

~~(1)~~(2) Costs due the county;
~~(2)~~(3) Costs due the city;
~~(3)~~(4) Fines to the county school fund;
~~(4) Sums in restitution prorated among the persons entitled thereto;~~
(5) Costs due the State;
(6) Attorney's fees.

Sums in restitution received by the clerk of superior court shall be disbursed when:

(1) Complete restitution has been received; or
(2) When, in the opinion of the clerk, additional payments in restitution will not be collected; or
(3) Upon the request of the person or persons entitled thereto; and
(4) In any event, at least once each calendar year."

Section 2.3. Article 45 of Subchapter VIII of Chapter 15A of the General Statutes is amended by adding a new section to read:

"**§ 15A-828. Assistance to victims of domestic violence.**

In the allocation of resources to persons the district attorney determines are victims of serious misdemeanors, the district attorney shall, to the extent possible, provide the services listed in G.S. 15A-825 to victims of domestic violence misdemeanors that could involve the infliction of serious bodily injury."

Section 2.4. The North Carolina Conference of District Attorneys, in conjunction with the Governor's Crime Commission of the Department of Crime Control and Public Safety, shall study the incidence of domestic violence and identify the felonies and misdemeanors that may be categorized as domestic violence. The study shall include participation by the seven prosecutorial districts that are currently receiving funds from the Violence Against Women Act, administered through the Governor's Crime Commission. The study shall also include participation of other prosecutorial districts which volunteer their participation in providing necessary information. The Conference shall recommend a statutory definition of domestic violence crimes that will be sufficiently clear so that it can be used by law enforcement officers and prosecutors to determine eligibility of victims of these crimes for victims' assistance services. The Conference shall also recommend whether any crimes that are currently misdemeanors should be reclassified as felonies when committed as crimes of domestic violence. The Conference shall report the findings of its study and its recommendations to the 1998 Session of the 1997 General Assembly on or before its convening date.

Section 2.5. The Post-Release Supervision and Parole Commission shall compile a report of the notification services it has provided under G.S. 15A-825(11), and pursuant to a letter from Governor Hunt to the Chair of the North Carolina Parole Commission dated October 13, 1993. The report shall include information on notification services provided through December 31, 1997. The report shall be delivered to the 1998 Session of the 1997 General Assembly on or before its convening date.

Section 2.6. The provisions of this act are severable. If any provision of this act is held invalid by a court of competent jurisdiction, the invalidity does not

affect other provisions of the act that can be given effect without the invalid provision.

Section 3. G.S. 15A-2010.1, as enacted by Section 1 of this act, becomes effective July 1, 1999. Section 2.3 of this act becomes effective when it becomes law and expires on July 1, 1999. Sections 1.1, 2.4, 2.5, and this section of this act are effective when they become law. The remainder of this act becomes effective July 1, 1998.

	Fiscal Note Estimate for HB 665 (7-10-97)		*Final JPS Budget - House and Senate Conferees*	
	97-98	***98-99***	***97-98***	***98-99***
c. Court Reporters	$125,970	$228,193	$206,216	$353,104
(12/1/97)	(5)	(5)	(8)	(8)
d. Superior Court Judges	422,240	682,781	0	0
	(5)	(5)		
e. Indigent Defense Costs	182,825	375,888	**NOTE:** House and Senate increased total Indigent Defense Budget by $3,835,338 in 97-98 and $5,703,138 in 98-99.	
f. Administration	58,769	113,934	0	0
Subtotal (Judicial)	**$3,351,629**	**$4,529,785**	-	-
	(87)	**(85)**		
4. Department of Correction	336,878	224,479	0	0
	(5)	(5)		
5. Department of Justice	22,303	35,462	0	0
	(1)	(1)		
Subtotal	**$3,710,810**	**$4,789,726**		
	(93)	**(91)**		
6. Law Enforcement (Primarily Local)	441,127	850,354	0	0
(Note: HB 665 required study of system for funding grants to law enforcement)	(27)	(27)		
TOTAL (Fiscal Note)	**$4,151,937**	**$5,640,080**		
	(120)	**(118)**		

FRD **Rev. 1** 8/20/97 **Rev. 2** 1/12/98

Handout #2

POTENTIAL FUNDING FOR CRIME VICTIMS RIGHTS ACT
(Compared to Fiscal Note Estimate for HB 665, July 10, 1997 Committee Substitute)*

Judicial	*Fiscal Note Estimate for HB 665 (7/10/97)* 97-98 (1-1-98)	98-99	*Final JPS Budget - House and Senate Conferees* 97-98	98-99
Direct Funding				
1. Services by Victim Witness Assistants**	$1,028,100	$1,590,635	$2,689,680	$3,414,915
(12/1/97)	(46)	(46)	(105)	(105)
Indirect Funding* **				
2. Upgrade/Finish Dist. Atty.	840,120	163,407	5,289,631	1,437,176
Automated Case System ****	(4)	(2)	**(Reserve for Technology)**	
3a. Assistant D.A.'s	541,552	1,085,683	2,122,632	3,543,696
(12/1/97)	(16)	(16)	(54)	(54)
b. Deputy Clerks	152,053	289,264	1,593,200	2,543,200
(12/1/97)	(11)	(11)	(100)	(100)

* Final version of HB 665 that passed JPS Subcommittee changed effective date to July 1, 1998 so actual cost in 1997-98 will not occur --- 98-99 costs will increase by about 15% to fund non-recurring originally calculated for 97-98

** House and Senate Conferees established a new position class that will provide administrative and victims assistance to district attorneys. 45 of the 105 positions will be in a reserve and funding is dependent on ratification of the Crime Victims Rights Act.

*** Indirect Funding - House and Senate Budgets did not directly fund other Judicial court resources for implementation of victims rights legislation. However, a considerable number of Judicial personnel that would have responsibility for victims rights are funded in final bill.

[redacted]* JPS Conferees recommended establishing a Reserve fo[redacted]nology; the Automated Case Management System will b[redacted]led

Handout #3

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DRAFT

FOR REVIEW ONLY

DRAFT FOR DISCUSSION 4/21/98 (1:45pm)

TO: Members of Legislative Research Commission (LRC)

Attached for your consideration is an interim report to the 1997 General Assembly (1998 regular session). This report was prepared by the House Appropriations Subcommittee on Justice and Public Safety on the study of victims rights and House Bill 665 -- the Crime Victims Rights Act -- pursuant to G.S. 120-30.17 (1).

Background – Subcommittee Charge and Activities

The House and Senate Appropriations Subcommittees on Justice and Public Safety (JPS) were assigned to study crime victims rights generally and HB 665 – the Crime Victims Rights Act -- specifically by the Legislative Research Commission (LRC). The version of HB 665 reviewed was PCS 7371, which passed the House JPS Committee at the end of the 1997 Session but was not referred to the full House or other Committees. The Joint Subcommittee held two meetings while the House Subcommittee held two separate meetings. The following issues were identified and discussed:

1. Funding for the Crime Victims Rights Act – Current Funding; Amount Needed for Crime Victims Rights Act; and, use of Direct Appropriations versus Establishment of a Special Fund.

2. Management and Coordination of Victims Services Programs and Funding.

3. Agency Requirements for Providing Services Under HB 665.

4. Provision of Rights under HB 665 to Domestic Violence Victims

This interim report is by the House JPS Subcommittee; the Senate JPS Subcommittee is not reporting to the Short Session.

Interim Findings and Recommendations

1. Funding for implementation of HB 665, the Crime Victims Rights Act, and for any related special grant programs should be provided through direct appropriations as a General Fund item rather than through an increase in the General Court of Justice Court fees. Earlier versions of HB 665 included a $5 increase in General Court of Justice fees that would have generated $5million

dollars for a special Victims Fund. These court fees have traditionally been used to generate non-tax revenue for the General Fund and have not been used for special needs. Use of direct appropriations provides more direct involvement and oversight by the General Assembly in determining the resource needs of the agencies responsible for implementing HB 665.

2. The Appropriations Committees should consider providing funding in 1998-99 to the Departments of Correction and Justice to implement HB 665 if ratified, but funding already authorized for the Judicial Department by the 1997 General Assembly should be adequate for 1998-99. The resource needs of Correction and Justice seem reasonable given new victim services responsibilities assigned by HB 665. Estimated cost for Correction is $385,000 and five positions and $39,000 and one position for Justice. The Judicial Department has indicated that with funding provided in 1997 and with the release of funds in a reserve for 45 Victim/Legal Support positions, that the Department will have adequate funding for 1998-99 provided no major changes are made to HB 665.

3. The General Assembly and Appropriations Committees should consider appropriating funds to a reserve for state grants to assist local law enforcement with implementation of HB 665. Estimated need is approximately $1 million, but this amount could be reduced if the Governors Crime Commission provides a grant ($200,000) for training and for development of victims services material for use statewide by all law enforcement organizations. This reserve fund should be placed in Crime and Control and Public Safety with direction from the Appropriations Committees on the criteria for allocating funds. Criteria should include a requirement that workload -- services and transactions -- be documented and a requirement ensuring services and funding do not duplicate other state or local programs.

4. Creation of other grant programs for special projects for victims should be delayed until coordination of current grant programs and other services among different agencies are improved. The House Subcommittee's review noted that there is over $36 million in state and federal recurring and grant expenditures for victims services in North Carolina but there is no central coordination of state and local victims services and funding. Further, a March 31, 1998 report by the Office of State Budget and Management (OSBM) on grant programs to victims highlighted the potential for duplication of service and certain administrative inefficiencies in state and federal domestic violence and rape crisis grant programs. Recommendations in the OSBM report should be reviewed, particularly the recommendation for an interagency group to coordinate domestic violence and rape crisis grants.

5. The General Assembly should consider delaying the effective date for HB 665 from July 1, 1998 to October 1, 1998 to ensure adequate time for preparation by state and local agencies for implementation of the Act. Additionally, given the potential increase in cost and workload of adding coverage of domestic violence misdemeanors to HB 665 on July 1, 1999, consideration should also be given to extending that date. HB 665 already provides coverage to felony victims of domestic violence.

6. The General Assembly should consider revising sections of HB 665 that require provision of rights to victims within 24 hours to ensure state and local agencies have adequate time to provide victims and other agencies with information. For example, under HB 665, law enforcement must provide victims with services information within 24 hours of identification of the victim

and the victims must be provided with arrest information within 24 hours after the investigating agency receives such information.

Handout # 4

Domestic Violence Study Commission

Governor's Crime Commission

On January 22, 1998, the Domestic Violence Study Commission of the Governor's Crime Commission adopted the following definition of domestic violence for the enabling legislation of the Victims' Rights Amendment:

For the purposes of determining eligibility for crime victims assistance, misdemeanor offenses included in addition to the aforementioned felony offenses are, any violation of NCGS 14-33(c)(1), 14-33(c)(2), 14-33(a), 14-34, 14-134.3, or 14-277.3 that is committed between persons who are current or former spouses, or who live together in an intimate relationship or have lived together in an intimate relationship, or who have or are expecting a child in common.

Department of Correction
Operating Efficiencies

	1998-99

1. **Receipt Adjustments**
It is recommended that receipts in the department from federal nutrition programs ($450,000) and medical reimbursement from counties ($450,000) be adjusted to reflect the increased amounts anticipated to be realized in fiscal year 1998-99.

Requirements	$ -
Receipts	900,000
Appropriation	$ (900,000)

2. **Reduction in Non Personnel Line Items**
It is recommended that various non personnel line items in the department's budget be reduced in order to free up appropriations. These line items to be reduced are in the following areas:

Reserve for Structured Sentencing	(150,000)	
Departmental Management	(366,709)	
Substance Abuse	(130,000)	
Adult Probation and Parole	(373,000)	
Division of Prisons-Custody and Security	(392,048)	
Reserve for 1,384 New Beds	(200,000)	(1,611,757)

3. **Reduction Due to Span of Control Study and Reorganization**
It is recommended that 36 positions be eliminated from the department's budget as a result of continuing to implement the results of the span of control study and departmental reorganization. The positions are in the following areas:

Area	Reduction Amount	# of Positions	
Departmental Management	$(137,129)	(2.0)	
Substance Abuse	(250,000)	(10.0)	
Prison Management	(168,307)	(2.0)	
Custody and Security	(222,695)	(5.0)	
Adult Probation and Parole	(561,033)	(11.0)	
Corrective Programs	(290,757)	(6.0)	
Total			(1,629,921)
Number of Positions			(36.0)

		1998-99
4.	**Increase Receipts from Correction Enterprise** It is recommended that receipts in the General Fund from Correction's Enterprise Operation be increased by $500,000. This payment is made by the Enterprise Operation for services provided by the General Fund. The amount of receipts from Enterprise (currently $1,060,000 per year) has not been increased since _____.	
	Requirements	$ -
	Receipts	500,000
	Appropriation	$ (500,000)
5.	**State Matching Funds for Federal Grants** It is recommended that the appropriation of $325,000 for state year 1998-99 for matching federal grant funds be eliminated. Any needed funds would be identified by the department from other sources.	(325,000)
6.	**Decrease Post-Release Supervision and Parole Commission Requirements** It is recommended that that the mandatory 10% reduction that must be identified by the Commission be eliminated from the budget. The requirement for the identification of this reduction is contained in Section 19.9 of Senate Bill 352 from the 1997 Session of the General Assembly.	(233,000)
7.	**Support Vocational Teacher from Welfare Fund** It is recommended that seven vocational teachers, not engaged in teaching youths, currently being paid from the general fund be reimbursed from the Welfare Fund.	
	Requirements	$ -
	Receipts	374,103
	Appropriation	$ (374,103)
8.	**Increase Transfer of Welfare Funds to the General Fund** It is recommended that receipts in the General Fund be increased by $334,000 transferred from the Welfare Fund. The additional funds in the Welfare Fund will be generated by increasing the inmate weekly draw from $35 to $40 and increasing the profit margin in the canteens from 17% to 18%. The inmate weekly draw was last adjusted in 1991 and the profit margin was last adjusted in 1982.	
	Requirements	$ -
	Receipts	334,000
	Appropriation	$ (334,000)

	1998-99

9. **Increase Receipts from Work Release Fund**

It is recommended that receipts in the General Fund be increased by $334,000 transferred from the Work Release Fund. The increased transfer from the Welfare Fund will be supported by an increase of one dollar per day in the per diem rate charged to inmates on work release. The per diem rate would increase from $12.50 to $13.50. The per diem rate was last adjusted in 19 90.

Requirements	$ -
Receipts	291,000
Appropriation	$ (291,000)

10. **Close Small Inefficient Units**

The Government Performance Audit Committee (GPAC) recommended that small and expensive to operate prison units be considered for closing when sufficient inmate beds become available. The department has reviewed the remaining units identified by GPAC and recommends that they be closed during fiscal year 1998-99. The timing of the closings has been reviewed in light of needed beds. According to the estimates provided by the North Carolina Sentencing Commission, these units can be closed without creating a shortage of beds. The first phase of closings would be effective January 1, 1999 at the following units:

Unit	1998-99 Reduction	# of Positions
Alamance	$(485,889)	(27.0)
Alexander	(504,232)	(27.0)
Martin	(432,051)	(24.0)
Sandy Ridge	(427,657)	(24.0)

The second phase of closings would be effective March 1, 1999 at the following units:

Unit	1998-99 Reduction	# of Positions
Scotland	$(494,657)	(42.0)
Stanly	(979,223)	(72.0)
Stokes	(383,696)	(26.0)
Union	(600,771)	(55.0)
Mecklenburg	(814,840)	(60.0)

Total	(5,123,016)
Number of Positions	(357.0)

Subtotal - Department of Correction

Requirements	$ (8,922,694)
Receipts	2,399,103
Appropriation	$ (11,321,797)
Number of Positions	(393.0)

Handout #6

DIVISION OF PRISONS

WELFARE RECEIPTS AND EXPENDITURES - ACTUAL FOR 95-96 AND 96-97
WELFARE RECEIPTS AND EXPENDITURES - PROJECTED FOR 97-98

DESCRIPTION	ACTUAL 95-96	ACTUAL 96-97	PROJECTED 6/30/98
RECEIPTS:			
CANTEEN SALES	17,033,457	19,504,337	23,470,511
PAY TELEPHONE COMMISSIONS	6,394,792	7,155,259	5,333,959
MISC. RECEIPTS	427,539	259,743	229,503
TOTAL RECEIPTS	**23,855,788**	**26,919,339**	**29,033,973**
EXPENDITURES:			
CANTEEN MERCHANDISE	14,760,255	16,915,711	20,367,228
SALES TAX ON SALES & BANK CHGS	1,045,573	1,090,575	1,286,834
SALARIES & BENEFITS	197,913	225,271	484,887
(PAYPHONE/CASHLESS/TRUST FUND)			
PAY TELEPHONE EXPENSE	476,881	552,116	1,370,787
JOB ORDERS	1,634,014	556,438	743,040
INFORMATION HIGHWAY	29,439	28,601	37,382
EDUCATION	3,146,840	3,617,003	2,818,601
VICTIMS COMPENSATION FUND	413,370	430,110	463,170
INDIGENT INMATES	424,029	498,894	541,670
CASHLESS CANTEENS & TRUST FUND	83,381	143,316	166,886
FACILITY SUPPLIES & EQUIPMENT	1,976,057	2,785,499	2,393,240
TOTAL EXPENDITURES	**24,187,752**	**26,843,534**	**30,673,723**
RECEIPTS OVER EXPENDITURES	**(331,964)**	**75,805**	**(1,639,750)**
BEGINNING CASH BALANCE 7/1/95	**4,495,789**		
BEGINNING CASH BALANCE 7/1/96		**4,164,811**	
BEGINNING CASH BALANCE 7/1/97			**4,250,233**
PROJECTED CASH BALANCE 7/1/98			**2,610,483**

Handout #7

N. C. Department of Correction

Description	Amount
Impact on Receipts Resulting from Increasing Weekly Draw	
a. Number of Inmates Drawing the $35 Maximum during last 10 months	159,698
b. Increase in Inmate Weekly Draw	$5
c. Anticipated Canteen Sales Resulting from $5 Weekly Draw Increase	$798,490
d. Current Canteen Profit Margin	17%
e. Increase in Profit	$135,743
Impact on Receipts Resulting from Increasing Canteen Profit	
a. Total Annual Canteen Sales	$19,800,000
b. Percentage Increase in Canteen Profit Margin	1%
c. Increase in Profit	$198,000
Total Anticipated Increase in Welfare Receipts	$333,743

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice & Public Safety 4/23/98

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Buddy Humphrey	OSBM
Joe Stewart	COPS
PE Powell	AOC
Greg Hall	DOC
Joe Hamilton	DOC
Ken D. Howell	NCSBA