

1997

**SENATE
APPROPRIATIONS-
JUSTICE & PUBLIC
SAFETY
COMMITTEE**

MINUTES

JOINT MEETINGS OF THE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY, 1997

February 13, 1997
February 18, 1997
February 19, 1997
February 20, 1997
February 25, 1997
February 26, 1997
February 27, 1997 a.m.
February 27, 1997 p.m.
March 4, 1997 a.m.
March 4, 1997 p.m.
March 5, 1997 a.m.
March 5, 1997 p.m.
March 6, 1997
March 11, 1997 a.m.
March 11, 1997 p.m.
March 12, 1997 a.m.
March 12, 1997 p.m.
March 18, 1997 a.m.
March 18, 1997 p.m.
March 19, 1997 a.m.
March 20, 1997
March 26, 1997 a.m.
April 3, 1997

Materials from these meetings can be found in the notebooks of the Joint Meetings of the Appropriations Subcommittee on Justice and Public Safety for 1997.

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

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

HOUSE APPROPRIATIONS SUBCOMMITTEE
ON JUSTICE AND PUBLIC SAFETY
MEMBERSHIP

Rep. Larry Justus, Chair
Room 2204
733-5956

Rep. Ted Kinney
Room 527A
733-5867

Rep. Gregory Thompson, Chair
Room 1002
733-5828

Rep. David Redwine
Room 1204
733-4948\

Rep. Joe Kiser, Chair
Room 1313
733-5803

Rep. Wayne Sexton
Room 506
733-5974

Rep. Paul McCrary
Ranking Minority
Room 610
733-5780

Rep. Ronald Smith
Room 1221
733-5827

Rep. Edwin Hardy
Room 417A
715-3019

Carolyn Justus, Clerk 733-5956
Edna Sykes, Clerk 733-5828
Marilyn Holder, Clerk 733-5803

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

SENATE APPROPRIATIONS SUB-COMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Thursday, February 6, 1997 - 8:30 a.m.
Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

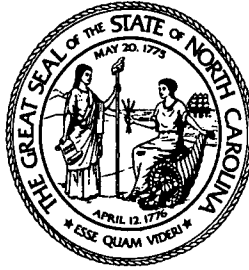
Members: Senator Frank Ballance Jr.	Senator Don East
Senator Tony Rand	Senator Allen Wellons
Senator John Blust	

II. PRESENTATIONS

- Introductory Comments by the Chair
Senator Wib Gulley
- Introduction of Committee Members
- Introduction of Fiscal Research and Bill Drafting Staff
- Introduction of Departmental Representatives
- Overview of Staff Roles and Responsibilities
Mr. Jim Mills, Fiscal Research
- Brief Overview of Fiscal Trends in Justice and Public Safety
Agencies
Mr. Charles Perusse, Fiscal Research

III. COMMITTEE DISCUSSION

IV. ADJOURNMENT



MINUTES
SENATE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY
FEBRUARY 6, 1997

The Senate Appropriations Subcommittee on Justice and Public Safety met at 8:30 am on Thursday, February 6, 1997 in Room 612 of the Legislative Office Building. Six members were present. Senator Wib Gulley, Chairman, presided.

Senator Gulley asked the members of the Subcommittee and the staff to introduce themselves. He next told the Subcommittee that the Senate budget will be sent to the House on April 18, 1997 and that the Subcommittee must finish its work by April 5, 1997.

Jim Mills, Fiscal Analyst, next gave an overview of the four department budgets that the Subcommittee handles, Department of Justice, Crime Control and Public Safety, Department of Corrections and the Judicial Department. He also told the Subcommittee which fiscal staff is assigned to each of these departments. Mr. Mills reminded the Senators that they had all received budget books and a guide to performance/program budgeting. He also stated that as the Subcommittee goes through the budget, the members can "flag" items that it would like to take a closer look at. He also told the members that the expansion budget is still being prepared and a copy will be available in the near future.

Next, Charles Perusse, Fiscal Analyst, gave an overview of the fiscal trends in the Justice and Public Safety agencies (see attached). After a brief discussion, the meeting was adjourned at 9:40 am.



Senator Wib Gulley, Chair



Carol Resar, Committee Clerk

JUSTICE & PUBLIC SAFETY AGENCIES

OVERVIEW OF FY 1996-97 BUDGET

SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
FEBRUARY 6, 1997

JUSTICE AND PUBLIC SAFETY

DEPARTMENTS/ASSIGNMENTS

ANALYSTS

Crime Control and Public Safety

Andy Willis

Division of Alcohol Law Enforcement
Division of Butner Public Safety
Division of Civil Air Patrol
Division of Crime Prevention
Division of Emergency Management
Division of Governor's Crime Commission
Division of Highway Patrol
Division of National Guard

Division of Victim and Justice Services

Elisa Wolper

Department of Justice

Legal Services

Elisa Wolper

Law Enforcement Services (SBI/DCI)
State Bureau of Investigation
Training and Standards

Andy Willis

Department of Correction

Jim Mills

Correction Management
Division of Prisons
Division of Substance Abuse
Inmate Grievance Resolution Board

Division of Adult Probation and Parole
Parole Commission
Criminal Justice Partnership Act

Elisa Wolper

Judicial System

Charles Perusse

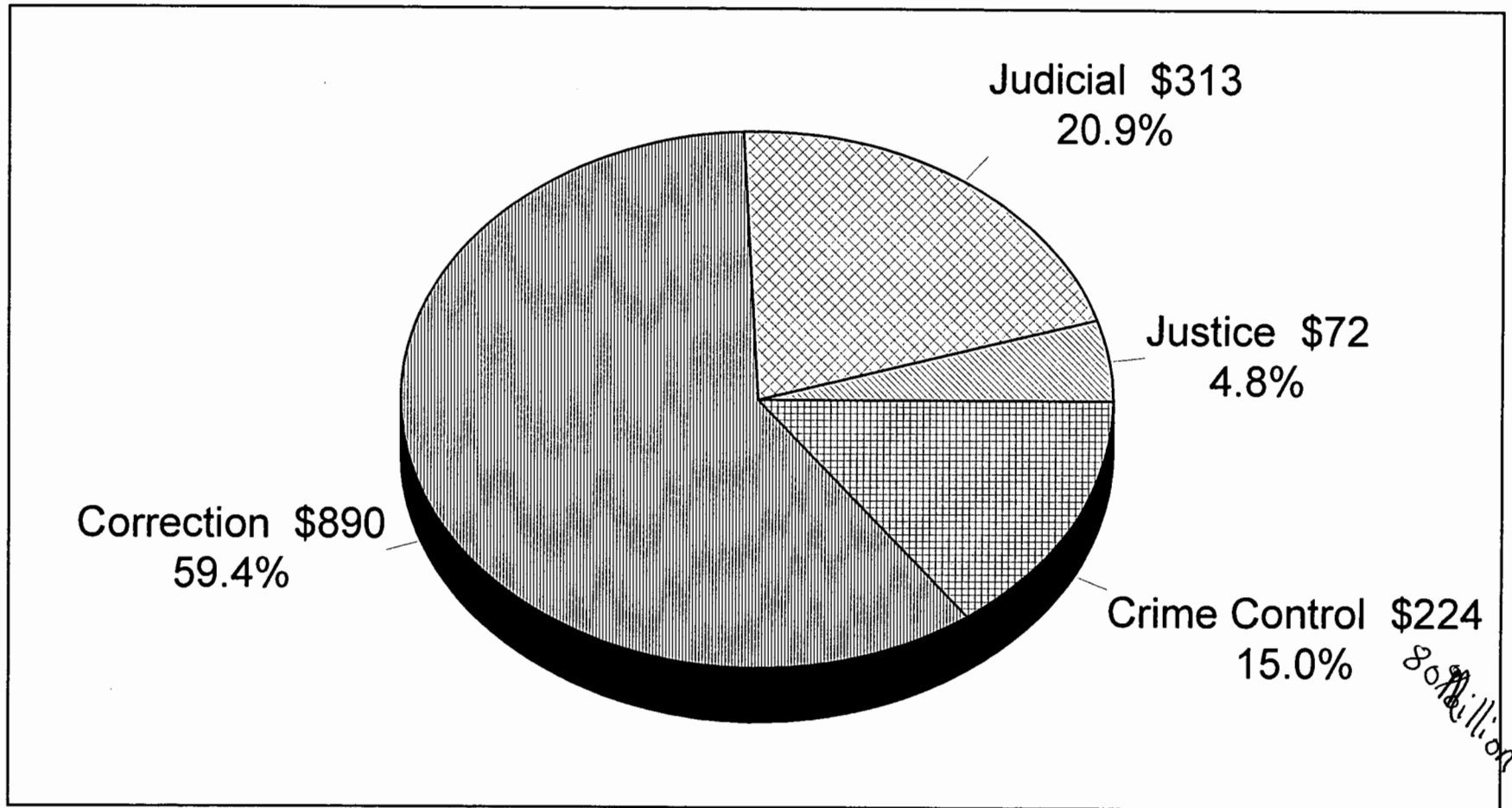
Administrative Office of the Courts
Supreme Court
Court of Appeals
Superior and District Courts
Juvenile Services
Offices of Clerks of Superior Court
Office - District Attorneys
Public Defender Services
Appellate Defender Services
Custody Mediation Program
Dispute Settlement Centers
Indigent Persons Attorney Fee Fund
Arbitration Program
Judicial Standards Commission

Community Penalties

Elisa Wolper

JUSTICE & PUBLIC SAFETY AGENCIES

FY 1996-97 Certified Budget By Department (\$ in millions)



*Total Justice & Public Safety Certified Budget for FY 1996-97 is \$1.5 billion

**TOTAL STATE OPERATING EXPENDITURES
FOR JUSTICE AND PUBLIC SAFETY AGENCIES** ¹
(\$ In Millions)

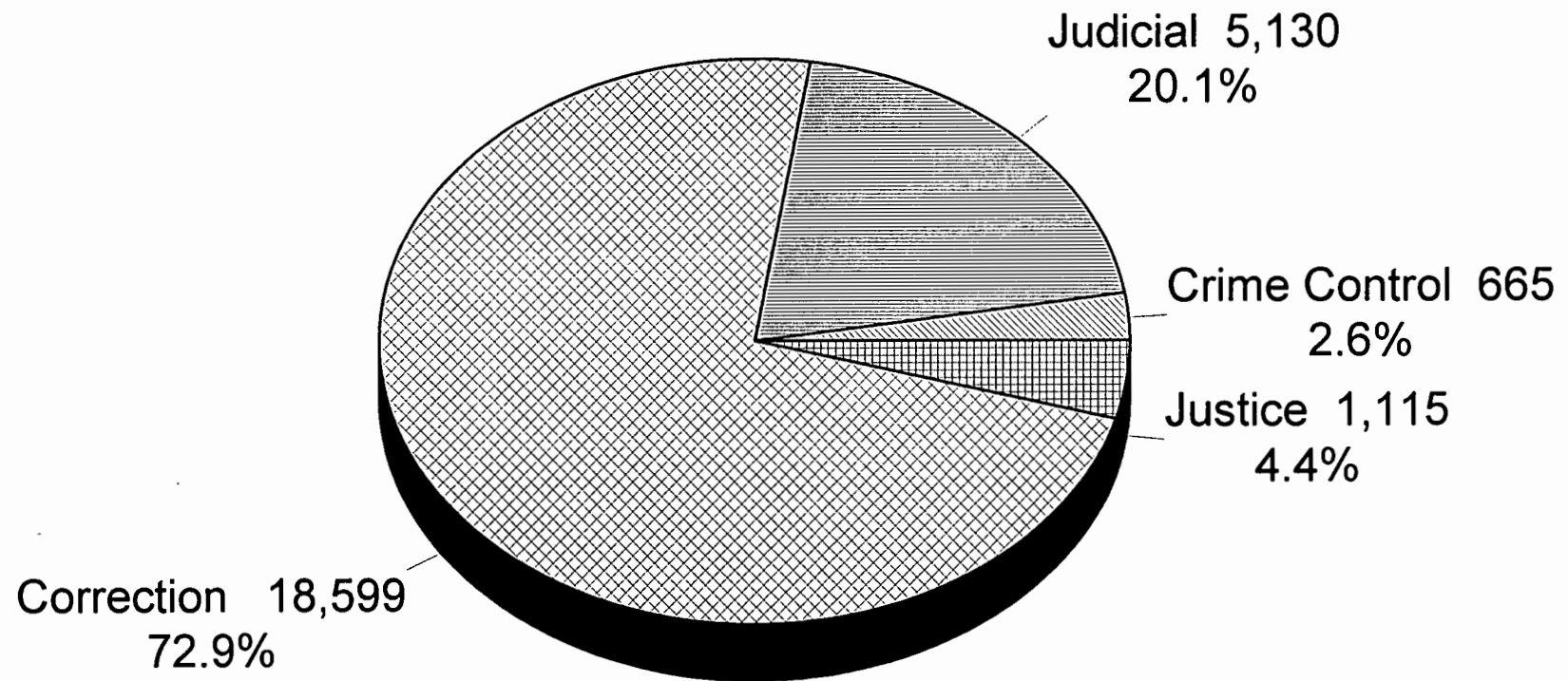
	<u>1984-85</u>	<u>1989-90</u>	<u>1994-95</u>	<u>1995-96</u>	<u>Certified</u> ² <u>1996-97</u>	<u>% Growth</u> <u>Since</u> <u>FY 1985</u>
DOC	\$215.4	352.6	668.3	767.7	889.5	313%
Judicial	121.6	185.4	278.2	291.7	312.9	157%
Justice	35.6	53.5	75.5	73.1	71.5	101%
Crime Control	29.1	91.0	63.6	71.5	224.0 ³	670%
Total	\$401.7	\$682.5	\$1,085.6	\$1,204.0	\$1,497.9	273%

Notes:

1. Includes General Fund, Federal Funds, and Other Receipts.
2. Certified Budget as of 12/15/96.
3. Includes approximately \$125 million in Federal Funds for Hurricanes Bertha & Fran.

Justice & Public Safety Agencies

FY 1996-97 Certified Positions By Department



*Total Justice and Public Safety Certified Positions for FY 1996-97 is 25,509

VISITOR REGISTRATION SHEET

Appropriation Sub JPS

2-6-97

Name of Committee

Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK.

NAME

FIRM OR AGENCY AND ADDRESS

<i>John H. Homan</i>	<i>Adm. Office of the Courts</i>
<i>Chun Mann</i>	<i>AOC</i>
<i>Doc Dorer</i>	<i>NCCDA</i>
<i>Joe Stewart</i>	<i>CCPS</i>
<i>Bob Russell</i>	<i>AOC</i>
<i>T. B. Jones Jr.</i>	<i>DOC</i>
<i>David Fenech</i>	<i>NKLEOA</i>
<i>Jan O. Gray</i>	<i>DOJ</i>
<i>Maurice Dorman</i>	<i>OSBA</i>
<i>Les Russell</i>	<i>CPR</i>
<i>John Dorman</i>	<i>OSPL</i>
<i>John R. Schall</i>	<i>The people</i>

VISITOR REGISTRATION SHEET

Name of Committee

Date _____

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Amey Anders

bonjour offre

Charles Cram

State Planning

R. H. None

CC & PS.

SENATE APPROPRIATIONS SUB-COMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Thursday, February 6, 1997 - 8:30 a.m.
Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

Members: Senator Frank Ballance Jr.	Senator Don East
Senator Tony Rand	Senator Allen Wellons
Senator John Blust	

II. PRESENTATIONS

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Agencies
Mr. Charles Perusse, Fiscal Research

III. COMMITTEE DISCUSSION

IV. ADJOURNMENT

**SENATE APPROPRIATIONS SUBCOMMITTEE
ON**

JUSTICE AND PUBLIC SAFETY

Monday March 24, 1997 – 2:00p.m.
Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

II. PRESENTATIONS

- Continue Overview of the Division of Adult Probation and Parole's Budget
- Overview of the Parole Commission
- Overview of the Criminal Justice Partnership Program
- Overview of Grant Funded Programs (Summit House, Harriet's House, and Woman at Risk Program)

Elisa Wolper, Fiscal Analyst
Department of Correction Staff

- Overview of Inmate Education and Prison Corrective Programs

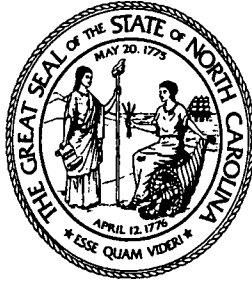
Jim Mills, Fiscal Analyst
Department of Correction Staff

- Overview of Prison Enterprises Programs

Greg Stahl, Assistant Secretary, Department of Correction

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT



MINUTES
SENATE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY
MARCH 24, 1997

The Senate Appropriations Subcommittee on Justice and Public Safety met at 2:00 PM on Monday, March 24, 1997 in Room 421 of the Legislative Office Building. Three members were present. Senator Wib Gulley, Chairman, presided.

Senator Gulley asked Elisa Wolper, Fiscal Analyst to continue her overview of the Division of Adult Probation and Parole (see attached). The Subcommittee asked that the last item on page 8 regarding the post boot camp program be flagged.

Next, Ms. Wolper reviewed the "Post-release Supervision and Parole Commission" handout (see attached).

The "Criminal Justice Partnership Program" handout was reviewed next by Ms. Wolper (see attached). Senator Gulley asked Ms. Wolper to give the Subcommittee a few more details about the day reporting centers. Nancy Shaw from the Partnership Program also answered questions by the Subcommittee. The last item on page five was flagged by the Subcommittee. Mr. Gregg Stahl with the Department of Corrections stated that some of the counties are hesitant to participate in the Partnership Program because they feel the state money is temporary and in the future these programs will not be funded, which means they would have to fund them. Senator Ballance responded by saying these programs save the counties money. The second item on page six was also flagged by the Subcommittee.

Next, Ms. Wolper summarized the "Grant Funded Programs" (see attached). She told the Subcommittee that these programs flow through the Department of Corrections, but the Department does not control them. The three programs are Summit House, Harriet's House, and Women at Risk (which is not in the continuation budget).

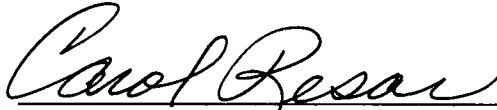
Mr. Jim Mills, Fiscal Analyst, next gave an overview of the "inmate Education and Training Programs" (see attached). He told the Subcommittee that the cost to the state to educate and train adult offenders in 1996-97 was \$108.5 million and the cost for 1997-99

will be \$107 million. He pointed out that less than 20% of the felons entering prison can read at the twelfth grade level and in 1996, 717 inmates received a GED which was 84% of the inmates who took the test after receiving prison education services. The issue stated on page ten was flagged by the Subcommittee.

The meeting was adjourned at 5:30 p.m.



Senator Wib Gulley, Chair



Carol Resar, Committee Clerk

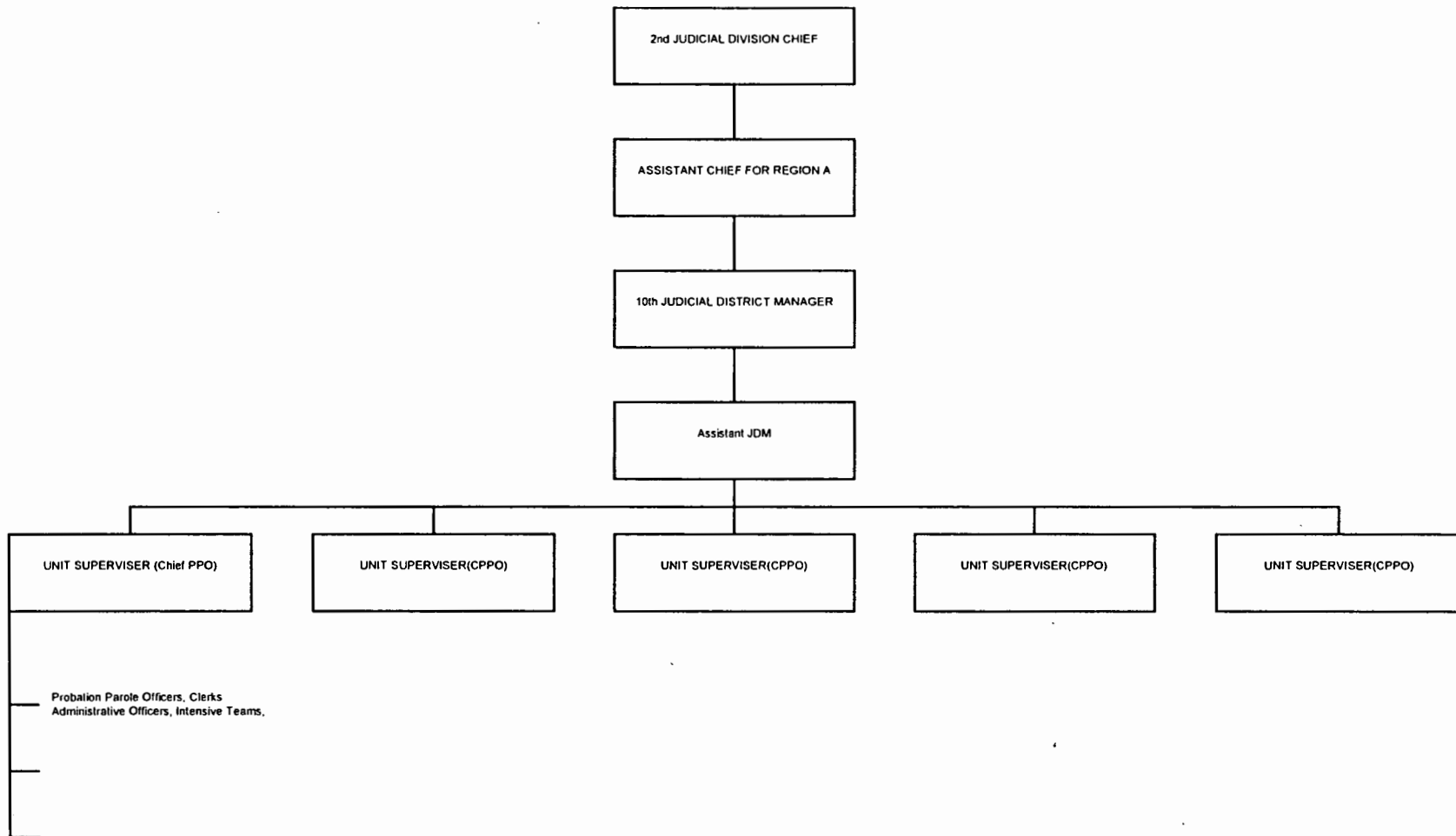
DIVISION OF ADULT PROBATION AND PAROLE

Budget Review

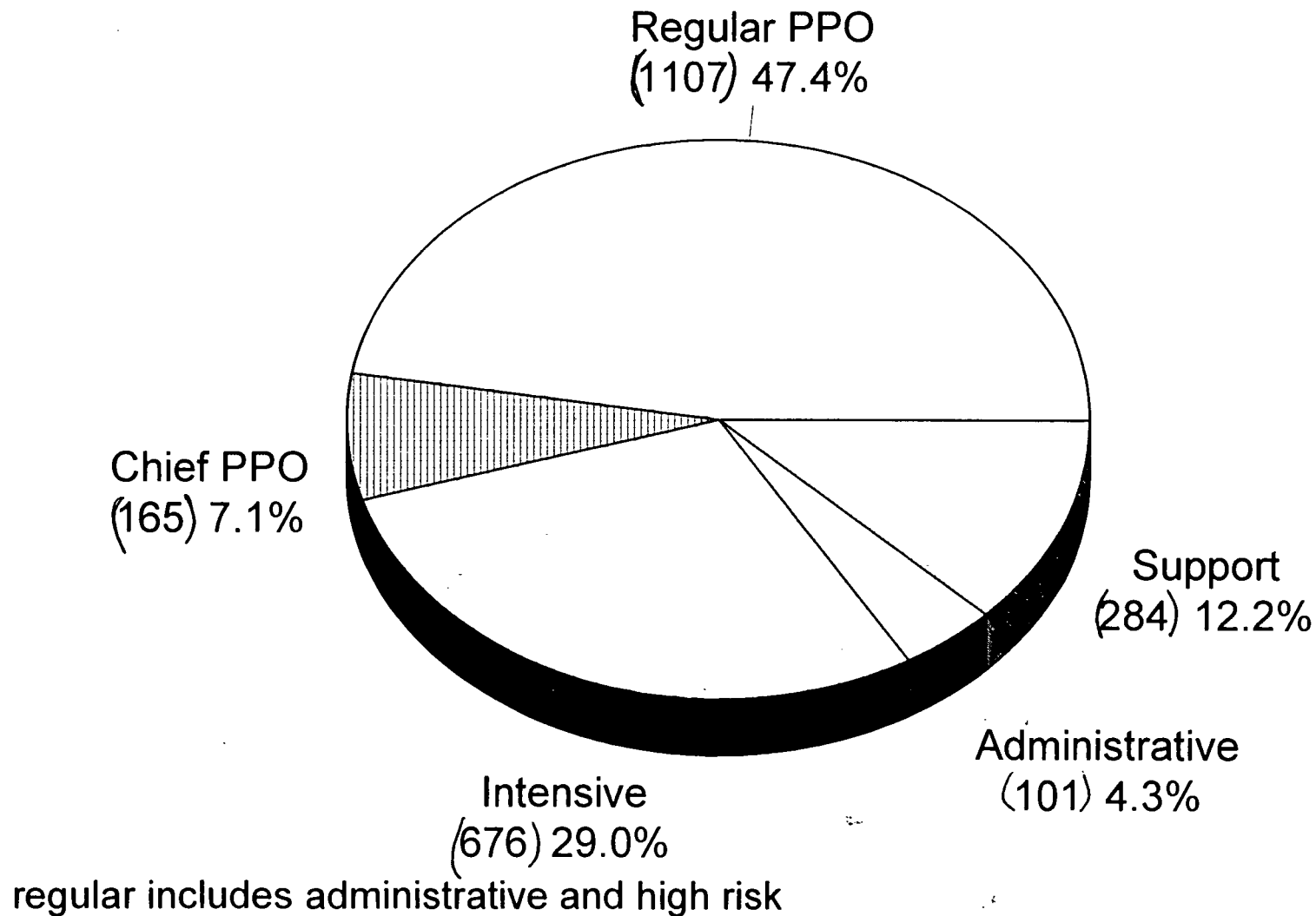
March 20, 1997

Organizational Chart

Example of 10th Judicial District

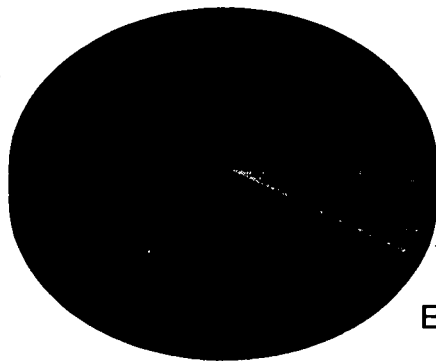


Division of Adult Probation and Parole Staffing



Supervised Population January 31, 1997

Regular
90.1%

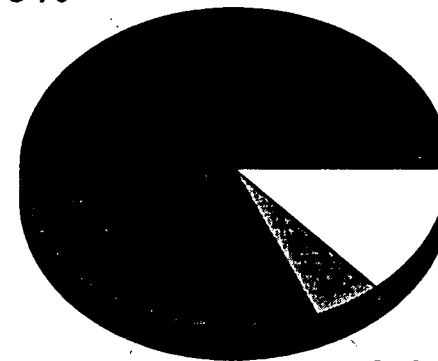


Intensive
8.9%
EHA/Impact/DWI
1.1%

Total

includes inactive

Maximum
40.0%



High Risk
13.8%

Suspended
13.4%

Administrative
5.3%

Minimum
27.5%

Regular

By Supervision Level

REGULAR PROBATION/PAROLE

- ◆ On January 31st there were 91,323 active regular probation and parole cases and 1107 officers for a statewide average caseload of 82:1. In the 43 judicial districts, the average ranged from 65 to 122 with 8 districts reporting averages over 90.
- ◆ In addition, there were 13,141 inactive cases. Including these, average caseloads rise to 92:1 and 21 districts have caseloads greater than 90.
- ◆ A regular probation parole officer is a grade 66 with personnel costs of \$48,870 first year, \$43,098 recurring.
- ◆ Probation and Parole officers were combined in 1996. The number of officers has grown from 608 in 1988 to 911 in 1993 to 1107 today.
- ◆ The 1107 officers today include 952 regular officers, 141 administrative officers and 14 High Risk/Intermediate Punishment officers.
- ◆ The average cost per offender day in 1995-6 was \$1.47 per offender per day.

INTENSIVE PROBATION

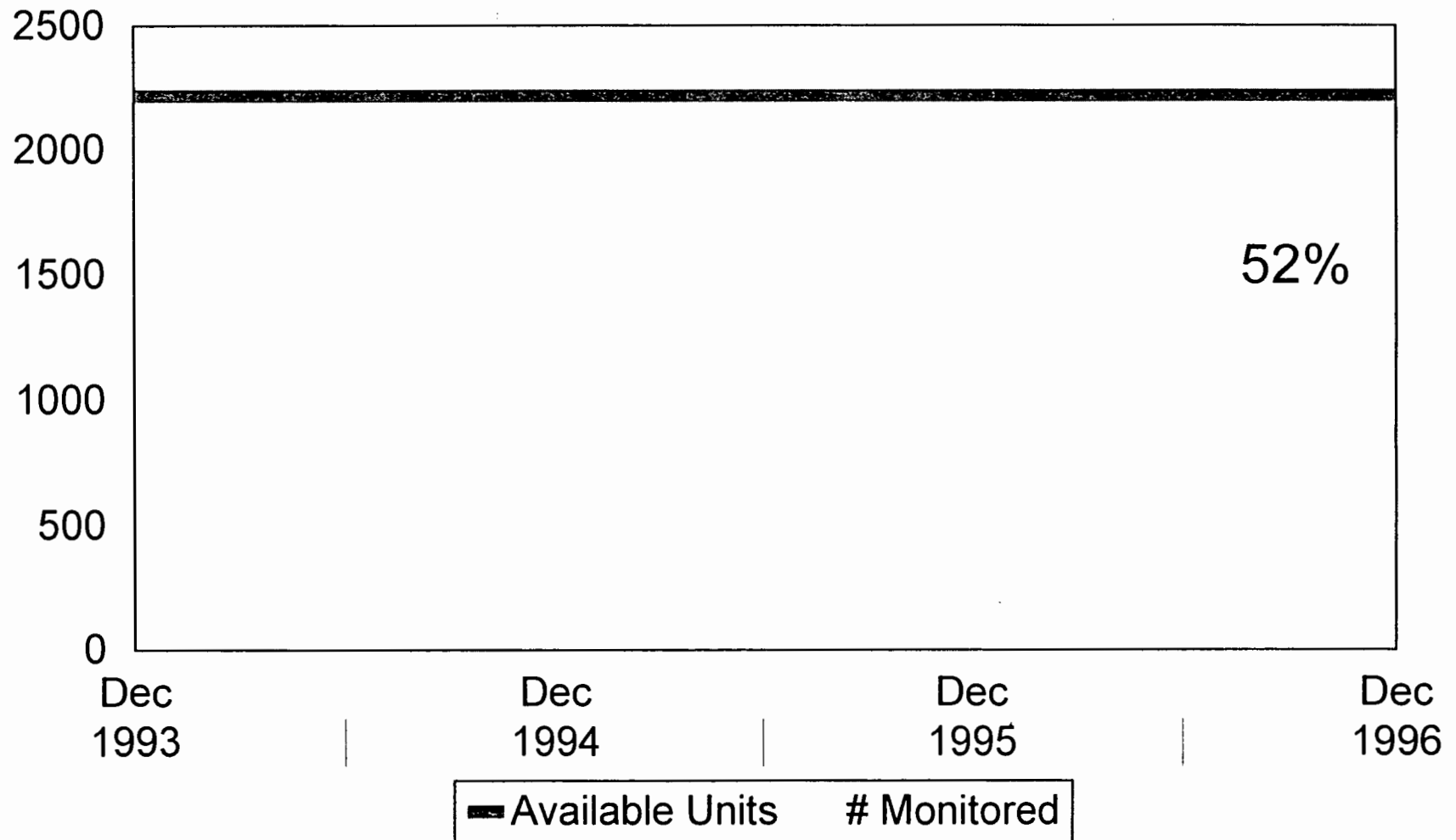
- ◆ On January 31st there were 8,568 active intensive probation/parole cases and 338 intensive teams for a statewide average caseload of 25.3:1. Looking at the 43 individual judicial districts, caseloads ranged from 14:1 to 43:1 with 15 districts reporting averages over 25.
- ◆ Statewide there were an additional 1,598 *inactive* cases Including these raises caseload averages to 30:1.
- ◆ An intensive team consists of an intensive officer(grade 68) and a surveillance officer(64); the personnel costs per team are \$99,519 first year and \$88,357 recurring.
- ◆ Pending legislation clarifies the definition of Intensive probation/parole to require multiple contacts by an officer, a specific period each day when the offender shall be at their residence and that the offender remain employed or pursuing training.
- ◆ The number of intensive teams has grown from 50 in 1988 to 153 in 1993 to 338 since the Crime Session in 1994.
- ◆ For 1995-6, the average cost per day per offender were \$8.20 .

ELECTRONIC MONITORING

- ◆ House Arrest with Electronic Monitoring is an intermediate punishment confining the offender to their residence. Electronic monitoring can also be used to monitor offenders who are not confined to the home
- ◆ The Electronic Monitoring has the capacity (equipment and staffing) to monitor 2,217 offenders. On January 31, 1997, there were 1,068 offenders being monitored, most of them under EHA. Their average stay has been 2.45 months. The average daily population in 1995-96 was 1,020
- ◆ About 50% of the Electronic Monitoring budget is personnel costs and about 26% equipment repair and maintenance. The monitoring equipment is owned by the Division; maintenance contracts which may include upgrades are currently being reviewed.
- ◆ Offenders are assigned to regular officers while they are electronically monitored in a statewide facility. The monitoring center also maintains the division's DCI terminal and is staffed by 32.
- ◆ Monitoring is also provided for local sheriffs, Community Justice Partnership Programs and Juvenile Probation. For instance, on Feb 28, 1997, an additional 124 persons were monitored in those areas.
- ◆ The average cost per offender day for 1995-6 was \$5.52 and has fallen steadily from \$6.70 in 1992-3.

EHA Population vs. Capacity

Dec 31st snapshot



Highlights of 1994-97

- ◆ When Structured Sentencing was implemented, the General Assembly decided that funding would be provided to the Division of Adult Probation and Parole in the Continuation Budget for the increased workloads resulting from SSA.
- ◆ The 1995-7 original continuation budget included \$7.19 Million 1995-6 and \$7.015 Million 1996-7 in reserves to add more intensive teams, based on earlier projections. Since intensive caseloads were near target, \$1.19 Million 1995-6 and \$1.015 Million in 1996-7 were used to hire 153 regular officers and the remaining \$6 million reserve was cut.
- ◆ Probation and Parole were combined organizationally.
- ◆ In 1996, \$150,586 was appropriated to fund 3 additional officers to adequately supervise sex offenders.
- ◆ The Crime Session in 1994 appropriated \$452,619 for 1994-5 to provide a post boot camp program. Pilots began in the spring of 1996. Funding to continue this program is not included in the continuation budget.

HIGHLIGHTS OF THE CONTINUATION BUDGET

- Operational Costs have been cut \$3.5 Million, a 60% cut for the affected objects.
- Reserves includes funding for the increased staffing as follows:

1997-8	1998-9	
\$9,549,573	\$12,315,613	officers for SSA
	\$ 615,685	for post release supervision
\$ 103,679	\$ 116,679	for parole revocation hearing officers
- The Continuation Budget includes \$1,103,758 each year for the Summit House program and \$200,000 for Harriet's House, specialized programs for female offenders on probation or parole.

DAPP Operational Expenses

Year to Date Compared to Budget adjusted for Continuation Budget cuts

In developing the Continuation Budget, Office of State Budget cut the line items below for a total of \$3.5 Million.
The cuts were to bring budgeted amounts in line with actual experience.

The table below shows what spending has been for the first 58% of the current fiscal year, relative to the adjusted budget amount

	Code	Authorized 1996-7 Amount (Jan 31 BD701)				Cut	1997-8	Spent YTD	% of 1997-8
		1431	1432	1433	Total				
emp phys	532133	\$97,808	\$3,155	\$838,351	\$939,314	\$600,000	\$339,314	\$233,438	68.8%
misc contractu	2199*	\$151,834		\$480,169	\$632,003	\$500,000	\$132,003	\$213,620	161.8%
repair service	2333	\$33,975	\$7,525	\$170,770	\$212,270	\$2,000	\$210,270	\$17,572	8.4%
travel	2700	\$2,544,766	\$482,100	\$15,201	\$3,042,067	\$1,900,000	\$1,142,067	\$300,808	26.3%
communication	2800	\$1,717,282	\$215,488	\$148,185	\$2,080,955	\$360,000	\$1,720,955	\$647,433	37.6%
facility supply	3200	\$116,889	\$1,060	\$45,699	\$163,648	\$120,000	\$43,648	-\$1,926	-4.4%
other materials	3900	\$504,195	\$5,500	\$5,554	\$515,249	\$18,000	\$497,249	\$30,497	6.1%
					\$7,585,506	\$3,500,000	\$4,085,506	\$1,441,442	35.3%

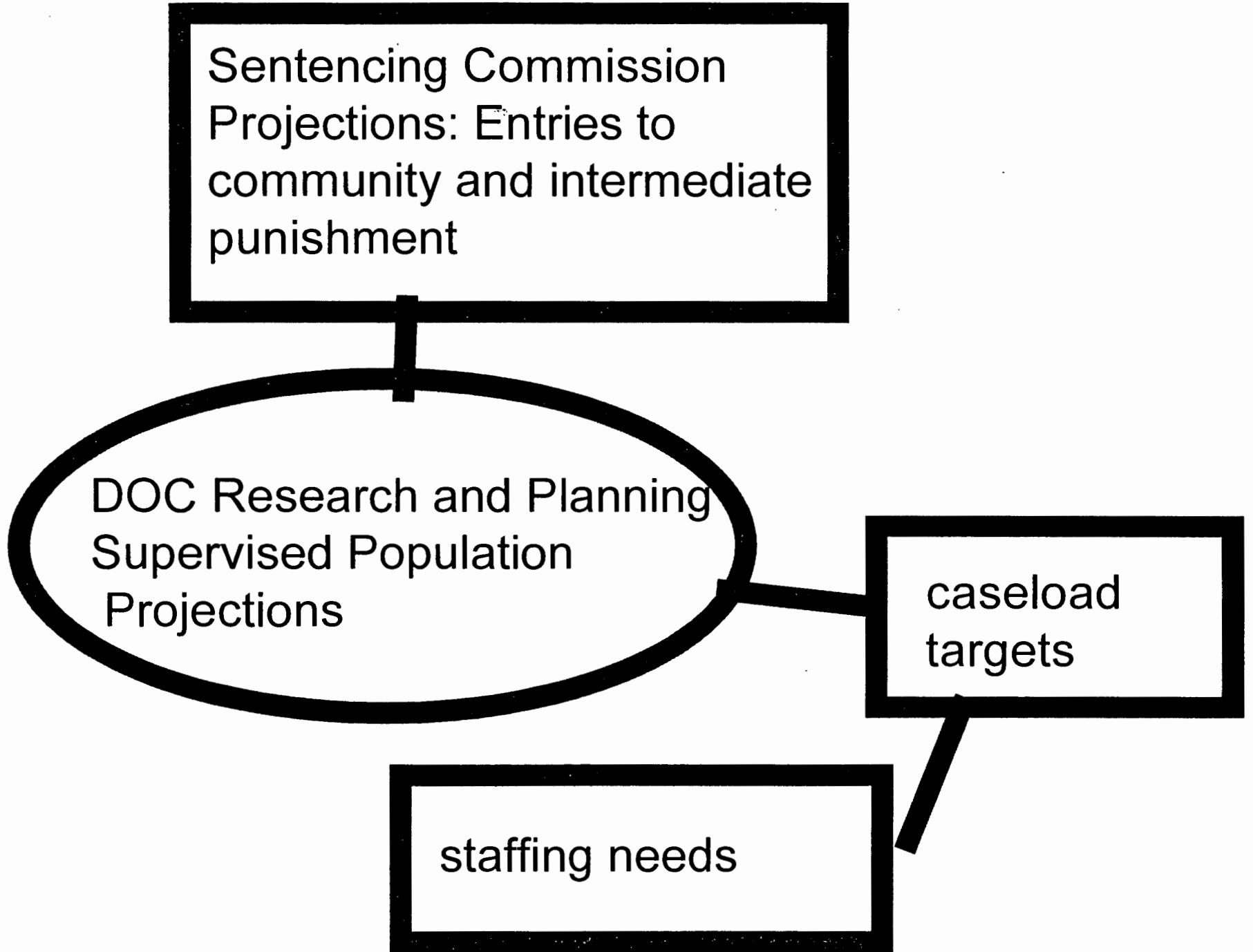
*the cut in this line item was to remove the Impact aftercare pilot which is actually included in #3900

Sentencing Commission
Projections: Entries to
community and intermediate
punishment

DOC Research and Planning
Supervised Population
Projections

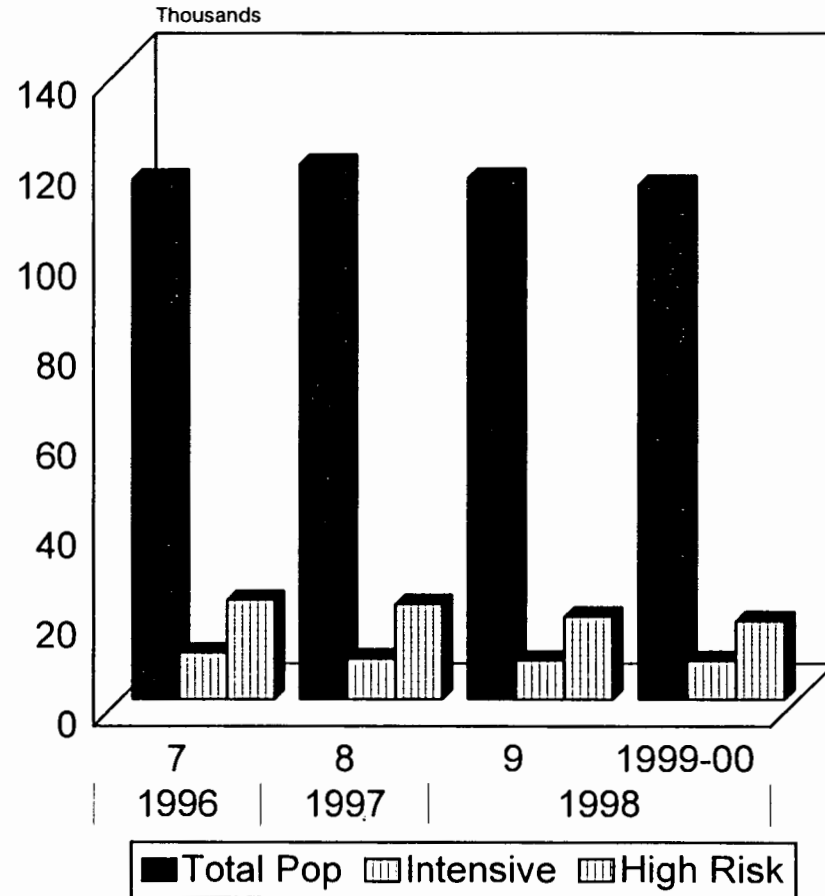
caseload
targets

staffing needs

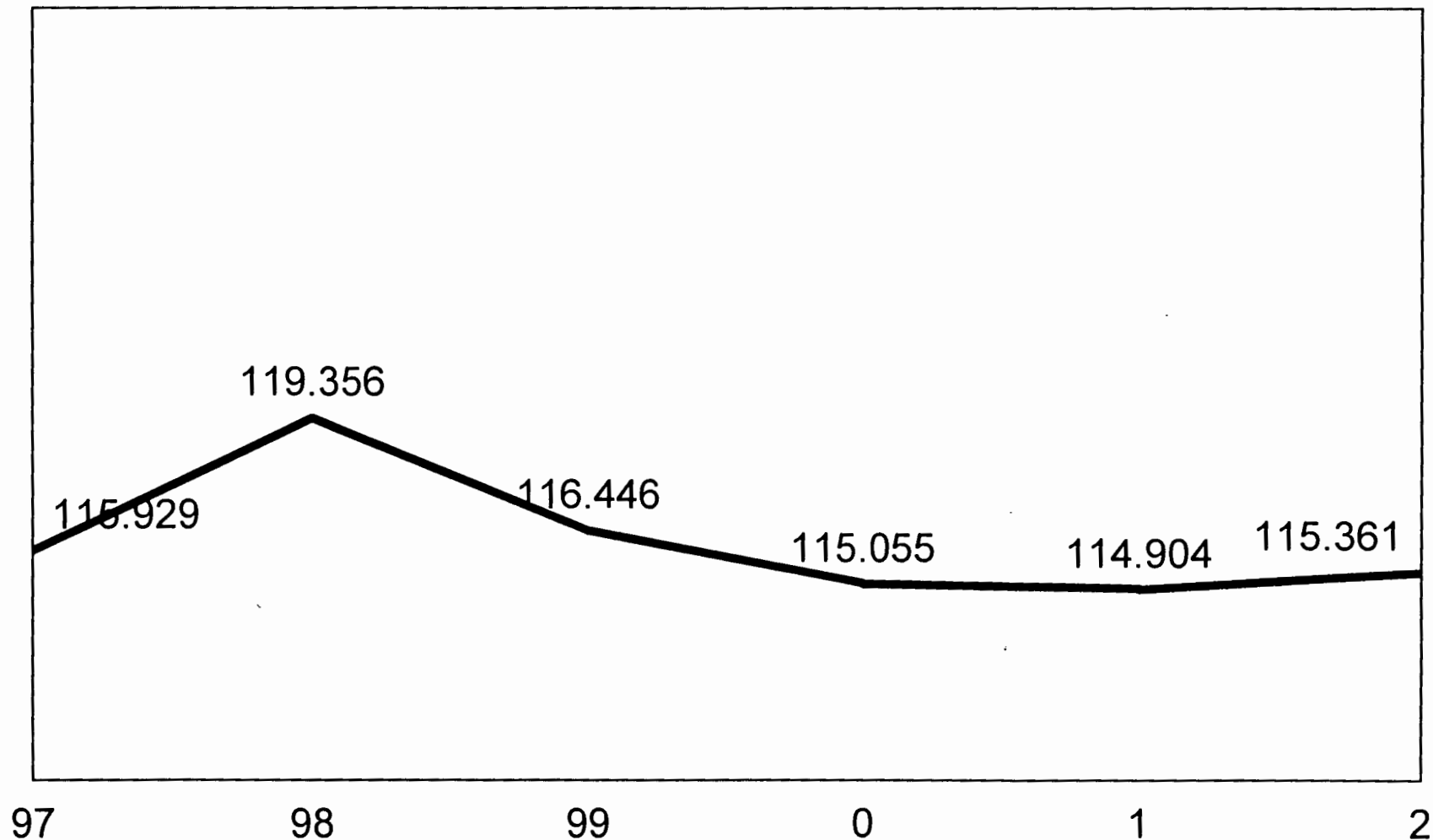


Projected Population and Supervision Levels

- 1997 Sentencing Commission Projections show fewer entries to intermediate punishment but greater entries to community punishment through 2001.
- DAPP predicts the share of intermediate punishment offenders on intensive supervision will increase and that offenders will spend longer on community punishment.
- The result is a prediction that the supervised population will grow sharply for 1997-8 but then fall back to earlier levels and that the share of the population under regular supervision will increase steadily from 72% today to 78% in 2003.



Population Including Post Release Supervision (thousands)



Projected Population on Post Release Supervision

Fiscal Year	Total
1997	108
1998	227
1999	359
2000	551
2001	713
2002	813

Statute on Caseloads

- ◆ *GS 15A-1343.1 reads:* It is the goal of the General Assembly that, subject to the availability of funds, caseloads for probation officers supervising persons sentenced to community punishment should not exceed an average of 90 offenders per officer, and caseloads for offenders sentenced to intermediate punishments should not exceed an average of 60 offenders per officer by July 1, 1998.

ISSUES RELATING TO COST FOR NEW OFFICERS

- FIREARMS-- By DOC policy, intensive and surveillance officers carry firearms. Regular PPO carry firearms only when serving on the electronic monitoring response teams (usually volunteers). Only 316 of 952 regular PPO (33%) in July 1996 were firearms certified. However, position costs for new officers include \$275 first year/\$41 recurring for a firearm for each regular PPO.
- RENT--Counties provide office space for regular parole-probation officers but not for the intensive teams. However, position costs for each regular officer include \$2,200 per year for rent.
- Adjusting for these items, positions costs for regular PPO would fall by \$2,475 first year, \$2,241 recurring.

NORTH CAROLINA POST-RELEASE SUPERVISION AND PAROLE COMMISSION

Budget Review
March 20, 1997

Overview of Commission

- ◆ The Post Release Supervision and Parole Commission is an independent authority appointed by the Governor, administratively housed within the Department of Correction.
- ◆ There are 5 Commissioners appointed to 4 year terms. Two terms expire June 30,1997 and the other three expire in 2000.
- ◆ The Commission has the authority to grant, revoke and terminate parole and to approve work release for those with life sentences. The Commission also sets conditions of parole and receives input from victims and their families. It is responsible for setting the conditions of post-release supervision and has the authority to revoke PRS.

BUDGET AND STAFFING TRENDS
NORTH CAROLINA POST-RELEASE SUPERVISION AND PAROLE COMMISSION

	1995-6 Actual	1996-7 Author	1997-8 Rec	1998-9 Rec
Total Budget	\$2,286,468	\$2,440,992	\$2,396,879	\$2,400,116
Personnel	\$2,153,367	\$2,310,681	\$2,266,928	\$2,269,805
Costs				
Positions	65	55	55	55

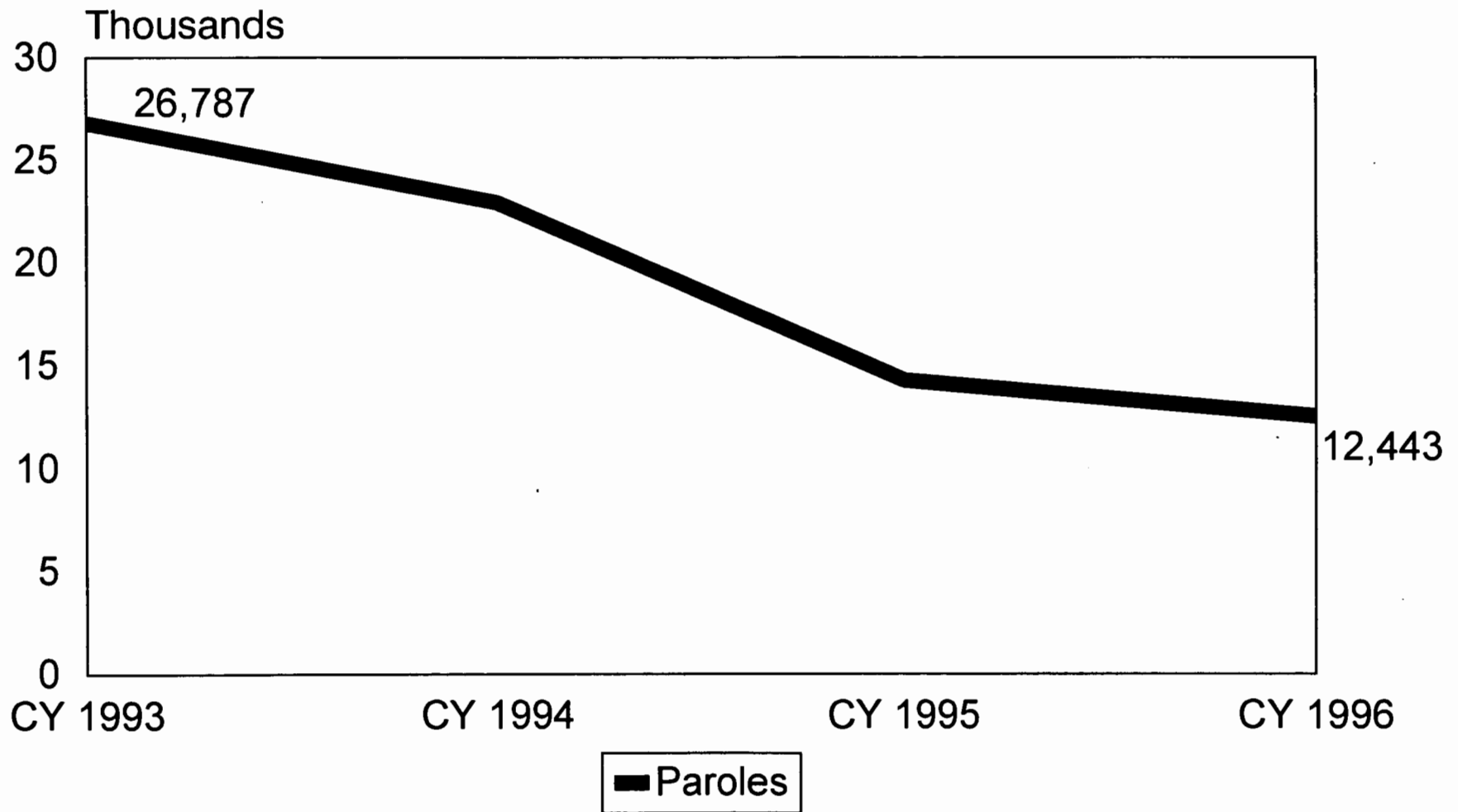
- The Parole Commission budget is 94.6% personnel costs
- There are no significant changes in the recommended budget for the biennium. There are some adjustments to personnel costs, including the removal of budgeted overtime (\$25,432)
- In 1996, a vacant clerical positions was converted into a Victim Services Coordinator Position
- There are currently 4 vacancies:
 - 1 Analyst (grade 68)
 - 2 Clerk -Secretary III (grade 57)
 - 1 Special Projects Manager (grade 71)
- Current staffing is

Executive Director	DWI Coordinator
Statistician/Researcher	2 Analysts Supervisors
Psychologist	17 Analysts
Victims' Service Coordinator	22 Clerical
Public Information Officer	

Highlights of 1995-97

- The 1995 session cut 2 positions for 1995-6 and 6 positions for 1996-7 for a recurring cut of \$165,996.
- The 1996 session accelerated the elimination of these vacancies and eliminated 4 additional clerical positions for additional savings of \$72,472. Over the biennium 3 analysts and 7 clerical positions were eliminated. This represents a 13.6% cut in the analyst staff.
- A study by the National Institute of Corrections was completed in April 1996. Among the recommendations were a fulltime position to coordinate issues related to victims, the elimination of parolees right to waive preliminary hearings on revocations, and that the backlog of cases awaiting decision be eliminated. All these actions have been taken. Additional recommendations were made in the areas of managing the paper flow, reducing the frequency of status reviews and a review of the parole revocation and hearing process.

Parole Trends 1993-1996

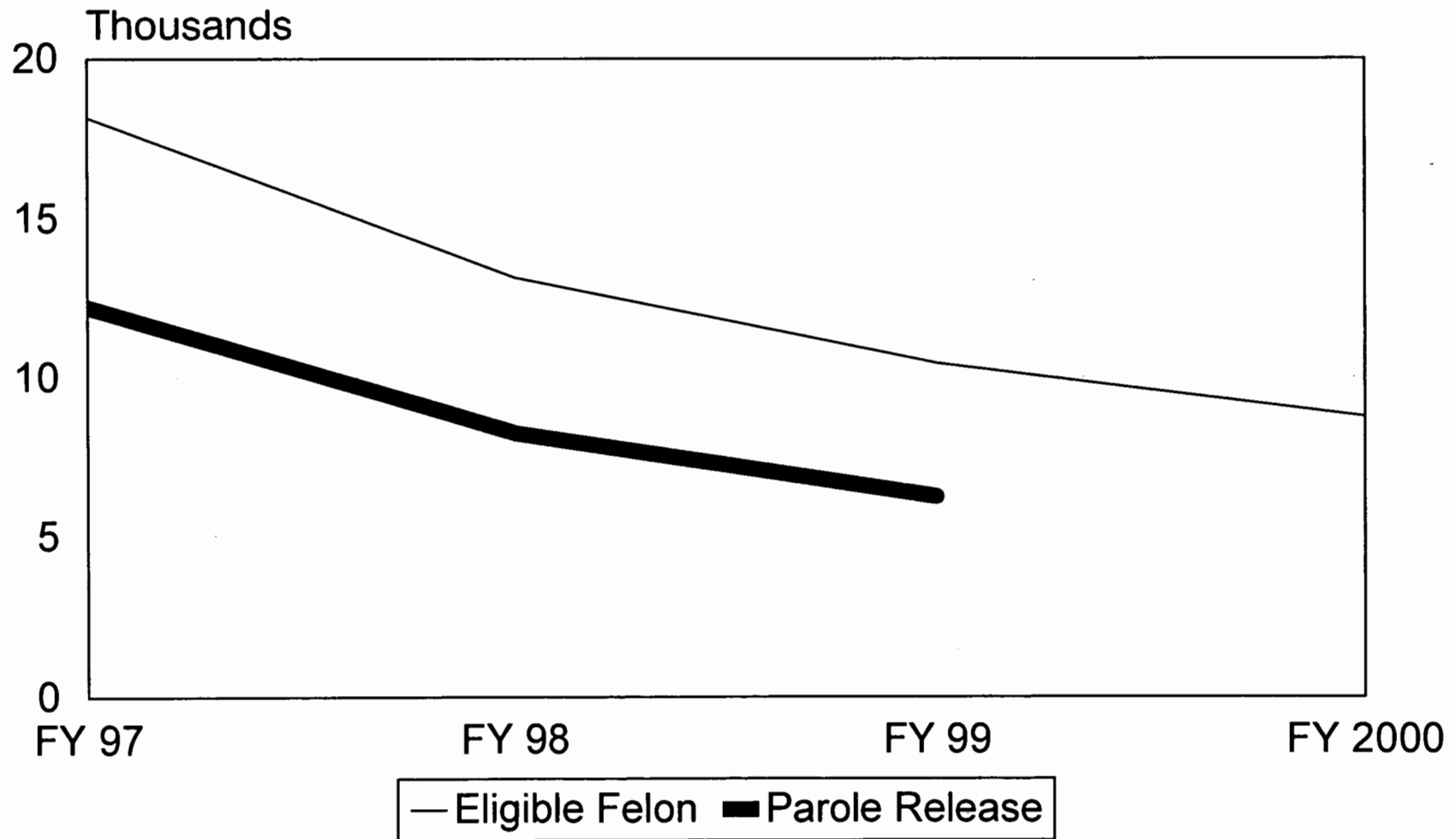


Projected Paroles

	FY 97	FY 98	FY 99	FY 2000
Eligible Felon Population	18,153	13,143	10,442	8,757
DWI Population	833	900	909	918
Parole Releases	12,000	7,800	5,600	
Post Release Sup Releases	216	443	587	790

Predicted Trends in Paroles

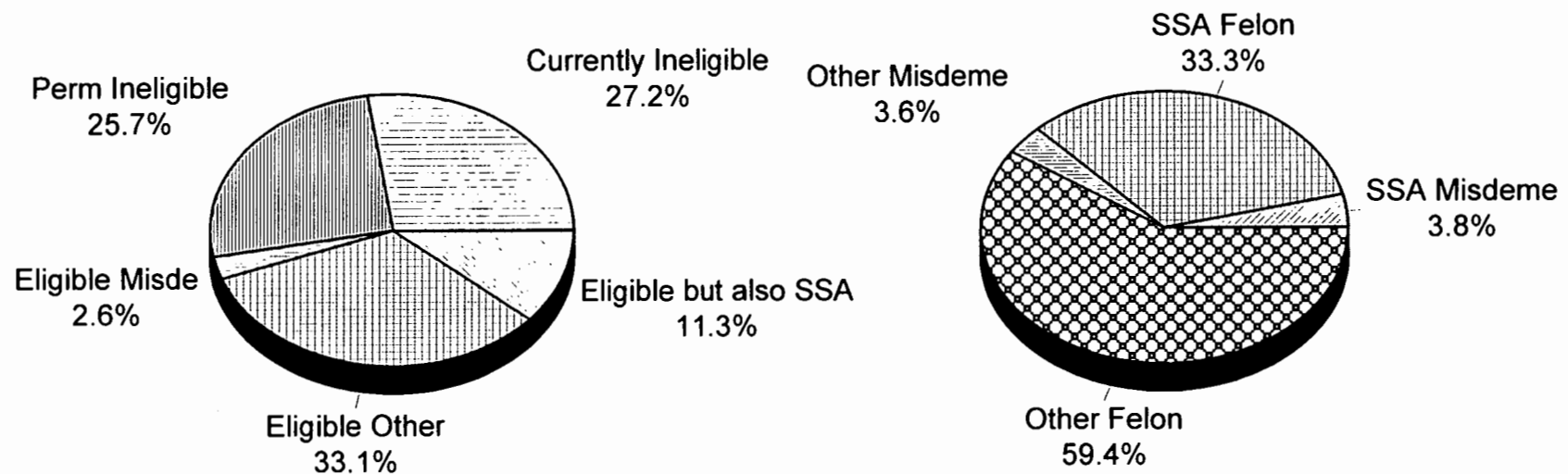
Research and Planning, DOC



includes prs releases, yr 2000 not available

Current Prison Population

Who is Parole Eligible



Areas of Responsibility

COMMISSIONERS

- DECIDE PAROLE (24,661 decisions in 1996, 50% granted)
- DECIDE DWI-Cherry PLACEMENTS (2,000 reviewed, placed)
- DECIDE Work Release for Lifers (58 cases, 48% approved)
- HEARINGS WITH PUBLIC (424)
- REVIEW FILES ON PAROLEES WITH VIOLATIONS (14,650) and HOLD FINAL REVOCATION HEARINGS (173)

ANALYSTS

- REVIEW CASES WITH PAROLE ELIGIBLE DATES (25,866)
- REVIEW STATUS OF OTHER CASES (38,459)
- REVIEW WORK RELEASE and DWI-Cherry CONSIDERATIONS (1938)
- ANCILLARY REVIEWS (6,319)
- PROCESS NOTIFICATIONS (38,539)
- OTHER INVESTIGATIONS (19,357)
- OTHER ACTIONS (certifying dates, requesting crime versions, monitoring changes) (61,857)

TIME ESTIMATES ON VARIOUS ANALYST ACTIVITIES

- ◆ Parole or Work Release Reviews (1-1.5 hours)
- ◆ Status Reviews (15-30 minutes)
- ◆ Consideration for DWI-Cherry (5-15 minutes)
- ◆ Investigations Requested (30-45 minutes) unless SSA (1-1.5 hours)
- ◆ Certifying dates, notifications, info requests (5-15 minutes)
- ◆ Parole revocations (30-45 minutes)

SUMMARY OF ISSUES

- ◆ The number of paroles granted has declined 53% since 1993 and is projected to decline an additional 55% by 1998-99.
- ◆ The number of offenders on post release supervision will grow steadily but will only reach 790 by 1999-00. The Commission has proposed playing a large role in developing exit plans and monitoring compliance but the division of responsibilities among Prisons, Probation and Parole and the Commission is yet to be decided.
- ◆ Felons make up an increasing share of the pool of inmates eligible for parole and those actually paroled. Felony cases are more complex for analysts and the Commissioners.
- ◆ The workload of the analysts and the Commissioners is not accurately measured by the number of paroles. The true measure of workload is the number of cases considered for parole and related investigative activities (status reviews, certification of eligibility dates, investigations prior to paroles, etc.)
- ◆ The total staff size is 15% lower today than it was at the peak of parole activity in 1992. and is roughly the same size as it was pre prison cap in 1987. The analyst staff was cut 13.6% in the last biennium, from 22 to 19.

CRIMINAL JUSTICE PARTNERSHIP PROGRAM

Budget Overview

March 24, 1997

Overview of Program

- ◆ The Criminal Justice Partnership Program was established by the 1993 General Assembly to provide *supplemental community-based corrections* programs, to *expand sentencing options* and to *promote coordination between the State and county programs*
- ◆ The enabling legislation specified 4 goals; reduce recidivism, reduce probation revocations, reduce substance abuse and reduce county and State costs for incarceration.
- ◆ The target population are offenders sentenced to intermediate punishment or pretrial release. Offenders on post-release supervision are also eligible.
- ◆ Implementation grants are available to counties who convene a CJPP Advisory Board and submit a Community-Based Correction Plan. Specific amounts are allotted to each of the 100 counties based on their population and the number of supervised probationers. Allotments range from \$31,000 to \$498,414.
- ◆ Fundable programs include residential facilities, day reporting or restitution centers, substance abuse, employment or aftercare services, pretrial monitoring and surveillance.

CJPP Today

HOW MANY COUNTIES ARE INVOLVED?

This fiscal year, **74** counties have implementation grants for a total of 64 projects. An additional 5 counties have received technical assistance funds and are in the process of starting programs or preparing plans. An additional 5 have received TA funds at some point but are not currently close to establishing programs.

That leaves **16** counties who have not chosen to get involved in the CJPP. Together, their allotments(\$1.17 Million) account for 12.2% of the total funding.

HOW MANY OFFENDERS ARE TARGETED BY CJPP?

Each funded program identifies their target population. For this fiscal year, the total size of these targets is **5,976** offenders. Individual counties range from 10 to 506.

WHAT KINDS OF PROGRAMS ARE FUNDED?

In January, 51 counties reported 36 **Day Reporting Centers**, 12 **Satellite Substance Abuse** Programs, 1 **Employment** Program and 2 **Case Management** Programs. Combined, **1,209** offenders were served, 89% in Day Reporting Centers. This included **222** new admissions.

STATISTICAL INFORMATION

- ◆ In 1995-6, the programs reported a total of 1,834 new admissions to Day Reporting Centers or to Satellite Substance Abuse Treatment. Day Centers did 2,199 assessments and there were 524 admissions to pretrial release programs.
- ◆ A total of \$524,447 was spent on substance abuse treatment in 1995-6. For 1996-7, implementation grants include \$2,942,370 for substance abuse treatment.
- ◆ In 1995-6, \$7,036,551 was provided to local programs for implementation. Of this, \$2,892,875 (41%) was spent. \$3,659,313 in discretionary projects were funded and \$1,361,702 was spent.
- ◆ For 1996-7, \$7,622,722 has been awarded for implementation and \$1,342,202 for discretionary projects. As of February, \$3,513,197 has been spent on implementation, \$782,817 on discretionary.
- ◆ The budget for administration is \$1,015,861 each year of this biennium.
- ◆ Based on February information, CJPP will have approximately \$8 Million in carry-over funds for discretionary projects in 1997-8.

FUNDING DETAILS

- The partnership program provides both implementation and discretionary grants. The original legislation specified that 20% of the funds would be distributed at the discretion of the Secretary of Correction for renovations, innovations, etc. Of the remaining 80%, 20% would be distributed equally among counties, 60% by population and 20% by the rate of supervised probation.
- The first grants were available in April 1995 and \$3.25 Million was available for state aid in 1994-5 and \$12 Million for subsequent years; that meant \$9.6 Million for implementation and \$2.4 for discretionary.
- The legislation was amended in 1995 to specify that unspent state or county funds would be carried over and available for discretionary grants. Accordingly, \$2.65 Million was carried over to 1995-6 and \$10.3 Million was available for carry over for 1996-7.
- HB 53 in 1996 included a special provision that the 1996-7 funding would be distributed as implementation grants only. In addition, funding for state aid was cut from \$12 Million to \$9.6 Million and a one time cut of \$5 Million was taken from the carry over. This meant the continuation budget amount for state aid became \$9.6 Million and the funds available for carry-over were \$5.3 Million.
- Discretionary grants have been used for purchase/renovation of facilities or vehicles, for board facilitators, for purchased substance abuse services and for development of new programs. It can not be used for fulltime staff or ongoing operational costs. \$1.36 Million was spent on discretionary grants in 1995-6; \$1.79 Million is budgeted for this year.

Criminal Justice Partnership Program Funding 1995-7

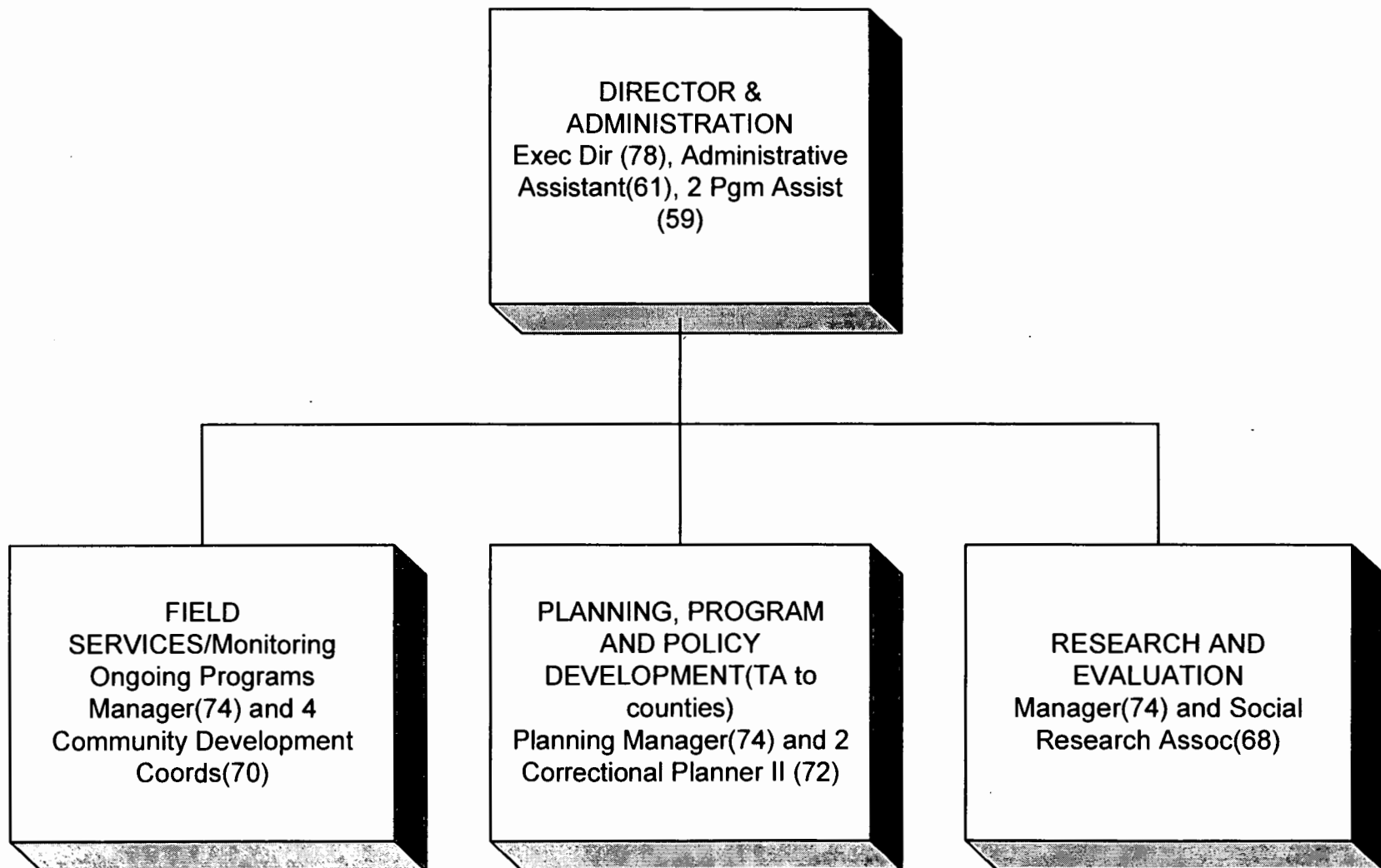
- The 1995-6 General Fund Appropriation to the Criminal Justice Partnership Program consisted of \$9.6 Million for Implementation Grants, \$2.4 Million for Discretionary Grants and \$1,015,861 in administrative expenses. In addition to the \$13,015,861 current year appropriation, the CJPP had carried over \$2.65 Million from the previous year, giving them a total of \$14.65 million for state aid in 1995-6.
- During 1995-6, the CJPP spent a total of \$5.18 Million, \$4.3 Million of it for state aid. This meant they were able to carry over \$10.3 Million for 1996-7.
- The 1996 General Assembly took \$5 million of this carryover as a one time cut. This leaves the CJPP \$5.3 Million in a carryover fund.
- In addition, the 1996 General Assembly removed the \$2.4 Million in State Aid for Discretionary Grants from the continuation budget. This left a continuation budget of \$9.6 million for implementation grants plus administrative expenses of \$1,015,861 for a total continuation budget of \$10,615,861. Including the \$5.3 Million carryover the total available funds this fiscal year are \$15.8 Million with \$14.9 Million available for state aid.
- The Governor's State Budget Document lists only \$4.6 Million in appropriation for state aid in 1996-7. However, this is a mistake. In fact, the full \$15.86 Million budget is available for 1996-7.
- The one time \$5 Million cut in 1996 was inadvertently carried over into the recommended continuation budgets for 1997-9. In the Program Code 1110 (p. S-5 Volume 4) the totals for line items 53 6500 through 53 6503 should total \$9.6 Million instead of \$4.6 Million.
- Looking at spending through February (.67 of the fiscal year), \$4.3 Million has been spent in state aid. At this rate, \$6.7 Million would be spent for 1996-7 and about \$8 million would be available for carry over into 1997-8. This will allow a total budget for state aid of \$12.6 Million enough to provide every county its full allotment and to provide \$3 Million in discretionary grants.
- **In summary, there are adequate funds for the Criminal Justice Partnership Program for 1997-8 without restoring the \$5 Million cut. However, there may be very little in carry over funds available for 1998-9 and the current \$4.6 Million appropriation would not allow all counties to receive their allotment.**

IMPORTANT ISSUES

- ◆ The continuation budget accidentally carried over the 1996-7 nonrecurring cut of \$5 million into the 1997-9 biennium. That is, \$4.6 Million is included for state aid instead of the expected \$9.6 Million. Because of the expected carry over to next year, the program will probably not be affected by this cut in 1997-8. However, action will be necessary in the 1998 session to restore funding to meet ongoing requirements.
- ◆ A special provision in 1996 specified that all funding for state aid should be used for implementation grants in 1996-7. Similar language would be needed to reserve the \$4.6 Million for implementation grants and to allow use of carry over for implementation grants in 1997-8.
- ◆ Monitoring of local programs is minimal at this point. The program is addressing this gap in several ways; proposed staff reorganization, establishment of a computer system to allow local programs to provide monthly reports electronically (GCC grant) and an ongoing 3 year evaluation of process/outcome (NIJ grant).

PROPOSED REORGANIZATION

Community Justice Partnership Program (Total Staff: 14)



Development of CJPP

	1994-5	1995-6	1996-7
PHASE	Act effective Jan 1994	first grants effective July 1995	2nd full fiscal year
FUNDING FOR STATE AID	\$3.25 Million	\$12 Million	\$9.6 Million
FUNDED COUNTIES	NA	70	74
& AMOUNT		\$3,659,313	\$7,514,437
ADDITIONAL COUNTIES	65	12	
RECEIVING TA		\$2,228,433	\$1,342,202
ALLOTMENTS FOR		\$ 18	26
NON-PARTICIPATING		\$1,202,735	\$1,223,578
# served (Jan)		309	1,209
# new admissions (Jan)		96	222

GRANT FUNDED PROGRAMS

Department of Correction

March 24, 1997

Female Offenders

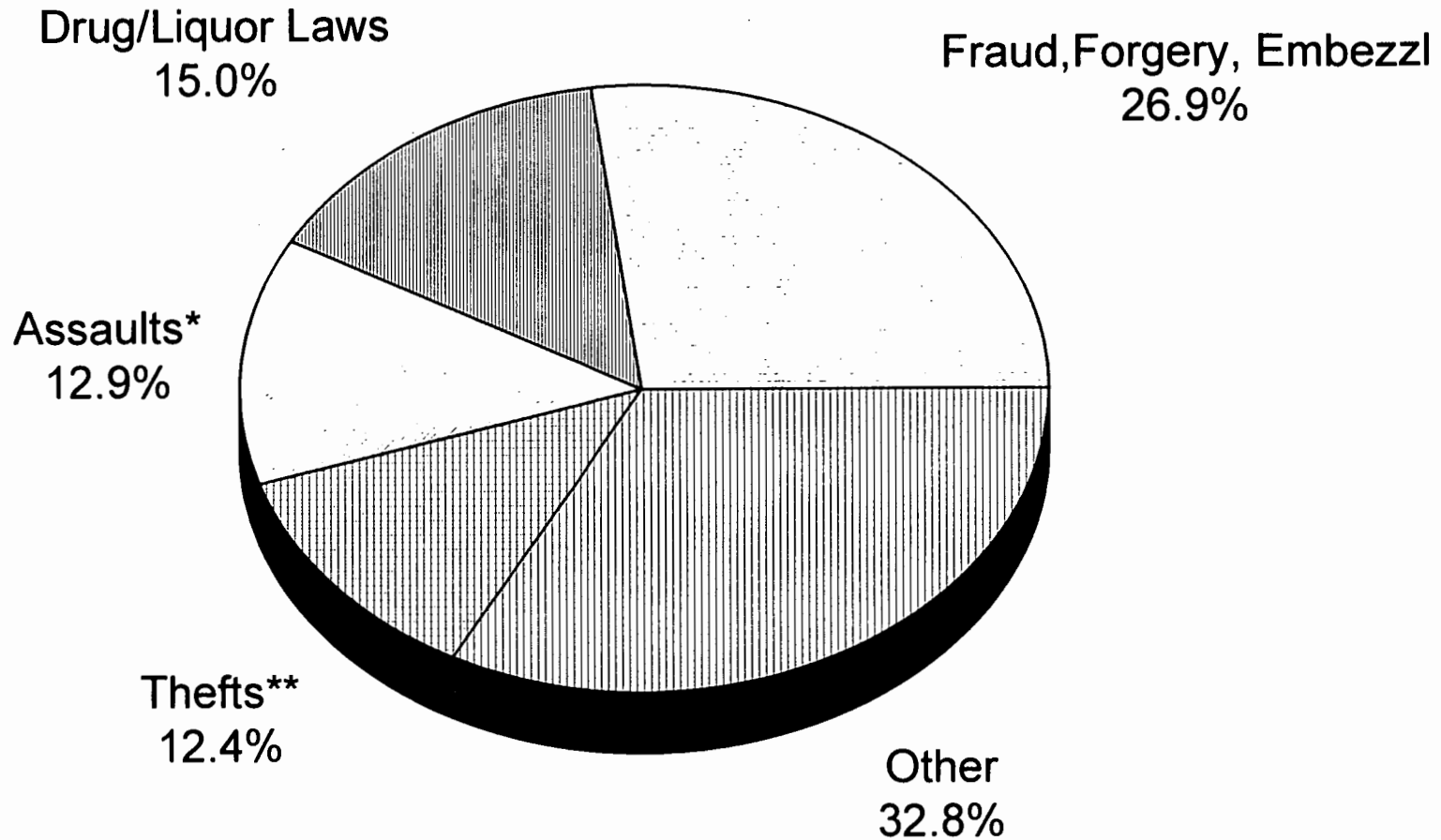
FY 1995-6

- ◆ Women made up 6% of the prison population and 11% of admissions
- ◆ Women made up 21% of entries to probation and of the probation population
- ◆ Women made up 10% of new parolees and 9% of the parole population.
- ◆ Women inmates, parolees and probationers are older than their male counterparts; the peak age range is 30-34 and 82% of female inmates are 25 or older compared to 73% of men.
- ◆ 79% of women who go to prison are mothers and 83% are single parents. Over 150 pregnant women are admitted to the North Carolina Correctional Institution for Women each year.

Source: Department of Correction Annual Report 1995-6 & Summit House

Arrests of Females by Crime (111,014)

1995 Crime Index



*Assaults includes murder(77) manslaughter(7) aggravated(3793) and simple (10460)

**Thefts include robbery(300) Burglary(1520) Larceny(11626) and motor vehicle theft(302)

Summary of Programs

Summit House ---- Mothers or pregnant women on Probation with risk of active sentence. Include some pregnant women. Group home. Wake, Mecklenburg and Guilford locations. \$1,103,758

Harriet's House -- Mothers on Parole or maxed out who want to regain custody of their children. Live independently but supervised and subsidized. Wake. \$200,000.

Women at Risk -- Probation. Non residential. Buncombe. \$115,000 nonrecurring.

Summit House

Funding History

	1995-6	1996-7	1997-8
General Fund Approp	\$903,458	\$1,103,758	\$1,103,758
Clients Served	23	37	
Locations	Guilford	Guilford	Guilford
	Mecklenburg	Mecklenburg	Mecklenburg
		Wake	Wake

Summit House

- ◆ Summit House began in 1988 as a residential program in Greensboro to provide a group home for women on probation and their children under age 7. It first received state funding (\$75,000) in 1989-90. Funding was increased to \$165,000/yr for 1990-92, to \$250,000 in 1992-93 to \$400,000 in 1993-4 and to \$900,000 in 1994-95. Funding was increased in 1996 to \$1,103,758.
- ◆ Summit House's total budget for 1996-97 is \$1,540,871.
- ◆ It expanded to Mecklenburg and to Wake in 1994 .
- ◆ Summit House's target population is mothers sentenced to intermediate punishments with a chance of active sentence.
- ◆ Summit House also runs a Day Reporting Center in Guilford ~~with nonstate funding.~~
- ◆ Summit House bought a house in Raleigh in 1996 but the house was seriously damaged by a fire in January. The program is renting apartments to serve Wake families until the house is repaired this summer.
- ◆ Capacity(mothers and children) in Guilford is 22, in Mecklenburg it is 20 and 18 in Wake.
- ◆ This fiscal year Summit House has served 37 families in all 3 programs and has raised \$400,000 in private funds.

Harriet's House

A program of Passage Home, Inc

- ◆ Harriet's House has received \$200,000 each year since 1993-4. It is included as a pass through grant of \$200,000 per year for the 1997-9 Biennium.
- ◆ HH provides transitional housing to help ex-offender mothers transition from prison, acquire and maintain employment and regain custody of their children. It is located in Raleigh and accepts women leaving Women's Prison, NCCIW, and the Mary Frances Substance Abuse program.
- ◆ HH is a part of Passage Home, a local nonprofit community development corporation providing housing support services for families at risk of becoming homeless. Passage Home has a total annual budget of over \$500,000, including funding from HUD, the NC Community Development Initiative and private foundations.

The Harriet's House Program

- ◆ Female ex-offenders are identified several months before leaving prison.
- ◆ Women and their families move into housing units owned or leased by Harriet's House for up to 12 months. They must obtain employment within 30 days and pay 30% of income to the program for rent and to be saved in an escrow account towards future housing costs. Clients participate in group meetings (3 times/week), substance abuse treatment (2 times/week) and parenting classes. Staff check curfews and visit families several times each week.
- ◆ Harriet's House owns 3 duplexes in southwest Raleigh (bought June 1996) and has capacity for 6 families at one time. Their goal is to serve 10 families each year in addition to their work with women who are still incarcerated but hope to join the program and those who have left Harriet's House housing but still receive support services.
- ◆ Since the beginning, they have served 20 families, 2 of whom were discharged prior to completion.. As of January 1997, 7 families including 12 children were in the program.
- ◆ State funding covers staff salaries, housing expenses and clinical services
- ◆ The program reports quarterly to Governmental Operations.
- ◆ About \$100,000 of unexpended funds have been carried over from the 1993-4 grant year. These carry over funds will be exhausted at the end of this year.

Women at Risk

Western Carolinians for Criminal Justice

- Began July 1993. First received state funding in 1994-5.
- Received \$115,000 nonrecurring in 1995-6 and 1996-7. Is *not* included in continuation budget.
- Serves women on probation who have been sentenced to community or intermediate punishment in Buncombe area. Most frequent charge is probation violation.
- Goal is to reduce recidivism and probation revocations and to provide treatment alternative to prison. Since July 1995, 8 of 98 clients served have had probation revoked.
- Provides 16 weeks of weekly 2-hr intensive group therapy, individual case management, court advocacy. Monitors compliance for the courts, probation officers and referral agencies.
- Referrals primarily from attorneys but also from judges, DSS, Probation officers and other agencies.
- 94% of clients this fiscal year are mothers. On average the clients have 11th grade education.

Women at Risk Program

	FY 1995-6	July 96-Oct97
State Funding*	\$115,000	\$57,500
Total Funding	\$120,844	\$66,317
Referrals	93	58
Clients Served	62	36
Successful Progress/Grads	58	30

half of state grant had been received as of Oct 31

DEPARTMENT OF CORRECTION

Overview of Inmate Education and Training Programs

Joint Appropriations Subcommittee on
Justice and Public Safety

March 19, 1997

CORRECTIONS PROGRAM AREA

Goal II. Rehabilitate adult offenders

FY 1997-98	FY 1998-99
\$126.52 million	\$126.30 million



Programs

Educate and train adult offenders

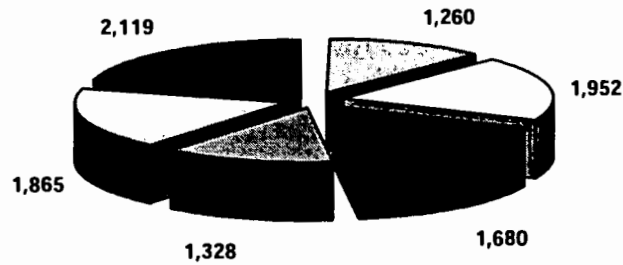
FY 1997-98	FY 1998-99
\$107.32 million	\$107.10 million

Substance abuse treatment for adult offenders

FY 1997-98	FY 1998-99
\$19.20 million	\$19.20 million

3300 Educate and train adult offenders

Prisoner Rehabilitation Assignments
(December 1995)



10,204

Academics	(1,952)	Vocations	(1,680)
Work Release	(1,328)	Highway Work	(1,865)
Prison Enterprise	(2,119)	Community Work	(1,260)

Educate and train adult offenders

FY 1997-98

FY 1998-99

\$107.32 million

\$107.10 million

Objectives

1. Increase percentage of targeted inmates completing academic programs

2. Increase percentage of targeted inmates completing vocational programs

3. Increase percentage of prison population participating in work programs

4. Increase rate of responsible behavior demonstrated by prisoners

5. Decrease rate of irresponsible behavior demonstrated by prisoners

Strategies and activities

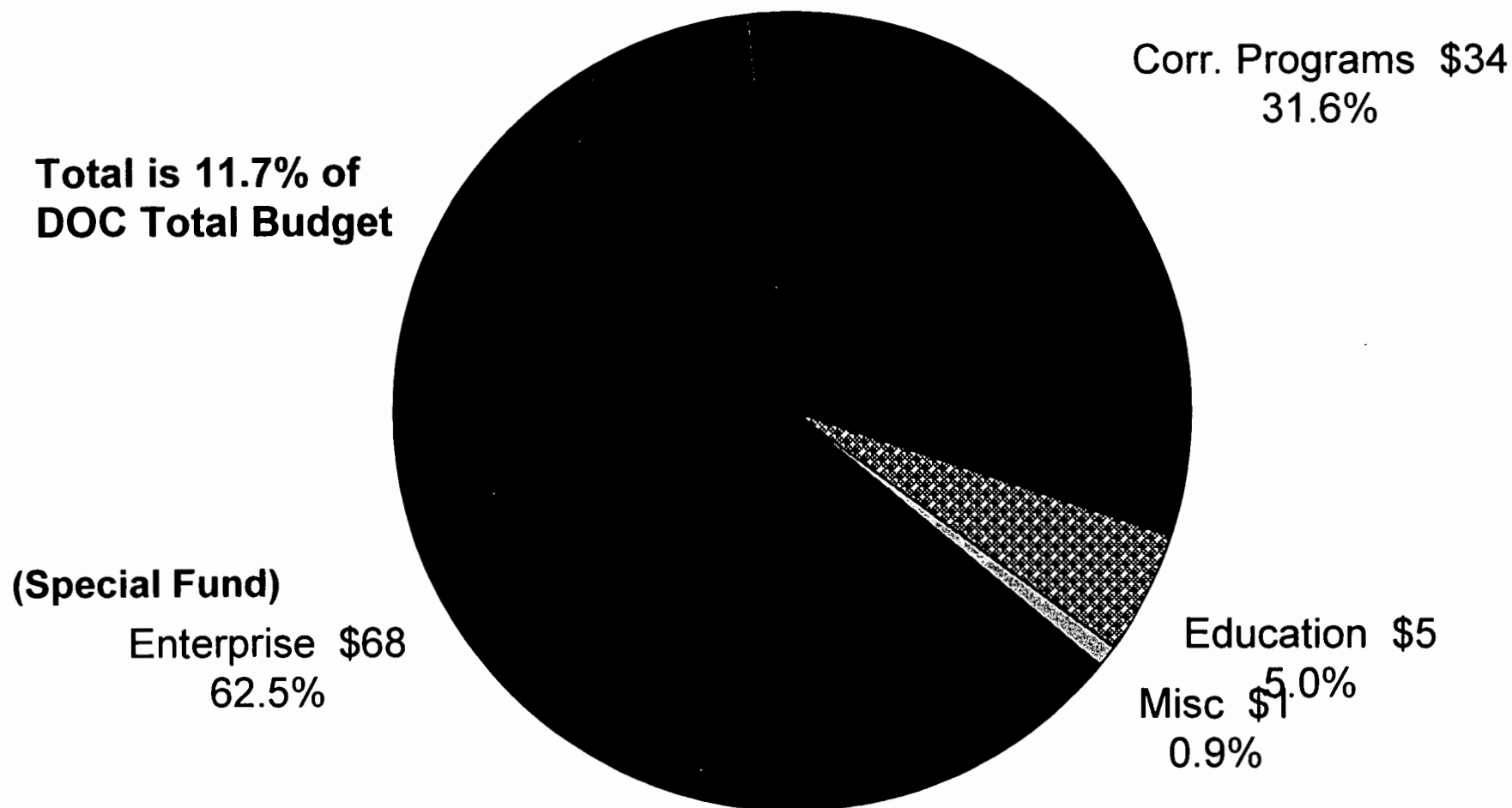
Expand the use of the community college resources available to the Division of Prisons

Increase managerial focus upon academic needs and related programs

Expand community labor programs to additional prison units

2

Department of Correction 1996-97 Total Program Budget for Education and Training of Inmates (Dollars in millions)



NOTE: DOC total is \$108.5 million for 1996-97 and approx. \$107 million for 1997-99 per Performance/Program Budget. Additionally, DEHNR budgets approx. \$550,000 for BRIDGE youthful offenders program

3

DOC Inmate Education -- Program Facts

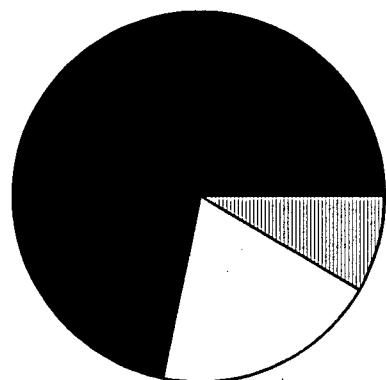
- ▶ G.S. 148-22.1 DOC should take advantage of any aid from any source to "provide inmates with such academic and vocational and technical education as seems most likely to facilitate the rehabilitation of these inmates.."
- ▶ Community Colleges provides and funds vocational and academic (degree and literacy) programs. For the first 6 months of 1996, an average of 5,833 inmates were enrolled in Community College education programs.
- ▶ DOC provides primarily academic services -- DOC is budgeted for 97 positions in 1997-98; 92 are currently filled -- 69 academic teachers (primarily youthful offender institutions) 2 vocational teachers and 21 directors, staff and support personnel. (76 of 92 positions are located at six full school prisons)
- ▶ Less than 20% of felons entering prison read at a 12th grade level; more than half read below 8th grade level
- ▶ In 1996, 717 inmates earned their GED; 84 % who took test after receiving prison education services passed.

Inmate Education and Training Programs

- ▶ EDUCATION (DOC Fund 1340 -- Education; Inmate Welfare Fund, and Comm. Colleges)
 - ▶ Academic (DOC (Primarily youthful offenders)/Community Colleges)
 - ▶ Vocational (Community Colleges primarily; DOC minor role now; Division of Voc. Rehab provides services at some institutions)
 - ▶ Literacy/Basic Education (Community Colleges)
 - ▶ Special Ed. (DOC)
- ▶ COMMUNITY COLLEGE/DOC PROGRAM CHANGES
 - ▶ Comm Colleges now receives funds only for Full-Time Equivalent Students enrolled in class at beginning of quarter (no multi-entry/multi-exit)
 - ▶ DOC/Comm. Colleges developed a matrix matching courses to offenders and sentences to reduce problems of inmates with early release dates receiving long term education.

Department of Correction 1996-97 and 1997-98 Recommended Inmate Education Budget (Dollars in Millions)

Gen. Fund \$5
71.9%

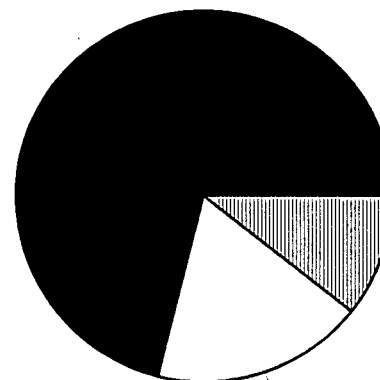


Grants \$1
8.3%

Welfare Fund \$2
19.8%

1996-97 (Auth)

Gen Fund \$4
71.2%



Grants \$1
10.6%

Welfare Fund \$1
18.3%

1997-98 (Recom)

Total Budget for 1996-97 is \$7.6 million and \$5.98 for 1997-98 and 1998-99

Funding for Inmate Education Programs

- ▶ General Fund
 - ▶ Funds primarily salaries and benefits for DOC teachers
- ▶ Inmate Welfare Fund
 - ▶ Pays for educational supplies, classroom furniture, repairs/renovations to vocat. buildings and Division of Voc. Rehab Services
- ▶ Chapter I Federal Grants
 - ▶ Pays for educational needs (reading and math) of inmates under age 21 without a high school education
- ▶ Individuals with Disabilities Education Act
 - ▶ Small grant (\$58,882) provide funds for school age inmates with learning disabilities and impairments

Total recommended is \$5.9 million in 1997-98 and 1998-99 (Excludes community college funding)

N. C. Department of Correction
Summary of Prison Education Services Funding
For FY 1996, 1997, 1998, and 1999

8

Description	Actual Expenditures FY 1996	Authorized Budget FY 1997	Proposed Budget FY1998	Proposed Budget FY 1999
Budget Code 14500-General				
Salary & Fringe Benefits	\$4,841,160	\$5,302,422	\$4,237,357	\$4,239,829
Contractual	20,510	0	0	0
Supplies	14,204	0	0	0
Equipment	21,391	44,179	0	0
Other Expenses	15,652	22,773	15,652	15,652
Transfer to Division Voc. Rehab.	0	85,841	0	0
Total 14500	4,912,917	5,455,215	4,253,009	4,255,481
Budget Code 24502-Welfare				
Educational Supplies	389,600	481,000	481,000	481,000
Classroom/Library Furniture	297,715	298,000	298,000	298,000
Vocational Bldg.-Hyde [1]	400,138	0	0	0
Vocational Bldg.-Warren [1]	266,845	0	0	0
Other Major Job Orders [2]	0	450,100	0	0
Transfer to Division Voc. Rehab.	320,479	320,479	320,479	320,479
Total 24502	1,674,777	1,549,579	1,099,479	1,099,479
Budget Code 24500-Grants				
Chapter I - 2101	406,789	573,182	573,182	573,182
Idea FI-B - 2118	8,466	58,882	58,882	58,882
Total 24500	415,255	632,064	632,064	632,064
Departmental Total	\$7,002,949	\$7,636,858	\$5,984,552	\$5,987,024

[1] Funds transferred to Dept. of Administration for Construction

[2] Currently pending Job Orders

Budget Changes -- Inmate Education Program

- ▶ Major 1995-97 General Assembly Actions
 - ▶ Reduction of (\$731,729) in 96-97 (\$1,065,065 annualized in 97-98) due to reducing DOC funding for academic programs and using Community colleges
 - ▶ Reduction of (\$381,090) in General Fund Appropriation by using Inmate Welfare Fund for vocational education
- ▶ Major Changes in 1997-99 Education Budget
 - ▶ Reduction of (\$1.2 million) in General Fund annualizes 1996-97 cut.
 - ▶ Assumes reduction of (\$450,000) in use of Inmate Welfare Fund over 1996-97.

1997-99 Budget Issues

► ISSUE

- **CAN DOC USE ADDITIONAL INMATE WELFARE FUNDS TO FUND INMATE EDUCATION PROGRAM?**

VOCATIONAL AND SOCIAL DIPLOMAS AND CERTIFICATES AWARDED IN 1996
N.C. DEPARTMENT OF CORRECTION

Course	Number of Diplomas and Certificates
Alcohol & Drug Abuse	3
Auto Body Repair	5
Auto Mechanics	5
Basic Electricity	49
Brickmasonry I	46
Business Administration	2
Cabinet Making	2
Carpentry	30
Carpentry II	1
Drug Abuse	10
Electrical Maintenance I	51
Electronic Circuitry	34
Food Management	3
Food Service Specialist	35
Furniture Bldg/Upholstery	54
Furniture Building	13
Gasoline Engines I	1
Heating and Air-conditioning	39
Horticulture	60
Horticulture/Landscaping	45
Human Relations	14
Introduction to Microcomputer	8
Life Skills	28
Machinist	10
Masonry and Bricklaying	60
NURSERY/CROP MGMT	12
Office Management	15
Personal and Social Adjustment	17
Plumbing	39
Plumbing I	10
Plumbing II	1
Pre-Employment Training	42
Pre-Vocational	3
Quality Cooking and Baking	33
Residential Wiring	5
Secretarial Science	19
Small Engine Repair	24
Travel Agency	4
Truss & Prefabrication	1
Vocational Training	40
Welding	30
Woodworking	14
Woodworking I	32
Woodworking II	13

=====

Total Number of Diplomas and Certificates 962

3300 Educate and train adult offenders

Objective 1: Increase percentage of targeted inmates completing academic programs.

Measure	Actual					Estimated	Expected	Expected
	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99
Outcome Measures:								
Percentage of targeted inmates completing academics (comprehensive measure being developed)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Performance Measures:								
Percentage of inmates with no diploma upon admission	73 %	75 %	75 %	58%	75%	75%	75%	75%
Percentage of inmates discharged with no diploma	70 %	71 %	70 %	n/a	n/a	n/a	n/a	n/a
Percentage of inmates beginning diploma class work	80 %	81 %	79 %	60%	75%	80%	85%	85%
Percentage of adult inmates participating in academic and vocational programs	17 %	17 %	17 %	31%	40%	50%	60%	70%
Percentage of youth inmates (under age 22) participating in academic and vocational programs	69 %	64 %	64 %	40%	50%	75%	75%	75%

Current Situation:

The Department of Correction (DOC) has contracted with the Department of Community Colleges to provide specified academic training to inmates. However, DOC is also responsible for the academic progress of certain inmates (for example, some youthful offenders) who may not otherwise be enrolled in the community college curricula. Consequently, DOC rehabilitational efforts are directed toward the provision of a better education for targeted groups of state prisoners.

Funds:

4500 DOC
1310 Custody and Security
1340 Education Services

Objective 2: Increase percentage of targeted inmates completing vocational programs.

Measure	Actual					Estimated	Expected	Expected
	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99
Outcome Measures:								
Percentage of targeted inmates completing vocational programs (comprehensive measure being developed)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Performance Measures:								
Percentage of adult inmates participating in academic and vocational programs	17 %	17 %	17 %	31%	40%	50%	60%	70%
Percentage of youth inmates (under age 22) participating in academic and vocational programs	69 %	64 %	64 %	40%	50%	75%	75%	75%

Current Situation:

The Department of Correction (DOC) has contracted with the Department of Community Colleges to provide specified vocational training to inmates, as DOC rehabilitational efforts are directed toward the provision of a better vocational education for targeted groups of state prisoners. ✓

Note: Comprehensive measure to encompass all types of vocational education programs without duplication of counts is under development.

Funds:

4500 DOC
1310 Custody and Security
1340 Education Services

VISITOR REGISTRATION SHEET

Name of Committee

Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK.

NAME

FIRM OR AGENCY AND ADDRESS

Carne Tedrow	Passage Home Harriet's House:
Lisa Crosslin	" " "
Lo Ruben	CYPC
Nancy Lane	DOC/CJPP
McNeill	Parole Commission
Guarita A. Baker	" "
Shelita Swann	Parole Commission
Dee Herring	Parole Commission
Keith Hester	Division of Prisons
Jane Young	Division of Prisons
Ruben Lee Guy	DOC - PROBATION
ERIC ZOGRY	SENTENCING COMMISSION

VISITOR REGISTRATION SHEET

Name of Committee

Date _____

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK.

NAME _____

FIRM OR AGENCY AND ADDRESS

Burley Henry

052m

Julius Carpenter

BoC

Lee Hamilton

Dac

~~Handwritten signature~~



Walter Stamer

NCA TL

**SENATE APPROPRIATIONS SUBCOMMITTEE
ON**

JUSTICE AND PUBLIC SAFETY

Tuesday March 25, 1997 – 8:30a.m.
Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

II. PRESENTATIONS

- Overview of Prison Corrective Programs

Jim Mills, Fiscal Analyst
Department of Correction Staff

- Review of Reserve Funds in the Division of Prisons

Jim Mills, Fiscal Analyst
Joe Hamilton, Deputy Secretary, Department of Correction

- Overview of Prison Enterprises Programs

Greg Stahl, Assistant Secretary, Department of Correction

III. COMMITTEE DISCUSSION/OTHER BUSINESS

-- Follow-up on Members Requests for Information

IV. ADJOURNMENT



MINUTES
SENATE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY
MARCH 25, 1997

The Senate Appropriations Subcommittee on Justice and Public Safety met at 8:30 AM on Tuesday, March 25, 1997 in Room 421 of the Legislative Office Building. Five members were present. Senator Wib Gulley, Chairman, presided.

Senator Gulley first asked Jim Mills, Fiscal Analyst, to give the Subcommittee an overview of the Inmate Corrective Programs in the Division of Prisons (see attached). Senator Ballance asked if everybody in the programs receive drug testing. Mr. Mills replied that they do not. He also stated that \$4.5 million of the \$34 million budget was for diagnostic testing. Senator Gulley asked about the budget for the Piedmont diagnostic center and asked that this item be flagged (page five of handout).

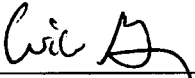
Mr. Keith Hester with the Division of Prisons also responded to questions by the Subcommittee with regard to the prison labor programs. The Subcommittee asked that the special provision on page fifteen of the handout be flagged.

Next, Mr. Mills reviewed the handout "Prison Reserves" (see attached). Mr. Mills highlighted for the Subcommittee how and why reserves are generated. Mr. Joe Hamilton with the Department of Corrections gave the Subcommittee an update on the private prisons being used. He also gave the Subcommittee two handouts (see attached) dealing with the reserves in the Department of Correction's budget.

Next, Mr. Gregg Stahl with the Department of Corrections presented the annual report of North Correction Enterprises (see attached). He told the Subcommittee that the regular incentive wage for the inmates ranged from \$.40 to \$1.00 per day depending on the skill of job, etc. The goods and services produced by the inmates are only used by other state agencies and departments. The sales generated every year range from \$50-60 million. The Department of Corrections is the biggest consumer of the products produced. \$5-6 million are profits realized from the Enterprises. \$1 million is returned to the general fund, \$1 million is given to the Victims Compensation Fund, \$1.2 million is paid to the prison workers, and the \$2-3 million left is returned to a fund to provide more jobs for

inmates. NC Correction Enterprises has \$33 million in unfunded needs. Senator Blust expressed the concern of private industries that inmate labor is an unfair competition. Mr. Stahl told the Subcommittee that the issue is looked at every time the Correction Enterprises expands a job area or starts a new job area. He also stated that they were trying to get the private sector employers to come into the prisons and pay the prevailing wage for the jobs, rather than the current prison wage.

The meeting was adjourned at 10:00 AM



Senator Wib Gulley, Chair



Carol Resar, Committee Clerk

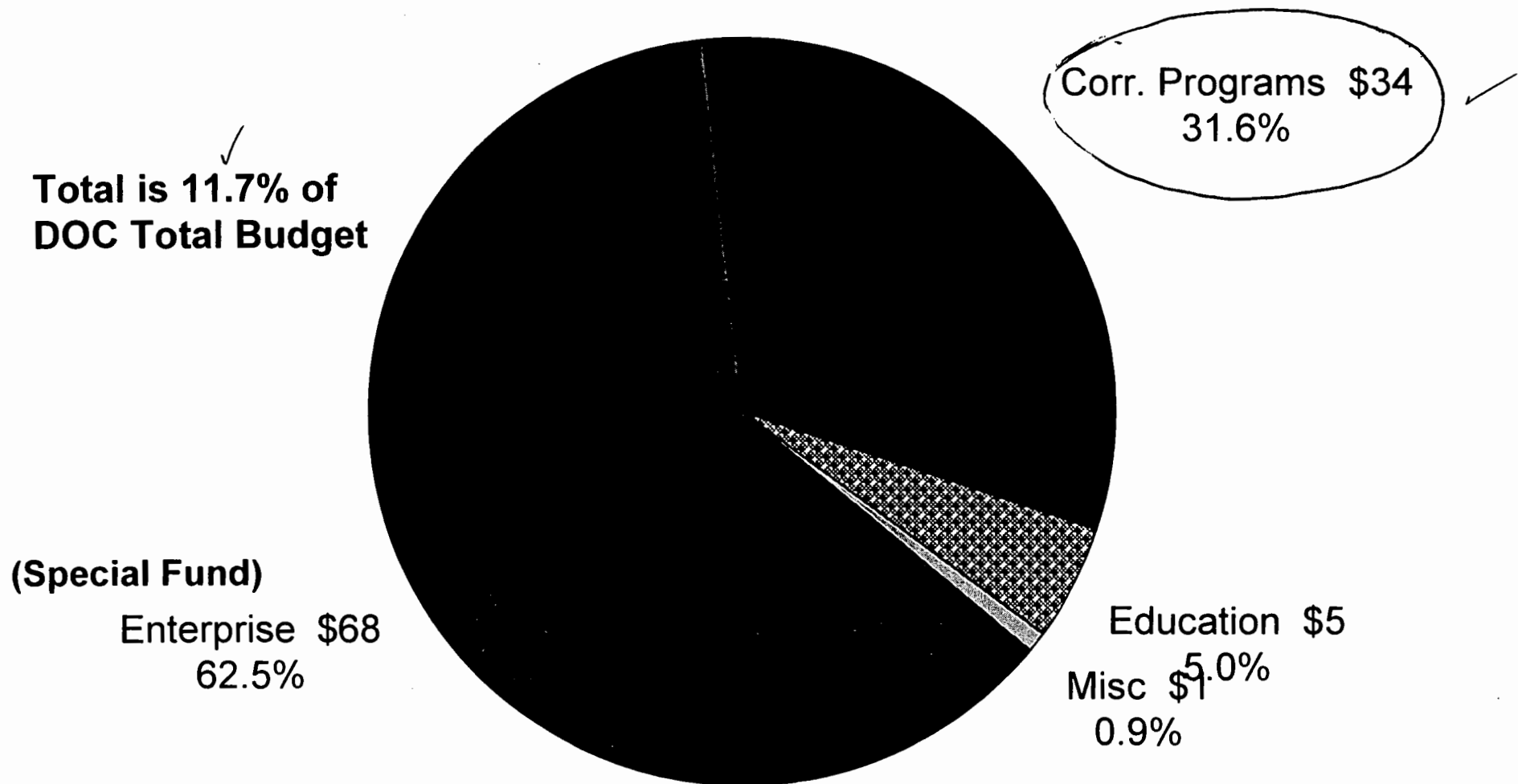
Department of Correction

Budget Overview of Inmate Corrective Programs in the Division of Prisons

Justice and Public Safety Appropriations Subcommittees

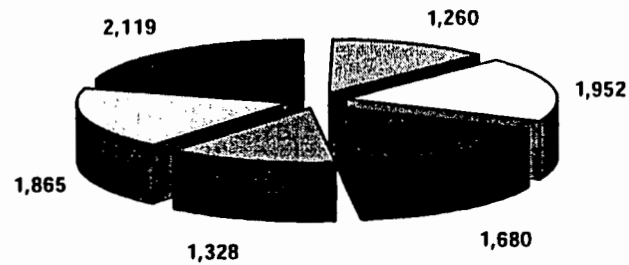
March 24, 1997

Department of Correction 1996-97 Total Program Budget for Education and Training of Inmates (Dollars in millions)



NOTE: DOC total is \$108.5 million for 1996-97 and approx. \$107 million for 1997-99 per Performance/Program Budget. Additionally, DEHNR budgets approx. \$550,000 for BRIDGE youthful offenders program

Prisoner Rehabilitation Assignments
(December 1995)



10,204

Academics	(1,952)	Vocations	(1,680)
Work Release	(1,328)	Highway Work	(1,865)
Prison Enterprise	(2,119)	Community Work	(1,260)

Educate and train adult offenders

FY 1997-98

FY 1998-99

\$107.32 million

\$107.10 million

Objectives

1. Increase percentage of targeted inmates completing academic programs

2. Increase percentage of targeted inmates completing vocational programs

3. Increase percentage of prison population participating in work programs

4. Increase rate of responsible behavior demonstrated by prisoners

5. Decrease rate of irresponsible behavior demonstrated by prisoners

Strategies and activities

Expand the use of the community college resources available to the Division of Prisons

Increase managerial focus upon academic needs and related programs

Expand community labor programs to additional prison units

2

Overview of Prison Corrective Programs

- G.S. 148-22 -- DOC .."shall provide humane treatment for prisoners and for programs to effect their correction and return to the community as soon as practicable."
- Major Program Components
 - 1. Diagnostic and Classification Services
 - 2. Institutional (In-prison) Programs -- counseling, case management, recreation, library services.
 - 3. Work Release
 - 4. Community Volunteer Program
 - 5. Work Programs -- Institutional Work; Community Work Programs; DOT/DOC Road Squads
- Total budget is approx. \$34 million in 96-97 and for 1997-99 (excludes \$10.74 million from Highway Fund for road squads); Positions total 1,072.4 in each year of the biennium (-18 from 96-97)

Prisons Corrective Programs -- Diagnostic and Classification

- DOC operates 12 inmate reception and diagnostic centers (will be 11 with closing of Southern); overall budget is approximately \$4.4 million (13% of Corrective Programs Budget) with 141 positions. Corrective Program budget funds the general diagnostic personnel -- case analysts, behavioral specialists, and processing technicians; the health services budget funds health component of intake.
- Initial activity is intake and orientation for inmates
- Inmates are then reviewed to determine proper custody classification and, in turn, appropriate work and program assignments. Goal is to minimize community and institutional security risks and provide opportunity for productivity and development of inmates.

1350 PRISON CORRECTIVE PROGRAMS

1. List of diagnostic centers by type and location, budgets and personnel for each center.

Attached is a 17 page handout that provides the above information, except budgets, for the DOP diagnostic centers.

The budgets for each diagnostic center are primarily for the staff, as follows:

<u>Diagnostic Center</u>	<u>Personnel</u>	<u>Personnel Cost</u>
Central Prison	8	\$251,584
Polk Youth	16	503,168
Hoke	14	440,272
Southern	7	220,136
NCCIW	12	377,376
Rowan	10	314,480
Guilford	10	314,480
Fountain	7	220,136
Piedmont✓	22✓	691,856 ✓
Western Youth	12	377,376
Neuse	15	471,720
Craven	<u>8</u>	<u>251,584</u>
Total Personnel/Cost	141	\$4,434,168
Diagnostic Test Supplies		<u>173,345</u>
Total Diagnostic Center Cost		\$4,607,513

6

DIAGNOSTIC CENTER

Piedmont Correctional Institution ✓

Medium Custody

Unit # 3500

9 Case Analysts
1 Behavioral Specialist
6 Admission Technicians
5 Processing Assistants

Admission Criteria:

Male Felons, 22 years of age or older

Structured = 6 months to 60 months

Prestructured = 2 years, 1 day to 20 years

Northeastern Part of the State

Prison Corrective Programs -- Budget Issues

- DIAGNOSTIC CENTERS

- In 1996 Session, General Assembly authorized closing Southern Reception center during 1996-97 due to reduction in admissions and corresponding reduction in intake and processing workload (Reduction of 10 positions and \$304,826)
- **ISSUE** -- Can Diagnostic Center Budgets be reduced during 1997-99 Biennium? (Admissions (sentenced inmates) 29,852 in 1993 and 22,503 in 1996); however, admissions up in 1997 over similar period in 1996.

Prison Corrective Programs

Institutional (In-prison) programs

- Majority of Prison Corrective Program Budget is for program positions in area offices and prisons.
- Prison program staff coordinate the assignment of inmates to various academic, vocational, and general programs in the prisons and monitor progress through case management.
- Staffing standards are used to determine appropriate number of staff -- guideline is one in-prison program person for every 50 inmates.
- 1996-97 reduction of 8 positions due to GPAC units closing.

1350 PRISON CORRECTIVE PROGRAMS

9

2. Example of a typical "Program" organization, budget and staffing (example from a minimum, medium, and close prison).

All program sections are staffed using a 1:50 ratio of staff to inmates.

I.	SMALL MINIMUM facility	less than 100 inmates	<u>Typical Staffing</u> Program Supervisor Processing Assistant III \$62,896
	Average one day count	66	
	Number of facilities	14	
II.	SMALL MEDIUM facility	less than 100 inmates	<u>Typical Staffing</u> Program Supervisor Processing Assistant III \$62,896
	Average one day count	79	
	Number of facilities	5	
III.	MEDIUM size MINIMUM facility	100-325 inmates	<u>Typical Staffing</u> Program Director I Program Supervisor I (1) Program Assistant II (1) Program Assistant I (1) Processing Assistant III \$157,240
	Average one day count	224	
	Number of facilities	25	
IV.	MEDIUM Size MEDIUM facility	100-225 inmates	<u>Typical Staffing</u> Program Supervisor (1) Program Assistant II (1) Program Assistant I (2) Processing Assistant (1) \$157,240
	Average one day count	152	
	Number of facilities	5	
V.	LARGE MINIMUM facility	325-800 inmates	<u>Typical Staffing</u> Asst Supt for Prog I Program Director I Program Supervisor (3) Program Assistant II (2) Program Assistant I (2) Processing Assistant (2) \$345,928
	Average one day count	552	
	Number of facilities	6	
VI.	LARGE MEDIUM facility	400-850 inmates	<u>Typical Staffing</u> Asst Supt for Prog II Program Director I Classification Coordinator Program Supervisor (3) Program Assistant II (3) Program Assistant I (3) Processing Assistant (3) \$471,720
	Average one day count	611	
	Number of facilities	14	
VII.	LARGE CLOSE Custody	450 + inmates	<u>Typical Staffing</u> Asst Supt for Prog II Program Director I Classification Coordinator Program Supervisor (4) Program Assistant II (3) Program Assistant I (2) Processing Assistant (3) \$471,720
	Average one day count	805	
	Number of facilities	11	

Objective 3: Increase percentage of prison population participating in work programs.

Measure	Actual					Estimated	Expected	Expected
	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99
Outcome Measures:								
Percentage of prison population involved in work programs (comprehensive measure being developed)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Performance Measures:								
Average monthly participation in work release	987	989	1,256	1,200	1,350	1,400	1,500	1,600
Average number assigned to institutional work	7,398	7,560	8,337	8,553	8,978	9,428	10,500	11,500
Average monthly participation in Community Work	n/a	n/a	n/a	n/a	1,984	2,026	2,026	2,026
Average weekly participation in Young Offenders	45	80	80	80	90	90	90	90
Percentage of prisoners aged 18-25 in BRIDGE	10%	10%	10%	10%	10%	12%	12%	12%

Current Situation:

Participation in labor programs benefits the individual inmate as well as the state. Emphasis should be placed upon expanding these programs.

Note: Comprehensive measure to encompass all types of work programs without duplication of counts is under development.

Funds:**4500 DOC**

1310 Custody and Security

1350 Corrective Services

7100 Enterprise Services

4300 DEHNR

1235 Young Offenders

11

48-26. State policy on employment of prisoners.

(a) It is declared to be the public policy of the State of North Carolina that all able-bodied prison inmates shall be required to perform diligently all work assignments provided for them. The failure of any inmate to perform such a work assignment may result in disciplinary action. Work assignments and employment shall be for the public benefit to reduce the cost of maintaining the inmate population while enabling inmates to acquire or retain skills and work habits needed to secure honest employment after their release. ✓

In exercising his power to enter into contracts to supply inmate labor as provided by this section, the Secretary of Correction shall not assign any inmate to work under any such contract who is eligible for work release as provided in this Article, study release as provided by G.S. 148-4(4), or who is eligible for a program of vocational rehabilitation services through the State Vocational Rehabilitation Agency, unless suitable work release employment or educational opportunity cannot be found for the inmate, and the inmate is not eligible for a program of vocational rehabilitation services through the State Vocational Rehabilitation Agency, and shall not agree to supply inmate labor for any project or service unless it meets all of the following criteria:

(1) The project or service involves a type of work by which inmates can develop a skill to better equip themselves to return to society;

(2) The project or service is of benefit to the citizens of North Carolina or units of State or local government thereof;

(3) Repealed by Session Laws 1977, c. 824, s. 2.

(4) Wages shall be paid in an amount not exceeding one dollar (\$1.00) per day per inmate by the local or State contracting agency.

(b) As many minimum custody prisoners as are available and fit for road work, who cannot appropriately be placed on work release, study release, or other full-time programs, and as many medium custody prisoners as are available, fit for road work and can be adequately guarded during such work without reducing security levels at prison units, shall be employed in the maintenance and construction of public roads of the State. The number and location of prisoners to be kept available for work on the public roads shall be agreed upon by the governing authorities of the Department of Transportation and the State Department of Correction far enough in advance of each budget to permit proper provisions to be made in the request for appropriations submitted by the Department of Transportation. Any dispute between the Departments will be resolved by the Governor. Prisoners so employed shall be compensated, at rates fixed by the Department of Correction's rules and regulations for work performed; provided, that no prisoner working on the public roads under the provisions of this section shall be paid more than one dollar (\$1.00) per day from funds provided by the Department of Transportation to the Department of Correction for this purpose. The Department of Correction and the Department of Transportation shall develop a program to be implemented no later than July 1, 1982, to the extent money is herein appropriated, which shall include:

(1) The use of portable toilets for inmate road crews.

(c) As many of the male prisoners available and fit for forestry work shall be employed in

the development and improvement of state-owned forests as can be used for this purpose by the agencies controlling these forests.

(d) The remainder of the able-bodied inmates of the State prison system shall be employed so far as practicable in prison industries and agriculture, giving preference to the production of food supplies and other articles needed by state-supported institutions or activities.

(e) The State Department of Correction may make such contracts with departments, institutions, agencies, and political subdivisions of the State for the hire of prisoners to perform other appropriate work as will help to make the prisons as nearly self-supporting as is consistent with the purposes of their creation. The Department of Correction may contract with any person or any group of persons for the hire of prisoners for forestry work, soil erosion control, water conservation, hurricane damage prevention, or any similar work certified by the Secretary of Environment, Health, and Natural Resources as beneficial in the conservation of the natural resources of this State. All contracts for the employment of prisoners shall provide that they shall be fed, clothed, quartered, guarded, and otherwise cared for by the Department of Correction. Such work may include but is not limited to work with State or local government agencies in cleaning, construction, landscaping and maintenance of roads, parks, nature trails, bikeways, cemeteries, landfills or other government-owned or operated facilities. ✓

(f) Adult inmates of the State prison system shall be prohibited from working at or being on the premises of any schools or institutions operated or administered by the State Division of Youth Development.

(1933, c. 172, ss. 1, 14; 1957, c. 349, s. 5; 1967, c. 996, s. 13; 1971, c. 193; 1973, c. 1262, s. 86; 1975, c. 278; c. 506, ss. 1, 2; c. 682, s. 2; c. 716, s. 7; 1977, c. 771, s. 4; c. 802, s. 25.36; c. 824, ss. 1-3; 1981, c. 516; 1981 (Reg. Sess., 1982), c. 1400; 1989, c. 727, s. 218(156).)

Editor's Note. - Session Laws 1975, c. 682, s. 4, provided: "Nothing in this act shall be construed as altering or amending G.S. 148-26(b) or G.S. 148-18(a) as set out in Chapter 506 of the 1975 Session Laws."

Legal Periodicals. - For review of this section and those following, see 11 N.C.L. Rev. 252 (1933).

CASE NOTES

Basis of Section. - This section and §§ 148-6 and 148-33.1, as well as provisions with reference to paroles contained in Article 4 of this Chapter, are predicated upon the idea that the ability as well as the disposition of released prisoners to engage in honest employment and become law-abiding members of society is calculated to serve the best interests of the State and of its citizens. *Pharr v. Garibaldi*, 252 N.C. 803, 115 S.E.2d 18 (1960).

Applied in *State v. Cooper*, 238 N.C. 241, 77 S.E.2d 695 (1953).

Quoted in *State v. Whitley*, 264 N.C. 742, 142 S.E.2d 600 (1965).

OPINIONS OF ATTORNEY GENERAL

Employment of Prisoners Is Not Prohibited by Constitution Rewrite. - See opinion of Attorney General to Senator Julian Allsbrook, 41 N.C.A.G. 440 (1971).

§ 148-26.1. Definitions.

The following definitions apply:

(1) through (3) Repealed by Session Laws 1983, c. 709, s. 1, effective July 1, 1983.

(4) through (7) Repealed by Session Laws 1985, c. 226, s. 2, effective May 23, 1985.

(8) "State public work project" or "State public work": A useful service other than the construction of buildings performed on any land, or any structure thereon, belonging to any principal department of State government as defined in subdivision (6) above, including, but not limited to, State parks, campuses, playgrounds, highways, roads, lakes, forests and waterways.

(9) Repealed by Session Laws 1985, c. 226, s. 2, effective May 23, 1985.

(1975, c. 682, s. 3; 1983, c. 709, s. 1; 1985, c. 226, s. 2.)

Editor's Note. - Session Laws 1975, c. 682, s. 4, provided: "Nothing in this act shall be construed as altering or amending G.S. 148-26(b) or G.S. 148-18(a) as set out in Chapter 506 of the 1975 Session Laws."

§§ 148-26.2 through 148-26.4: Repealed by Session Laws 1983, c. 709, s. 1.

§ 148-26.5. Pay and time allowances for work.

The provisions of G.S. 148-18 and 148-13 shall be applicable to inmate work on local or State public work projects contracted for by the Secretary of Correction as provided by G.S. 148-26 through 148-26.4. Travel, cost of inmate wages and custodial supervision expenses incurred by the Department of Correction and arising out of a local or State public work project shall be reimbursed on a cost basis to the Department of Correction by the local or State contracting agency. ✓

(1975, c. 682, s. 3.)

Editor's Note. - Session Laws 1975, c. 682, s. 4, provided: "Nothing in this act shall be construed as altering or amending G.S. 148-26(b) or G.S. 148-18(a) as set out in Chapter 506 of the 1975 Session Laws."

Sections 148-26.2 to 148-26.4, referred to in this section, were repealed by Session Laws 1983, c. 709, s. 1.

Prison Corrective Program -- Budget Issues

- DOT ROAD SQUADS
 - DOT supervises minimum security road squads; DOT and DOC supervise medium security inmates -- Staffing Ratio: 1:4 (correctional officer to 4 inmates; usually 3 officers/12 inmates)
 - Medium Security road squads are funded by Highway Fund -- 1995 General Assembly authorized additional \$6 million reduction in General Fund and corresponding increase in use of Highway Fund.
 - General Assembly also authorized Transportation Appropriations Subcommittee recommendation that Highway Fund only pay for "actual labor performed by medium custody inmates."
 - **ISSUE** -- Highway fund is anticipated to pay approximately \$5.6 million in 96-97 but Governor's 1997-99 Continuation Budget assumes \$10.74 million will be paid from Highway Fund each year of biennium.

15

**DEPARTMENT OF TRANSPORTATION TO PAY DEPARTMENT OF
CORRECTION ONLY FOR ACTUAL MEDIUM CUSTODY INMATE LABOR**

Sec. 18.6. The Department of Transportation shall pay the Department of Correction only for the actual labor performed by medium custody inmates.

Requested by: Senators Hoyle, Hartsell, Representatives Barbee, Bowie
VISITOR CENTER OPERATIONAL FUNDS

Sec. 18.7. (a) G.S. 20-79.7(c)(2) reads as rewritten:

- " (2) From the funds remaining in the Special Registration Plate Account after the deductions in accordance with subdivision (1) of this subsection, there is appropriated from the Special Registration Plate Account the sum of ~~three hundred twenty five thousand dollars (\$325,000) for the 1993-94 fiscal year and the sum of three hundred seventy five thousand dollars (\$375,000) for the 1994-95 fiscal year~~ four hundred fifty thousand dollars (\$450,000) for the 1995-96 fiscal year to provide operating assistance for the Visitor and Welcome Centers:
- a. on U.S. Highway 17 in Camden County, (\$75,000);
 - b. on U.S. Highway 17 in Brunswick County, (\$75,000);
 - c. on U.S. Highway 441 in Macon County, (\$75,000);
 - d. in the Town of Boone, Watauga County, (\$75,000); ~~and~~
 - e. on U.S. Highway 29 in Caswell County, ~~(\$25,000) for the 1993-94 fiscal year and (\$75,000) for the 1994-95 fiscal year.~~ (\$75,000); and
 - f. on U.S. Highway 70 in Carteret County, (\$75,000)."

(b) The Joint Legislative Transportation Oversight Committee shall investigate the continued use of the Special Registration Plate Fund as a source of operational funds for visitors centers and shall report the results of that investigation to the 1996 Session of the General Assembly.

Requested by: Representatives Barbee, Bowie, Senator Hoyle
HIGHWAY FUND ALLOCATIONS BY CONTROLLER

Sec. 18.8. The Controller of the Department of Transportation shall allocate at the beginning of each fiscal year from the various appropriations made to the Department of Transportation in this act, Titles:

State Construction
State Funds to Match Federal Highway Aid
State Maintenance
Ferry Operations,

sufficient funds to eliminate all overdrafts on State maintenance and construction projects, and these allocations shall not be diverted to other purposes.

Requested by: Representatives Barbee, Bowie, Senator Hoyle
CASH FLOW HIGHWAY FUND AND HIGHWAY TRUST FUND APPROPRIATIONS

Sec. 18.9. (a) The General Assembly authorizes and certifies anticipated revenues of the Highway Fund as follows:

For Fiscal Year 1997-98	\$1,075.6 Million
For Fiscal Year 1998-99	\$1,093.1 Million

(b) The General Assembly authorizes and certifies anticipated revenues of the Highway Trust Fund as follows:

For Fiscal Year 1997-98	\$ 775.8 Million
For Fiscal Year 1998-99	\$ 799.8 Million

3300 Educate and train adult offenders

NEW

Objective 4: Increase rate of responsible behavior as demonstrated by inmates.

Measure	Actual					Estimated	Expected	Expected
	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99
Outcome Measures:								
Average number of positive events noted per inmate (comprehensive measure being developed)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Performance Measures:								
Monthly average participation in Home Leave	342	332	402	358	412	417	440	460
Monthly average participation in Community Leave	1,561	1,182	1,168	1,441	1,516	1,591	1,650	1,700
Monthly average participation in Mutual Agreement	175	187	107	87	50	60	70	80
Annual number served in DEHNR Young Offenders	150	150	200	200	300	300	300	300
Monthly average receiving correctional counseling	18,715	20,632	21,099	25,000	28,759	28,759	30,000	30,000

Current Situation:

Positive events are defined as recognized correctional progress on an annual basis. Individual measures, such as custody level promotion, program admission (for example, home or community leave, MAPP, Young Offender Program, and so on) or academic gain (for example, GED) constitute evidence of responsible conduct.

Funds:

4500 DOC

1310 Custody and Security
1340 Education Services
1350 Corrective Services
7100 Enterprise Services

4300 DEHNR

1235 Young Offenders

116

New

Objective 5: Decrease rate of irresponsible behavior as demonstrated by inmates.

Measure	Actual					Estimated	Expected	Expected
	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99
Outcome Measures:								
Average number of rule infractions per inmate (comprehensive measure being developed)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Performance Measures:								
Number of rule infractions recorded	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Number of inmates cited for rule infractions	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Number of rule infractions for violent conduct	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Number of rule infractions for non-violent conduct	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Number of custody reductions due to rule infractions	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

Current Situation:

Infractions are operationally defined as rule violations for which an inmate was deemed guilty through the prison disciplinary procedure. This measure will be used as an aggregate indicator variable for determining the extent of irresponsible behavior as demonstrated by the inmate population.

Note: These measures are not currently maintained in this format and were therefore unavailable at the time of printing.

Funds:

4500 DOC
1310 Custody and Security
1350 Corrective Services

Department of Correction

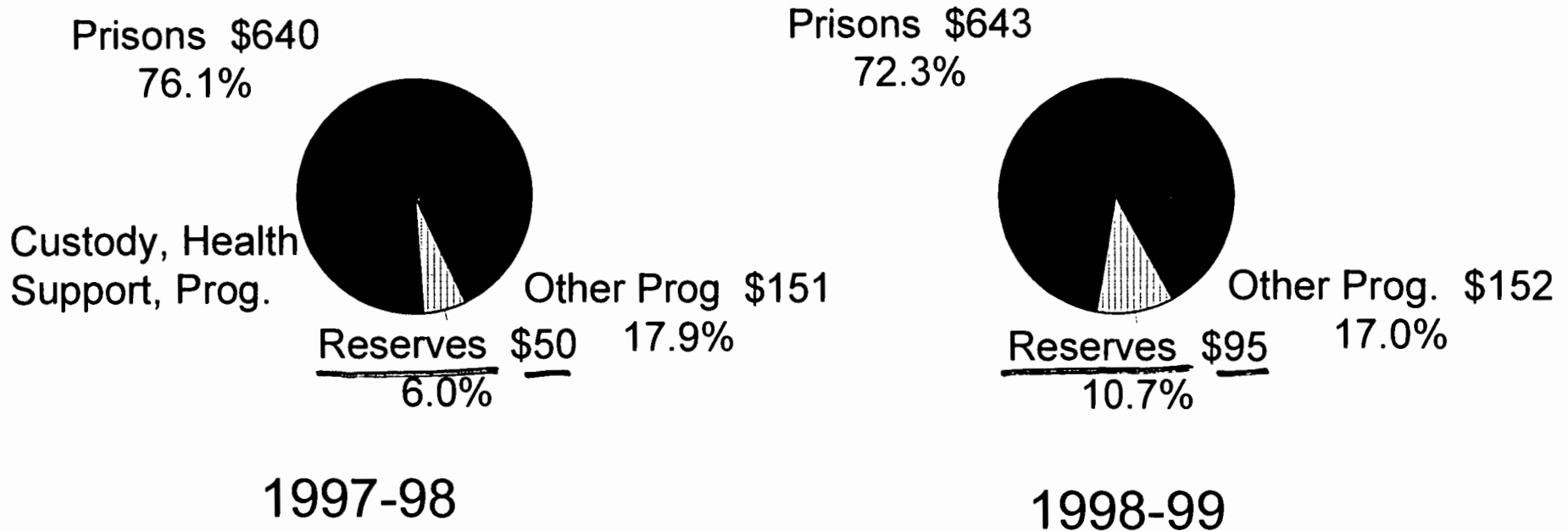
Overview of 1997-99 Prison Reserves Budget

Justice and Public Safety Appropriations Subcommittee

March 24, 1997

DEPARTMENT OF CORRECTION 1997-99

GENERAL FUND BUDGET (dollars in millions)*



Total budget is \$840 MILLION/\$818m NET APPROPRIATIONS IN 97-98 AND \$890M AND \$868m IN 1998-99

14500 Department of Correction

PURPOSE DETAIL:

Description	1995-96 Actual	1996-97 Authorized	1997-98 ✓		1998-99 ✓	
			Inc/Dec From Authorized	Total Recommended	Inc/Dec From Authorized	Total Recommended
1800 NUMBER OF POSITIONS	.00	553.00	462.00	1,015.00	1,053.00	1,606.00

REQUIREMENTS						

53 7110 RESERVE - 112 MILL C	0	113,018	113,018-	0	113,018-	0
53 7114 RESERVE-DART	0	12,318	12,318-	0	12,318-	0
53 7117 RES.-STRUCTURED SENTE	0	0	9,653,263	9,653,263	13,047,977	13,047,977
✓ 53 7120 RESERVE-87.5 MILLION	0	5,812,674 ✓	7,438,068	13,250,742 ✓	7,443,252	13,255,926 ✓
53 7121 RES.-OPR., EAST., MARIO	0	709,714	709,714-	0	709,714-	0
53 7123 RES.-CRIMINAL JUST. P	0	91,916	91,916-	0	91,916-	0
✓ 53 7126 RES REPEAL OF CAP	0	2,691,960 ✓	500,000-	2,191,960 ✓	500,000-	2,191,960 ✓
✓ 53 7127 RES-1,384 NEW BEDS	0	10,854,577 ✓	10,721,036	21,575,613 ✓	35,408,907	46,263,484 ✓
✓ 53 7128 RES-PRIVATE BEDS FD 9	0	0 ✓	3,300,774	3,300,774 ✓	19,673,371	19,673,371 ✓
53 7134 RES EXP CAP&UNIT DEFI	0	4,066	4,066-	0	4,066-	0
53 7138 RES-TITLE VII REDUCTI	0	0	150,000-	150,000-	150,000-	150,000-
53 8010 DEPENDENT CARE-OP TFR	13,426	0	0	0	0	0
53 8102 TR-OUT OTHER SP-REV F	306,294	325,000	0	325,000	0	325,000
53 8104 TRANSFER TO INTERNAL-	201,600	201,600	0	201,600	0	201,600
53 8109 TRANS-OUT-OFC GOV	30,000	0	0	0	0	0
53 8499 WORK COMP-RESID EQUI	726,111	0	0	0	0	0
53 8907 TRANSFER SUCCEEDING F	36,934,928	0	0	0	0	0

TOTAL REQUIREMENTS	38,212,359	20,816,843	29,532,109	50,348,952	73,992,475	94,809,318

ESTIMATED RECEIPTS						

TOTAL RECEIPTS	0	0	0	0	0	0

NET APPROPRIATION	38,212,359	20,816,843	29,532,109	50,348,952	73,992,475	94,809,318

✓ = PRISON RESERVES

DOC PRISON RESERVES 1997-99 -- OVERVIEW

- ▶ Operating Reserves are established for one or all of the following reasons:
 - ▶ Large amount of funds dedicated to one project or program
 - ▶ OSBM/General Assembly want to track expenditures
 - ▶ The precise amount of funds needed for a program or project is unclear and cannot be determined when the budget is put together.
 - ▶ Starting dates for positions or programs are staggered and sometimes uncertain when budget is put together.
- ▶ **DOC Prison Operating Reserves**
 - ▶ Operating Reserves are made up of funds to staff and operate prisons already fully funded for construction and coming on line in 96-97; 97-98; and 98-99. (Includes inmate costs)
 - ▶ Operating Reserves are tied to stages of construction (Prison may have partial reserve to start hiring staff in one year and then be funded to be fully staffed and operated in the next)
 - ▶ Operating Reserves may include increases or decreases from the original estimated budget -- budget may be estimated one to two years before a prison is designed and construction begins --- result may be changes in number of inmates, programs and design changes that affect reserve.

BUDGET REVIEW OF DOC PRISON RESERVES

- ▶ PHASE I -- Establish Long- Range Funding Plan
 - ▶ General Assembly authorizes construction funding for new prisons
 - ▶ DOC/OSBM/General Assembly estimate amount and dates operating funding should begin and end and amount of funds needed based on custody level of prison, DOC staffing guidelines, and anticipated prison completion dates.
 - ▶ Key is estimated completion date -- DOC is authorized to hire managers 120 days prior to prison completion and staff 90 days -- 30 days for testing and administration; 30 days for training and certification and 30 days for OJT.
- ▶ PHASE 2 --- State Budget/General Assembly review status of projects and readjust budget based on:
 - ▶ 1. Review new estimated dates for completing construction and inmate occupancy and make one-time reductions if dates are pushed into next fiscal year.
 - ▶ 2. Review changes that effect cost: prison design (e.g. add electronic intrusion system/eliminate towers and people); #inmates; number and type of programs (e.g. more road squads); and, adjust budget.

BUDGET REVIEW OF DOC PRISON RESERVES

- 1996 GENERAL ASSEMBLY CHANGES TO DOC PRISON RESERVES
 - 1. Reduce Prison Reserves by \$10.5 million (NR) -- One-time reduction in reserve by pushing back dates when stck would be hired and when inmate support funds would be needed.
 - 2. Eliminate 1996-97 Reserve for Private Prisons (\$9.2 million) due to prisons not becoming operational in 1996-97 (originally funded in 1995 based on earlier opening date).

DOC PRISON RESERVES FUNDED IN 97-99 BUDGET

<u>Reserve Project</u>	<u>1995-96</u>	<u>Authorized 1996-97</u>	<u>Recommended 1997-98</u>	<u>Recommended 1998-99</u>
1. Reserve 7120 - 87.5 million prison bonds (Authorized in 1993- remaining 5 prisons)	0	\$5,812,674	\$13,250,742	\$13,255,926
2. Reserve -- Repeal of Prison Cap Additional Beds for Double celling at Pasquotank, Central, and Marion	0	2,691,960	2,191,960 *	2,191,690 *
3. Reserve 7127 - <u>1,384 new beds</u> (Authorized in 1995 due to Structured Sentencing)	0	10,854,577	21,575,613 *	46,263,484 *
4. Reserve -- Private Prison Beds (Authorized two 500 bed private prisons in 1995)	0	0	<u>3,300,774</u> *	<u>19,673,371</u> *
TOTAL		0	\$40,319,089	\$81,384,741

*Includes Governor's adjustments 12/96 - (1) Albemarle and Avery/Mitchell one-time reduction of \$9.5 million (NR) and (2) one-time reduction for private prisons of \$2.9 million (NR) and (3) Repeal of Prison Cap Reserve of \$500,000 (Recurring).

6

GOVERNOR'S ADJUSTMENTS TO RESERVES*

7

<u>Reserve</u>	<u>1997-98</u>	<u>1998-99</u>
1. 7127 Reserve - Reserve for Operating 1,384 new beds due to delays at Albemarle and Avery/Mitchell facilities - one time reduction (completion date moved 2 months)	(\$9,500,000) NR	0
2. Reserve for Private Beds - Due to delays in completing lease and occupancy of the 2 private prisons, a one-time reduction was taken.	(2,900,000) NR	0
3. Reserve for Repeal of Prison Cap --	(\$500,000)	(\$500,000)

*Part of Governors "Eight" budget adjustments listed in Volume 4, J&PS Line Item Budget Document and p. 73 of Governor's "Summary of Recommendations"

OTHER POSSIBLE BUDGET ADJUSTMENTS TO PRISON RESERVES

<u>RESERVE</u>	<u>1997-98</u>	<u>1998-99</u>
1. Repeal Prison Cap – Additional reduction due to miscalculation—total cut should be (\$579,568)	(\$79,568) Recurring	(\$79,568) Recurring
2. Reserve for 1,384 New Beds – <u>Impact East (Female)</u> . Completion delayed until January 1998	To be determined (non-recurring)	To be determined (non-recurring)
3. Reserve for Private Prisons – Completion date delayed for Private Prisons East and West.	To be determined (non-recurring)	To be determined (non-recurring)
4. Reserve for 1,384 New Beds – Potential Recurring reductions due to Span of Control Study.	To be determined (Recurring)	To be determined (Recurring)

DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
March 24, 1997

7127- Reserve 1,384 NEW BEDS ANNUALIZED COST

**Original estimated operating budget for each facility versus 1997-98 (or 98-99)
annualized cost and basis for any differences.**

1. IMPACT East-Female

Original Estimated Annualized Budget	1,579,715
Positions	<u>(36)</u>
Annualized Budget in Continuation	1,580,355
Positions	(37)
Revised Annual Budget as of 03-07-97	1,500,800
Positions	<u>(37)</u>

Total Annualized Increase/Decrease required in Continuation: (79,555)

1 additional position requested. It is standard practice for the DOP Facilities Services Section to identify maintenance positions for new construction. These positions are submitted separately from the staffing allocations developed at the facility and command level. The maintenance mechanic IV at the IMPACT-East Female Facility should have been considered as part of the initial staffing allocation. The new facility includes a 60 bed dorm and a dining facility for the entire IMPACT-East compound and the position is necessary for related standard maintenance duties.

This budget has been revised with a new completion date due to a delay in construction.

2. Polk Youth Institution Replacement

Original Estimated Annualized Budget	4,196,478
Positions	<u>(90)</u>
Annualized Budget in Continuation	5,319,580
Positions	(122)
Revised Annual Budget as of 03-07-97	5,209,150
Positions	<u>(121)</u>

Total Annualized Increase/Decrease required in Continuation (110,430)

DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
March 24, 1997

31 additional positions requested. In reviewing the staffing allocations for Polk Replacement in the original site plans there was a 104 bed dorm but this was changed to a 144 single cell building. The recommended positions are necessary so that each dorm/single cell building will have the appropriate (and same) level of staffing. This amounted to 16 total correctional officer posts with relief equaling 26 additional correctional officer positions. An activity building was added to the construction plans following original staff proposals which required additional staffing consideration. The program positions address this deficiency. The medical positions requested in the reserve funding were overlooked in original proposals.

3. North Piedmont Correctional Center for Women

Original Estimated Annualized Budget	2,271,121
Positions	<u>(42)</u>
Annualized Budget in Continuation	2,289,902
Positions	(44)
Revised Annual Budget as of 03-07-97	2,288,623
Positions	<u>(44)</u>

Total Annualized Increase/Decrease required in Continuation (1,279)

2 maintenance positions requested. It is standard practice for the DOP Facilities Services Section to identify maintenance positions for new construction. These positions are requested because this facility will operate as a stand alone.

4. Warren Correctional Institution

Original Estimated Annualized Budget	4,933,021
Positions	<u>(133)</u>
Annualized Budget in Continuation	5,750,159
Positions	(154)
Revised Annual Budget as of 03-07-97	5,517,276
Positions	<u>(148)</u>

Total Annualized Increase/Decrease required in Continuation (232,883)

DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
March 24, 1997

15 additional positions requested. Current staffing is for 19 sergeants. Due to the size of the facility, number of correctional officers and to maintain consistency with existing facilities, 1 additional sergeant is requested.

An additional 14 correctional officers are needed to address additional posts not previously staffed in accordance with normal staffing patterns. See list below for specifics:

<u>Position</u>	<u>Staffing</u>	<u># Additional Posts</u>
Transportation	Current 3-2-1; Should be 3-3-1	1
Kitchen	Current 1-0-0; Should be 1-1-0	1
Master Control	Current 0-0-0; Should be 2-2-2	<u>6</u>
Total		8

8 posts x 1.76 relief factor = 14 correctional officer positions

5. Albemarle and Avery/Mitchell Correctional Institution

Original Estimated Annualized Budget	12,924,273
Positions	<u>(308)</u>
Annualized Budget in Continuation	13,438,527
Positions	(328)
Revised Annual Budget as of 03-07-97	13,106,062
Positions	<u>(323)</u>

Total Annualized Increase/Decrease required in Continuation (332,465)

15 additional positions requested. Request 3 additional processing assistant III's to provide clerical assistance for captains, lieutenants, sergeants, and programs staff assigned to work in the housing units completing disciplinary reports, classification actions, grievance responses, letters, memorandums, and other duties typical of a processing assistant III. Current staffing provides only 1 processing assistant for the operations section and this person will provide clerical assistance for the assistant superintendent for operations.

DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
March 24, 1997

An additional 11 correctional officers are needed at each facility to address additional posts not previously staffed in accordance with normal staffing patterns. See list below for specifics:

<u>Position</u>	<u>Staffing</u>	<u># Additional Posts</u>
Master Control	Current 0-0-0; Should be 2-2-2	<u>6</u>
	Total	6

6 posts x 1.76 relief factor = 11 correctional officer positions

One (1) additional food service assistant is requested. Staffing should be 2-2-0 for a total of 4 posts per day, $4 \times 1.76 = 7$ positions. Only 6 positions were designated in original staffing.

Female Boot Camp - Is budget request accurate or is facility to be operated as stand-alone?

As shown on the worksheet II, this facility will be located at the existing Hoffman location (IMPACT-East male facility), therefore, this facility will not be a "stand alone".

DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
March 24, 1997

7120-Reserve 87.5 Million Annualized Cost

Provide original DOC estimated annual budget versus actual annual budget in first full year of operation and basis for any differences.

1. Tyrrell Work Farm (East Work Farm)

Original Estimated Annualized Budget	6,481,533 (143)
--------------------------------------	--------------------

Annualized Budget in Continuation Positions	7,438,338 (170)
--	--------------------

27 positions requested. Positions are requested for custody (10) , medical (8), program (2) and administrative support (1) which responds to deficits that were previously identified at Dan River due to 60,000 square foot dormitory that will house 500 inmates. Staffing standards also apply here and the maintenance (6) positions are for a "Stand Alone" institution. This facility will also have a large population of minimum felons not misdemeanor as originally planned.

2. Hyde Correctional Institution

Annualized Budget in Continuation Positions	841,239 (27)
--	-----------------

Revised Annualized Budget-03-07-97	590,045 (19)
------------------------------------	-----------------

19 positions requested. When DOP management staffed this new facility, the layout design of the buildings were not completed. Now that the construction plans for this new facility has been completed, a revision of the staffing pattern is necessary to provide adequate custody supervision of the inmate population and consistency with existing facilities staffing.

5 additional sergeants are requested, current staffing is for 11 sergeants. Positions required due to the size of the facility, number of correctional officers and to maintain consistency with existing facilities.

DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
March 24, 1997

An additional 14 correctional officers are needed to address additional posts not previously staffed in accordance with normal staffing patterns. See list below for specifics:

<u>Position</u>	<u>Staffing</u>	<u>#Additional Posts</u>
Master Control	Current 0-0-0; Should be 2-2-2	6
Segregation	Current 2-2-2; Should be 3-3-2	<u>2</u>
	Total	8

8 posts x 1.76 relief factor = 14 correctional officer positions

3. Dan River Work Farm

Annualized Budget in Continuation	1,713,635
Positions	(55)
Revised Annualized Budget-03-07-97	1,643,161
	(53)

53 positions requested. The custody (37) positions reflect necessary post configuration for the 60,000 square foot dormitory which had not been designed when the original staffing was funded. The additional positions for (1) administrative support, medical (7), program (1), and food service (2) reflect staff standards for 650 inmates instead of the SOC of 500. The (5) maintenance positions are necessary for a "Stand Alone" institution. The original maintenance staffing represented an area office relationship. This facility will also have a large population of minimum felons not misdemeanor as originally planned, thirteen community work squads and a large enterprise farm operation that provides a more complex operation than was previously anticipated at initial planning.

4. Harnett Correctional Institution

Annualized Budget in Continuation	778,925
Positions	(25)
Revised Annualized Budget-03-07-97	652,155
	(21)

DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
March 24, 1997

21 correctional officer positions requested. Seventeen (17) of the positions are required to man seven (7) security towers at the institution. When the institution was funded in the 87 million, their staffing pattern was adjusted to show the seven towers being replaced with an Electronic Intrusion System. In anticipation of this change, the institution gave up the seventeen (17) positions. The towers are still being manned due to the lack of funding for the Electronic Intrusion System. Staffing for the seven towers is presently being pulled from the shifts. This situation has resulted in many hours of overtime and the inability to give staff their regular days off.

The remaining four (4) correctional officer positions are required for the maintenance area, kitchen and the soap plant operation.

The present maintenance area is located inside of the institution and in the middle of the yard. Numerous tools and materials are stored in this area. Security is very critical in this area to assure that weapons are not made that could be used in assaults and to assure that tools aren't utilized for escape. The present maintenance staff is not sufficient for custody and security.

A new kitchen has been built to handle the present population of 850 inmates. Approximately 2,550 meals are served each day and the additional staff will allow for one officer on first and second shift. This staff will be responsible for overall custody and security of the kitchen operation.

The soap plant is in need of additional staff to assure constant coverage inside of the plant as well as outside the plant when trucks arrive. Presently, only one staff person is assigned to that area which results in a breach of security anytime a truck arrives and that person is required to supervise the truck to hinder escape attempts.

VISITOR REGISTRATION SHEET

Name of Committee

Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK.

NAME

FIRM OR AGENCY AND ADDRESS

Committee	NCAA
Leo Purnell	Cym
ERIC ZOURY	SPAC
Keith Hester	Division of Prisons
Bernard Maloney	Retired S. B. I. Agent
Barbara Baker	Division of Prisons
Billy Hargis	OSBM
John W. May	NC CWA Police Council

**SENATE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY**
Wednesday March 26, 1997 – 15 Minutes After Session
Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

II. PRESENTATIONS

- Continue Review of the Department of Crime Control and Public Safety

Andy Willis, Fiscal Analyst
Crime Control Staff

- Review Judicial Department Flags and Special Provisions

Charles Perusse, Fiscal Analyst
Judicial Department Staff

- Review Department of Correction Flags and Special Provisions

Jim Mills, Fiscal Analyst
Department of Correction Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT



MINUTES
SENATE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY
MARCH 26, 1997

The Senate Appropriations Subcommittee on Justice and Public Safety met fifteen minutes after the Senate adjourned on Wednesday, March 26, 1997 in Room 421 of the Legislative Office Building. Three members were present. Senator Wib Gulley, Chairman, presided.

Andy Willis, Fiscal Analyst, was asked by Senator Gulley to review the handout on the Department of Crime Control and Public Safety (see attached). Senator Blust asked who made the allocations on page five of handout. Senator Gulley stated that the Appropriations Subcommittee on Transportation already signed off on these allocations. Senator Wellons asked if there was an overlap between Department of Motor Vehicle enforcement and the State Highway Patrol. Mr. Joe Stewart with the Department of Crime Control and Public Safety replied that DMV enforcement was mainly commercial and the Highway Patrol was mainly passenger vehicles. Mr. Stewart suggested to the Subcommittee that the DMV officials could be under the Highway Patrol.

Next, Mr. Willis reviewed the Public Safety Agencies under the Department of Crime Control and Public Safety (see attached).

Mr. Willis next reviewed the handout regarding the Department of Crime Control and Public Safety Crime and Victim Services Agencies (see attached). He stated that 95% of the funds are Federal grant money which the Department administers.

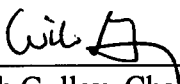
Next, Senator Gulley asked Charles Perusse, Fiscal Analyst, to go through the flagged items and special provisions for the Judicial Department (see attached). Under the "Indigent Defense" section, it was decided by the Subcommittee to make the cut in the Indigent Defense fund as recommended in item #1 of the handout. Also, it was decided to continue the provision in item #2.

Under the "Reserves" section of the handout, it was decided to have a special provision drafted for the budget for item #3 and cut \$1.25 million from item #4 and leave \$450,000

in the salary reserves. Under the "Other Programs" section of the handout, the Subcommittee cut \$5,000 from item #5, and left item #6 and #7 as they currently read. In item #8, it was decided by the Subcommittee to not list the \$52,551 for the Drug Treatment Court Pilot Program Director's salary for 1998-99. Item #9 would be an expansion item that would require action later.

Next, Senator Gulley went over the Judicial Department's special provisions in the budget (see attached). The Subcommittee discussed and approved the special provisions in the handout.

The meeting was adjourned at 5:30 PM



Senator Wib Gulley, Chair



Carol Resar, Committee Clerk

Department of Crime Control and Public Safety

1997-99 Budget Overview **Law Enforcement Agencies**

Joint Appropriations Subcommittee on Justice and Public Safety

March 26, 1997

Alcohol Law Enforcement Budget

Highlights

- **Programs Sponsored**
 - Retail/Wholesale ABC Permit Application Inspections
 - Sale to Minors
 - Cops N Shops
 - Sale to Intoxicated Persons
 - Nuisance Abatement
 - Various Educational Programs
- **There is a total of 129 positions within Alcohol Law Enforcement for 1997-98. (No changes in personnel from 1996-97.)**
 - Of the 129 positions, 114 are sworn law enforcement officers.

Alcohol Law Enforcement Budget

Highlights (Continued)

- The recommended Alcohol Law Enforcement Continuation Budget for 1997-98 is approximately 10% (\$6,949,599) of the total budget for the Department (\$74,721,234).

Alcohol Law Enforcement Workload Statistics

Arrest/Charges

Activity	1993	1996	% Changed
Written Inspections	12,382	5,389	-52.80%
Admin. Violat. to ABC Comm.	541	840	55.20%
Warnings Issued	1,581	1,141	-27.80%
Arrests	6,873	8,329	17.90%
Total Arrest Charges	9,325	12,535	34.60%
Alcohol Related Charges	6,957	6,511	-6.40%
Alcohol Charges as % of Total Charges	74.60%	54.60%	-26.80%
Drug Related Charges	1,022	3,149	208.10%
Drug Charges as % of Total Charges	11%	26.40%	140%
Misdemeanor Narcotic Arrest Charges	731	1,211	65.70%
Felony Narcotic Arrest Charges	291	1,938	566%
People Charged	7,005	7,052	0.70%
People Convicted	4,915	5,649	14.90%
Conviction Rate	70.20%	80.10%	14.10%

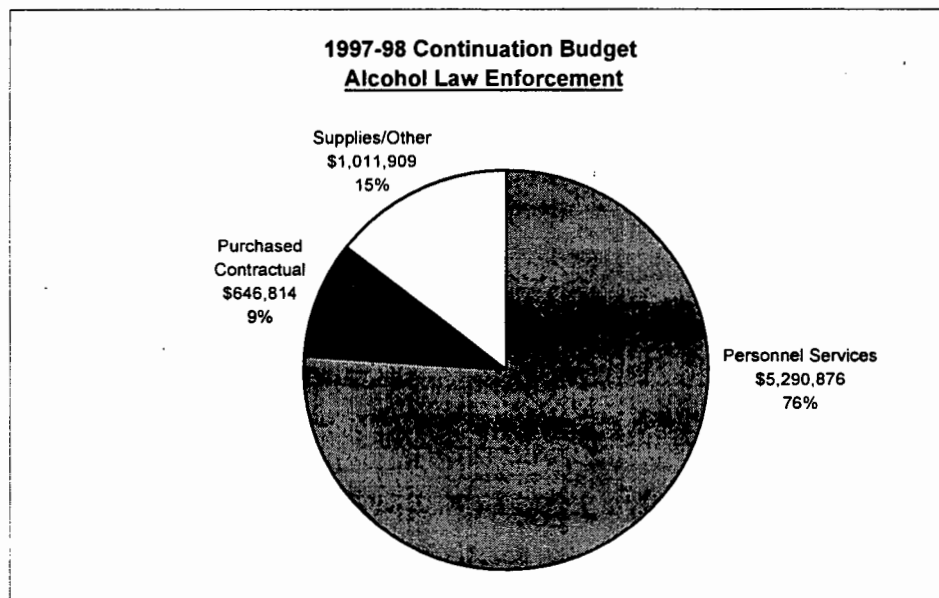
Source: Governor's Crime Commission: Report on the North Carolina ALE's Administrative and Operational Performance Data, January, 1997.

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DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Alcohol Law Enforcement						
	1995-96 Actual	Current Fiscal Year	Governor's Continuation Request			
		1996-97 Authorized (Budget Document)	1997-98 Recommended	%Δ	1998-99 Recommended	%Δ
Expenditures	7,675,991	6,676,988	6,949,599	4.1%	6,829,500	2.3%
Less Receipts	(1,085,809)	(92,989)	(112,566)	21.1%	(82,214)	-11.6%
State Appropriations	6,590,182	6,583,999	6,837,033	3.8%	6,747,286	2.5%
Positions	129.00	129.00	129.00		129.00	

% Δ = Percentage change in budget over/under Current Fiscal Year 1996-97 Authorized Budget



Major Changes in the Continuation Budget:

Increases in the continuation budget can be attributed to the following:

- 1) 25 Vehicles being replaced (1997-98): \$475,708.
- 2) 18 Vehicles being replaced (1997-99): \$337,014.
- 3) Law Enforcement Separation Allowance: \$44,663 (1997-98)

Other Issues for Consideration: None.

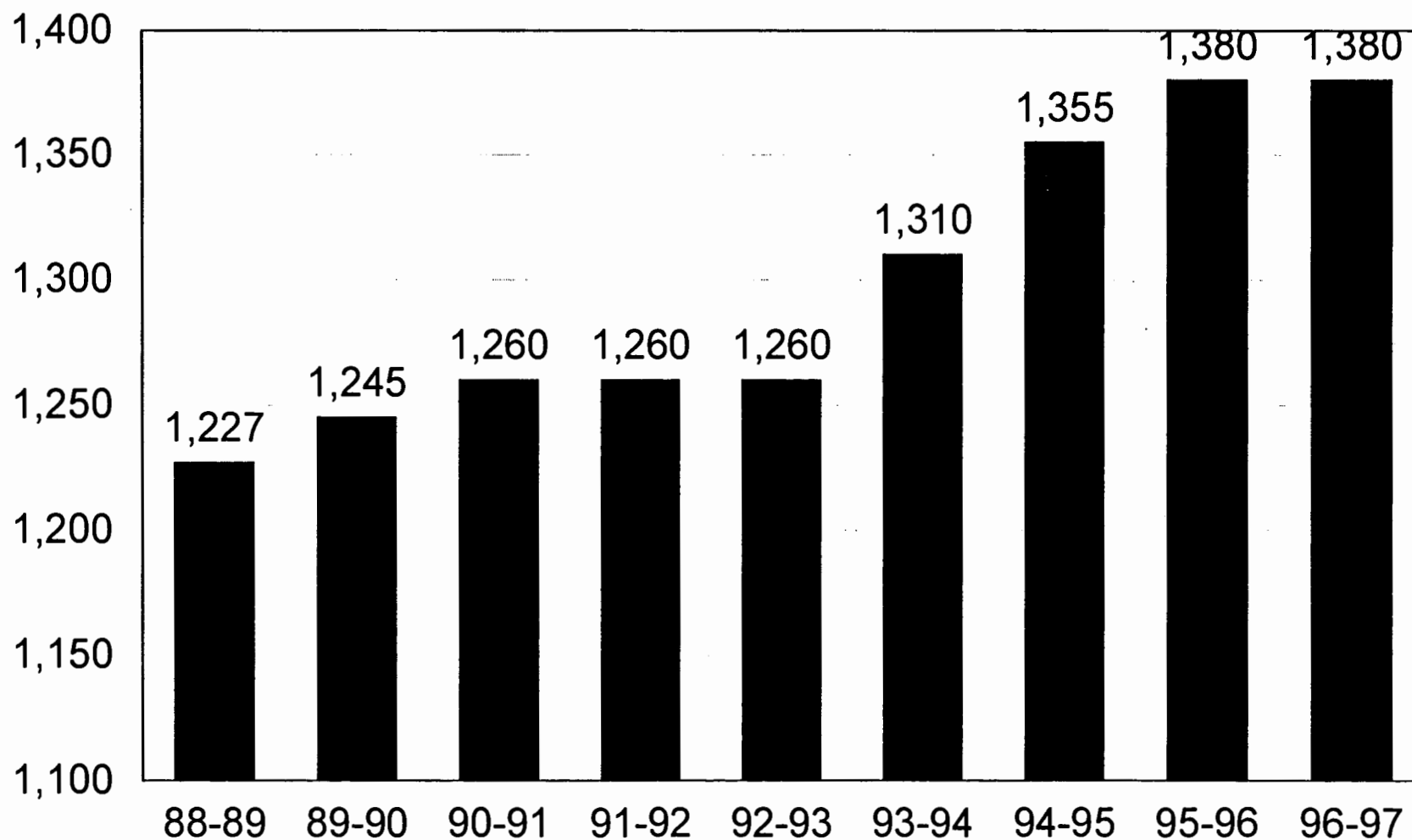


State Highway Patrol Budget Highlights

- There is a total of 1,764 positions within the State Highway Patrol for 1997-97. (No Changes in personnel from 1996-97.)
 - Of the 1,764 positions, 1,380 are sworn law enforcement officers.
- The recommended State Highway Patrol Continuation for 1997-98 is \$115,246,814.
 - 98% of these funds for the 1997-98 Continuation Budget are transferred from the Highway Fund to the State Highway Patrol.

HIGHWAY PATROL

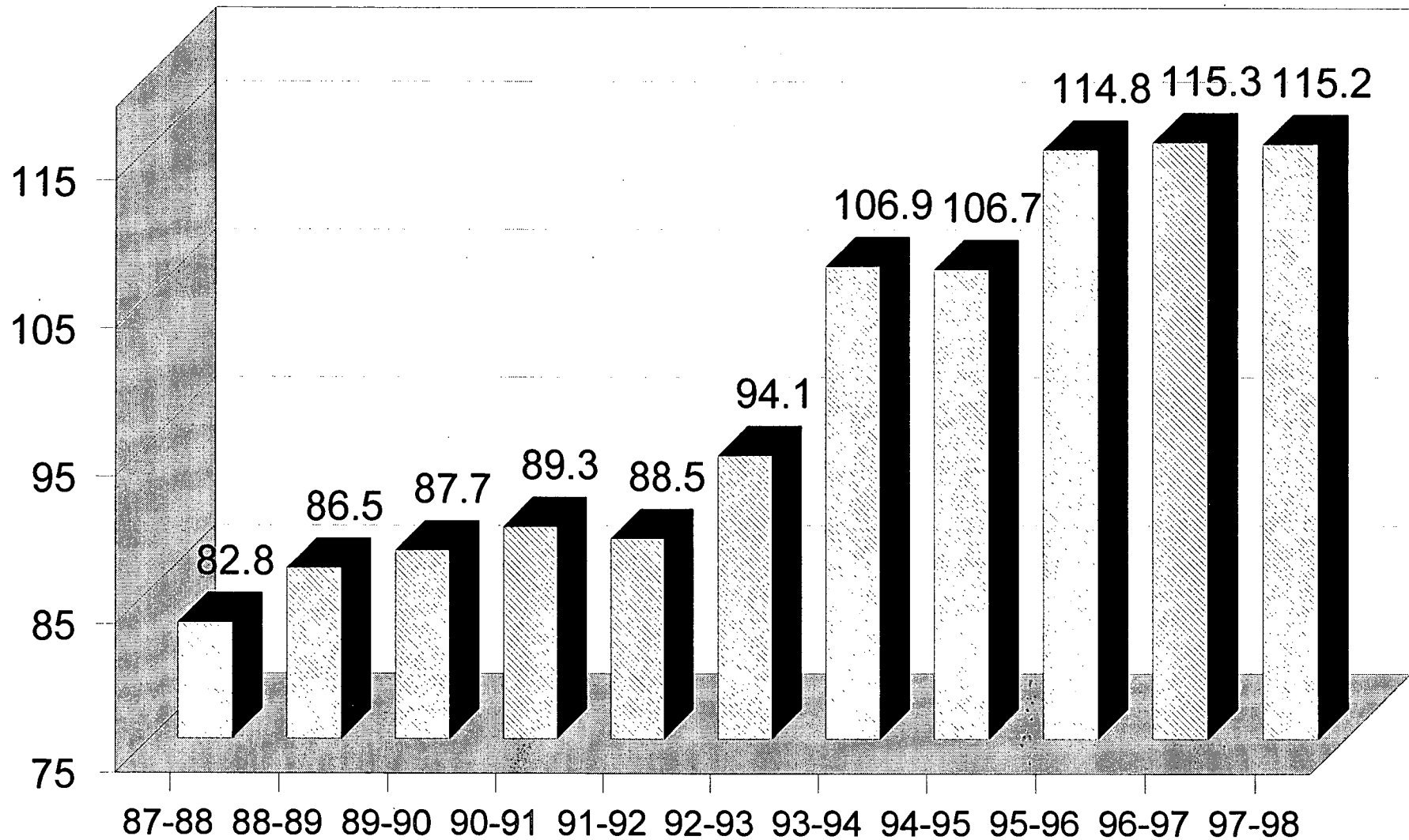
AUTHORIZED TROOPER STRENGTH



NORTH CAROLINA HIGHWAY PATROL

(Highway Fund)

OPERATING BUDGET FY 86-97



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.

State Highway Patrol
Selected Program Facts and Workload Statistics

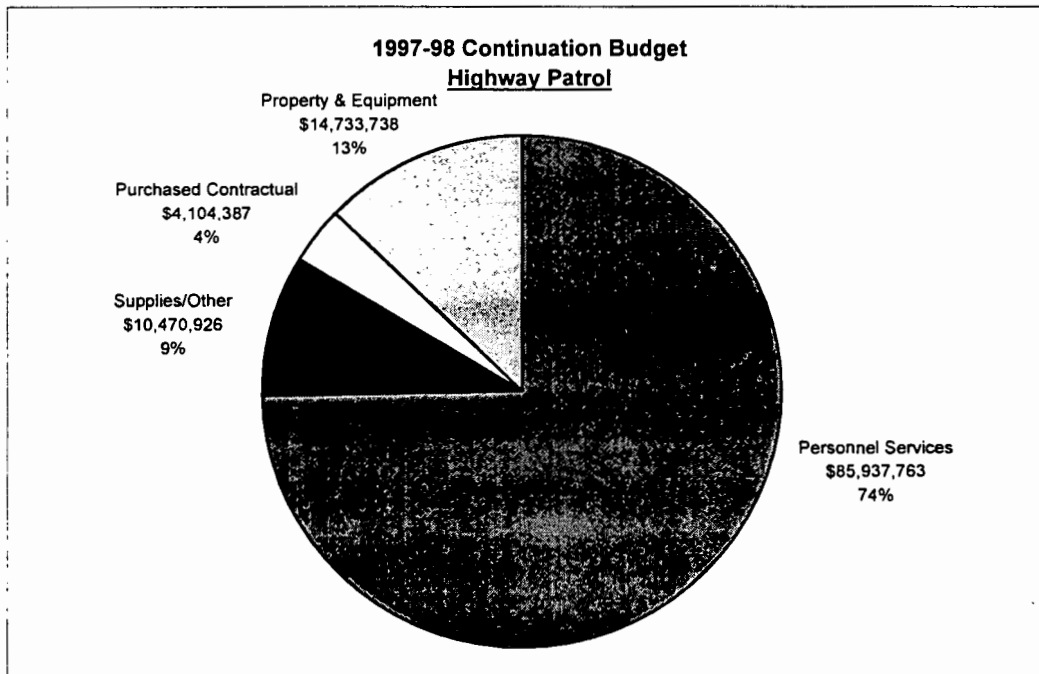
Number of Registered Vehicles	6,314,599
Number of Licensed Vehicles	5,138,594
Number of Rural Accidents	96,916
Number of Rural Fatalities	1,137
Number of Rural Injuries	70,959
Number of Speeding Charges	383,454
Number of D.W.I. Charges	46,108
Number of Drug Violations	4,226
Number of Seat Belt Violations	130,994
Adult Seat Belt Violations	118,996
Child Seat Belt Violations	11,998

Source: North Carolina Highway Patrol, 1995 Statistics.

DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

State Highway Patrol (Highway Fund)						
	1995-96 Actual	Current Fiscal Year 1996-97 Authorized (Budget Document)	1997-98 Recommended	%Δ	1998-99 Recommended	%Δ
Expenditures	113,891,828	115,290,531	115,246,814	0.0%	115,958,842	0.6%
Less Receipts	(114,762,545)	(115,290,531)	(115,246,814)	0.0%	(115,958,842)	0.6%
State Appropriations	(870,717)	-	-		-	
Positions	1,764.00	1,764.00	1,764.00		1,764.00	

% Δ = Percentage change in budget over/under Current Fiscal Year 1996-97 Authorized Budget



Major Changes in the Continuation Budget: None.

NOTE: 1) Property & Equipment consists primarily of the replacement of 578 vehicles.

Other Issues for Consideration: None.

Department of Crime Control and Public Safety

1997-99 Budget Overview

Public Safety Agencies

Joint Appropriations Subcommittee on Justice and Public Safety

March 26, 1997

Civil Air Patrol Budget

Highlights

- **Responsibilities**

- To provide the state, local governments, and private citizens assistance in national, or man-made disasters or other emergency situations.
- Sponsor Cadet Program
 - Program helps teach cadets self discipline through hands experiences: search & rescue skills, survival, & camping. (Operated completed by volunteers.)

- **There is a total of 2 positions within the Civil Air Patrol for 1997-98. (No changes in personnel from 1996-97.)**

- Oversee and assist over 1,500 volunteer members, nine aircraft and 15 passenger vans.
- There are 39 Squadrons across the State.

Civil Air Patrol Budget

Highlights (Continued)

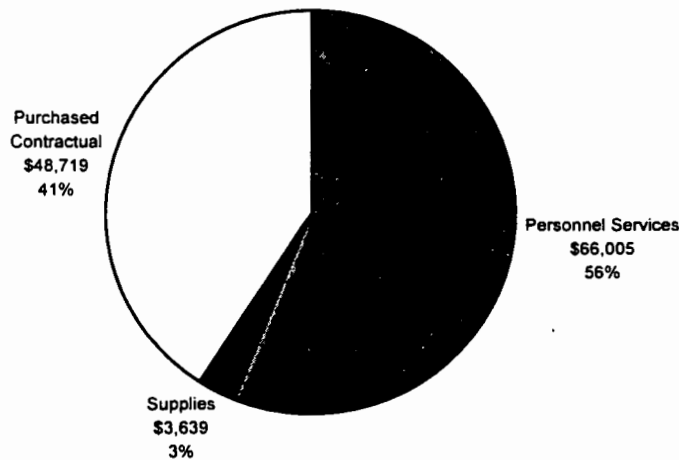
- The recommended Civil Air Patrol Budget for 1997-98 is less than 1% (\$118,363) of the total budget for the Department (\$74,721,234).

DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Civil Air Patrol						
	1995-96 Actual	Current Fiscal Year 1996-97 Authorized (Budget Document)	Governor's Continuation Request			
			1997-98 Recommended	%Δ	1998-99 Recommended	%Δ
Expenditures	178,373	118,363	118,363	0.0%	118,363	0.0%
Less Receipts	(22,759)	-	-	NA	-	NA
State Appropriations	155,614	118,363	118,363	0.0%	118,363	0.0%
Positions	2.00	2.00	2.00		2.00	

% Δ = Percentage change in budget over/under Current Fiscal Year 1996-97 Authorized Budget

**1997-98 Continuation Budget
Civil Air Patrol**



Major Changes in the Continuation Budget: None.

Other Issues for Consideration: None.

Butner Public Safety Budget

Highlights

- **Responsibilities**

- Provide police and fire protection for the citizens, patients, inmates, and students receiving treatment (Federal and State Institutions) within the territorial jurisdiction of Butner.

- **Institutions Served**

- 13 State facilities served.
- 4 Federal facilities served.
- 20 Industries served.
- 98 Small businesses served.
- Approximately 1,300 single family dwellings served.

Butner Public Safety Budget

Highlights (Continued)

- **Total Service Calls Received by Butner Public Safety for 1995-96: 12,857.**
 - 5,821 Institutional calls.
 - 6,462 Domestic calls.
 - 574 Other calls (Traffic Violations, etc.).
- **There is a total of 49 positions within Butner Public Safety for 1997-98. (No changes in personnel from 1996-97.)**
 - 43 Officers, 5 Telecommunicators, 1 Admin. Secretary.

Butner Public Safety Budget

Highlights (Continued)

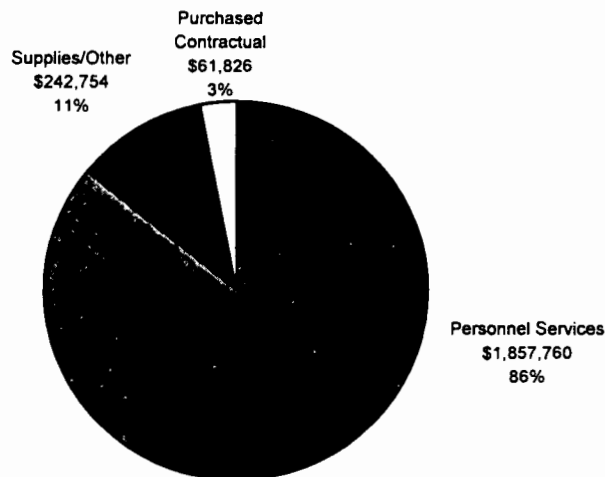
- The recommended Butner Public Safety Continuation Budget for 1997-98 is approximately 3% **(\$2,162,340)** of the total budget for the Department (\$74,721,234).

DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Butner Public Safety						
	1995-96 Actual	Current Fiscal Year 1996-97 Authorized (Budget Document)	Governor's Continuation Request			
			1997-98 Recommended	%Δ	1998-99 Recommended	%Δ
Expenditures	2,314,670	2,211,794	2,162,340	-2.2%	2,280,734	3.1%
Less Receipts	(434,771)	(30,400)	(6,000)	-80.3%	(32,500)	6.9%
State Appropriations	1,879,899	2,181,394	2,156,340	-1.1%	2,248,234	3.1%
Positions	44.00	49.00	49.00		49.00	

% Δ = Percentage change in budget over/under Current Fiscal Year 1996-97 Authorized Budget

**1997-98 Continuation Budget
Butner Public Safety**



Major Changes in the Continuation Budget:

Note: Receipts decrease from 1996-97 to 1997-98 because Butner Public Safety will only be replacing two older vehicles in 1997-98.

Other Issues for Consideration: None.

Emergency Management Budget

Highlights

- **Responsibilities and Structure**
 - Programmatic and organizational structure of the Division of Emergency Management is based on four criteria:
 - Preparedness, Response, Recovery, Mitigation.
- **Number of Responses**
 - It is estimated for Fiscal Year 1996-97, Emergency Management will respond to over 4,500 emergencies.
 - Since January of 1996, Emergency Management has responded to 5 Federally declared natural disasters throughout the State.

Emergency Management Budget

Highlights (Continued)

- **There is a total of 88 positions within Emergency Management for 1997-98. (No changes in personnel from 1996-97).**
 - Positions requested in the Expansion Budget.
- **The recommended Emergency Management Continuation Budget for 1997-98 is approximately 10% (\$7,133,782) of the total budget for the Department (\$74,721,234).**
 - 58% (\$4,128,266) of Emergency Management's Budget is funded through Federal Funds and Nuclear Fees.

CRIME CONTROL AND PUBLIC SAFETY
STATE FUNDS IDENTIFIED BY
OFFICE OF STATE BUDGET AND MANAGEMENT
TO MATCH DISASTER PAYMENTS
ALL AMOUNTS IN WHOLE DOLLARS

SOURCE OF STATE MATCH:	AMOUNT
1 Compensation Increase Reserve	1,963,000
2 Transfer from Correction	5,876,466
3 Transfer from C & E	827,372
4 Subtotal for Opal, Winter Storms, and Bertha	8,666,838
6 Credit Balance As of June 30, 1996	115,510,195
7 1996-97 Reversions (To Be Identified)	24,489,805
8 R & R Allocation	10,000,000
9 Subtotal for Disasters	150,000,000
11 GRAND TOTAL	158,666,838
12 ALLOCATED TO CCPS:	
13 11-63	74,008
14 11-87	165,000
15 11-105	588,364
16 11-165	878,312
17 11-190	430,619
18 11-199	218,408
19 11-206	4,322,438
20 11-213	2,500,000
21 11-214	2,500,000
22 11-224	15,018,750
23 11-227	510,000
24 11-237	5,000,000
25 11-241	46,173
26 Total Allocated to CCPS:	32,252,072
28 ALLOCATED TO DIX HOSPITAL:	1,486,283
30 ALLOCATED TO EHNH:	1,050,000
32 TOTAL ALLOCATED:	34,788,355
34 BALANCE	123,878,483

Projected State Disaster Recovery Expenditures through June 30, 1997

11

Programs	FRAN		BERTHA		Projected State Contribution		
	Total	State Match	Total	State Match			
PA	\$250,000,000	\$25,000,000	\$30,000,000	\$7,500,000			
HMGP	\$90,000,000	\$22,500,000	\$6,000,000	\$1,500,000			
IA	\$28,000,000	\$7,000,000	\$10,000,000	\$2,500,000			
NRCS	\$12,000,000	\$3,000,000					
MA	\$100,000,000	\$10,000,000					
TOTAL	\$480,000,000	\$67,500,000	\$46,000,000	\$11,500,000	\$79,000,000		
Additional Potential State Expenditures							
Forestry					\$7,000,000	28,000,000	**
Streams					\$8,500,000		
Reforestation					\$6,000,000	24,000,000	**
Mosquito control					\$3,000,000		
Dams					\$1,500,000		
Wake LPP					\$5,000,000		
Onslow Debris					\$5,000,000		
NFIP					\$3,000,000		
COBRA Zone					\$2,500,000		
Bellhaven Schools					\$2,500,000		
Jacksonville Spray					\$500,000		
Marshes					\$500,000		
PNP/Vol Fire Dept					\$2,000,000		
				TOTAL	\$126,000,000		
** Future Expenditures for July 1, 1997 through June 1, 2001							
Other Storms	Hazard Mitigation	PA	Total		State Match		
Opal	659,000	\$6,237,437	6,896,437		\$1,724,109		
January 96 Ice Storm		\$3,582,813	\$3,582,813		\$895,703		
February 96 Ice Storm		\$18,080,476	\$18,080,476		\$4,520,119		
TOTAL	659,000	\$27,900,726	28,559,726		\$7,139,931		

DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY
ANALYSIS OF DISASTER ACTUAL EXPENDITURES
AS OF FEBRUARY 28, 1997

<u>DISASTER</u>	<u>FUNDING SOURCE</u>	<u>PUBLIC ASSISTANCE</u>	<u>STATE AGENCIES</u>	<u>INDIVIDUAL FAMILY GRANT</u>	<u>ADMIN COSTS</u>	<u>TOTAL COSTS</u>
HURRICANE OPAL	FEDERAL	2,974,310		41,594	70,452	3,086,356
	STATE	570,151		13,865	22,966	606,982
	TOTAL	3,544,461		55,459	93,418	3,693,338
BLIZZARD OF 1996	FEDERAL	1,851,462			3,735	1,855,197
	STATE	301,530				301,530
	TOTAL	2,152,992			3,735	2,156,727
ICE STORM OF 1996	FEDERAL	6,436,473			27,300	6,463,773
	STATE	1,649,815				1,649,815
	TOTAL	8,086,288			27,300	8,113,588
HURRICANE BERTHA	FEDERAL	11,865,124	962,216	696,337	172,396	13,696,073
	STATE	3,999,630		232,112		4,231,742
	TOTAL	15,864,754	962,216	928,449	172,396	17,927,815
HURRICANE FRAN	FEDERAL	53,939,044	23,796,636	16,537,808	3,697,946	97,971,434
	STATE	13,559,868		5,512,603		19,072,471
	TOTAL	67,498,912	23,796,636	22,050,411	3,697,946	117,043,905
TOTAL	FEDERAL	77,066,413	24,758,852	17,275,739	3,971,829	123,072,833
	STATE	20,080,994		5,758,580	22,966	25,862,540
	TOTAL	97,147,407	24,758,852	23,034,319	3,994,795	148,935,373

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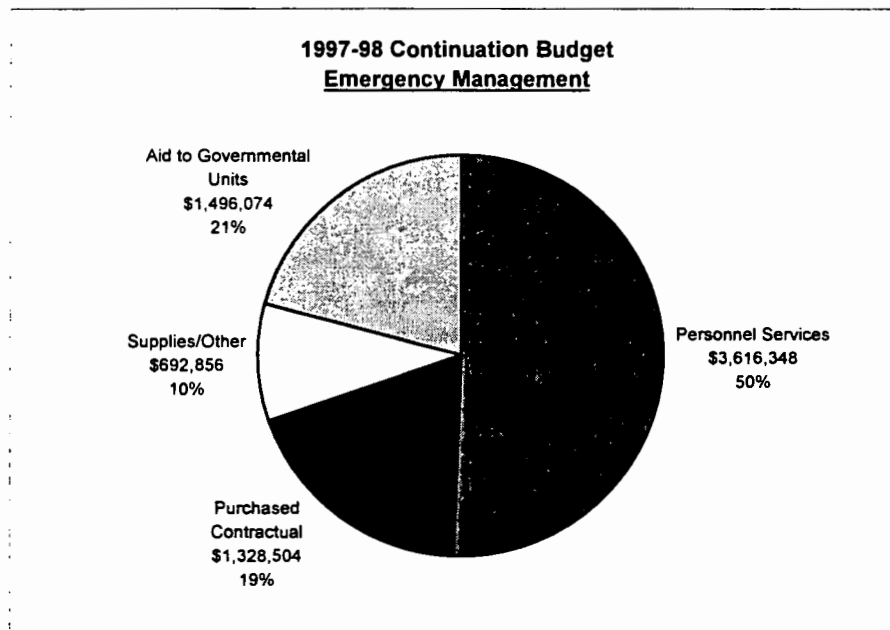
**CRIME CONTROL AND PUBLIC SAFETY
STATE FUNDS SUPPORTING DISASTER EXPENDITURES
THROUGH FEBRUARY 28, 1997
ALL AMOUNTS IN WHOLE DOLLARS**

	DISASTERS					TOTAL
	HURRICANE OPAL	BLIZZARD OF 1996	ICE STORM OF 1996	HURRICANE BERTHA	HURRICANE FRAN	
1 2 AMOUNT/SOURCE OF 3 STATE FUNDS						
4 AMOUNT OF STATE FUNDS:	606,982	301,530	1,649,815	4,231,742	19,072,471	25,862,540
5						
6 SOURCE OF STATE FUNDS:						
7 Overrealized receipts in CCPS	127,455					127,455
8 Transfer from Highway Patrol	405,519		403,385			808,904
9 Transfer from C&E	74,008	301,530	451,834			827,372
10 Transfer from OSBM			794,596	4,231,742	19,072,471	24,098,809
11						
12 TOTAL:	606,982	301,530	1,649,815	4,231,742	19,072,471	25,862,540

DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Emergency Management						
	1995-96 Actual	Current Fiscal Year 1996-97 Authorized (Budget Document)	Governor's Continuation Request			
			1997-98 Recommended	%Δ	1998-99 Recommended	%Δ
Expenditures	16,059,019	7,256,699	7,133,782	-1.7%	7,137,849	-1.6%
Less Receipts	(12,588,697)	(4,126,547)	(4,128,266)	0.0%	(4,129,339)	0.1%
State Appropriations	3,470,322	3,130,152	3,005,516	-4.0%	3,008,510	-3.9%
Positions	88.00	88.00	88.00		88.00	

% Δ = Percentage change in budget over/under Current Fiscal Year 1996-97 Authorized Budget



Major Changes in the Continuation Budget: None.

Other Issues for Consideration: None.

National Guard Budget

Highlights

- **Mission**

- Federal: To provide combat ready units as a part of the total US Armed Forces.
- State: To protect life and property and to ensure public safety for the citizens of North Carolina.

- **National Guard Troop Strength**

- Army and Air National Guard includes over 13,000 citizen-soldiers.

National Guard Budget

Highlights (Continued)

- **National Guard Programs**
 - National Guard Pension
 - Benefit intended to give members an incentive to remain in the Guard. Pension in 1997-98 Continuation Budget is \$2,533,438 (an increase of \$230,167 from 1996-97).
 - Tuition Assistance
 - Used as a recruiting and retention tool for Guard Soldiers. (Close to 50% of all new enlistees joined the Guard for the Tuition Assistance Program.)
 - 1161 Members have been awarded tuition assistance for 1996-97.
 - Average award is between \$500 and \$600.

National Guard Budget

Highlights (Continued)

- **Programs - Continued:**
 - Counter Drug Program
 - Assist Highway Patrol, S.B.I. and other law enforcement agencies in the eradication of marijuana.
 - Challenge Program
 - Federally funded program which provides high school dropouts the opportunity to earn their GED.
 - Students spend 22 weeks at facility in Sampson County, and can earn \$2,000 upon graduation for further education.

National Guard Budget

Highlights (Continued)

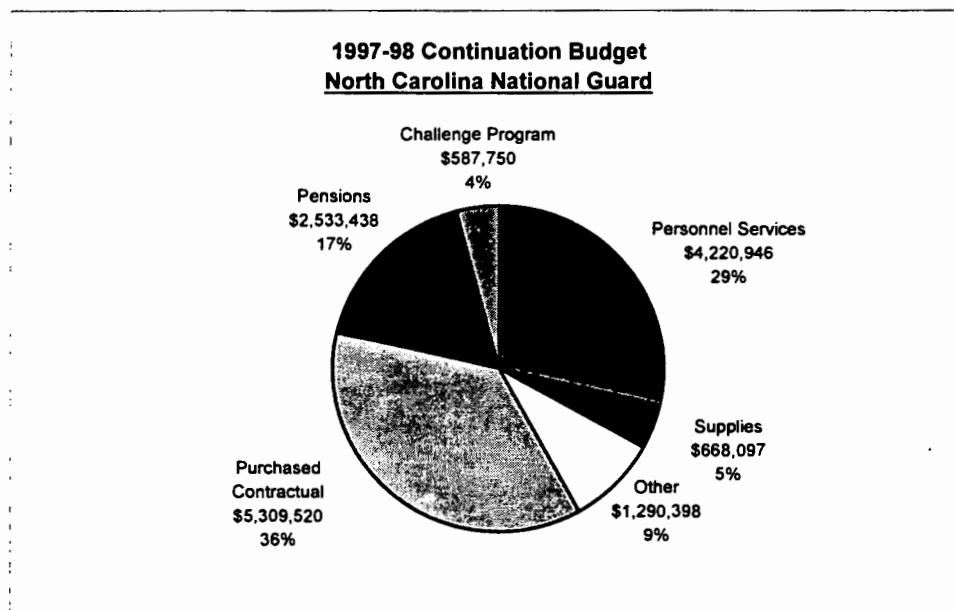
- **There is a total of 99 positions within National Guard for 1997-98. (No changes in personnel from 1996-97).**
- **The recommended National Guard Continuation Budget for 1997-98 is approximately 20% (\$14,610,149) of the total budget for the Department (\$74,721,234).**
 - 49% (\$7,052,937) of National Guard's total budget is funded through Federal Funds.

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DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

North Carolina National Guard						
	1995-96 Actual	Current Fiscal Year 1996-97 Authorized (Budget Document)	Governor's Continuation Request 1997-98 Recommended	%Δ	1998-99 Recommended	%Δ
Expenditures	14,454,337	14,250,882	14,610,149	2.5%	14,569,988	2.2%
Less Receipts	(7,214,174)	(7,057,065)	(7,052,937)	-0.1%	(7,049,525)	-0.1%
State Appropriations	7,240,163	7,193,817	7,557,212	5.1%	7,520,463	4.5%
Positions	98.00	99.00	99.00		99.00	

% Δ = Percentage change in budget over/under Current Fiscal Year 1996-97 Authorized Budget



Major Changes in the Continuation Budget:

- 1) 2.5% Increase from 1996-97 to 1997-98 can primarily be attributed to the **\$230,167** for State Aid for National Guard Pensions (Based on a 1996 Actuarial Valuation by the Retirement Systems Division of the State Treasurer's Office).

Other Issues for Consideration: None.

Department of Crime Control and Public Safety

1997-98 Budget Overview

Crime and Victim Services Agencies

Joint Appropriations Subcommittee on Justice and Public Safety

March 26, 1997

Crime Prevention Budget

Highlights

- **Policies and Programs that Focus on the following:**
 - Public Awareness
 - Education
 - Working Partnerships
- **Programs Sponsored**
 - Community Watch
 - Business Crime
 - Sexual Assault Training
 - Crime Stoppers
 - School Resource Officers Training
 - Public Service Advertising

Crime Prevention Budget

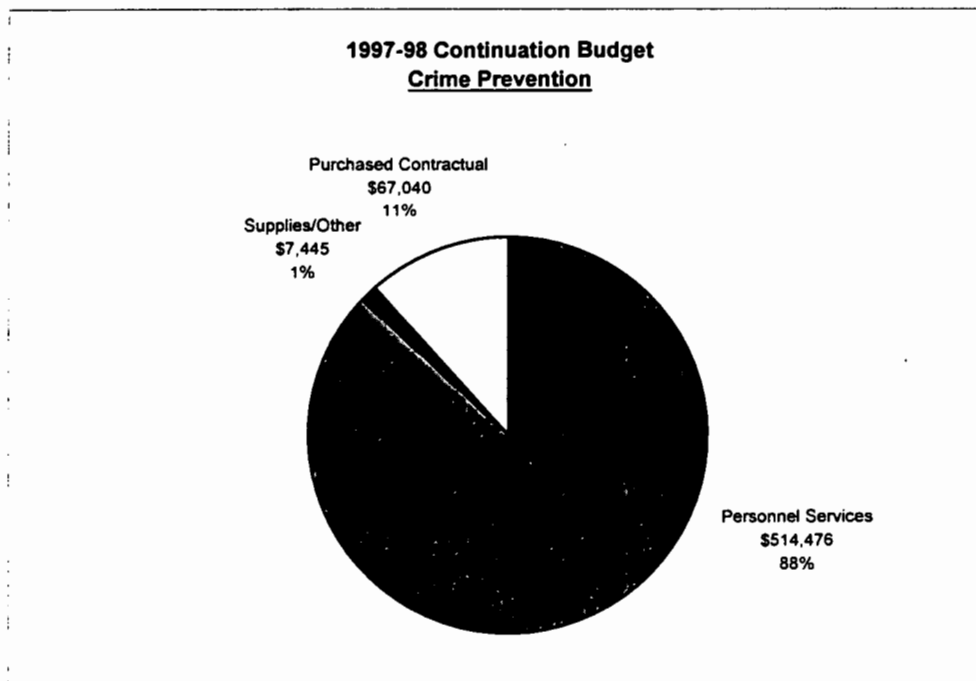
Highlights (Continued)

- There is a total of 11 positions within Crime Prevention for 1997-98. (No changes in personnel from 1996-97).
- The recommended Crime Prevention Budget for 1996-97 is less than 1% (\$588,961) the total budget of the Department (\$74,721,234).

DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Crime Prevention						
	1995-96 Actual	Current Fiscal Year 1996-97 Authorized (Budget Document)	Governor's Continuation Request			
			1997-98 Recommended	%Δ	1998-99 Recommended	%Δ
Expenditures	592,598	574,506	588,961	2.5%	591,289	2.9%
Less Receipts	(47,010)	(15,653)	(26,832)	71.4%	(26,832)	71.4%
State Appropriations	545,588	558,853	562,129	0.6%	564,457	1.0%
Positions	11.00	11.00	11.00		11.00	

% Δ = Percentage change in budget over/under Current Fiscal Year 1996-97 Authorized Budget



Major Changes in the Continuation Budget: None.

Other Issues for Consideration: None.

Governor's Crime Commission

Budget

Highlights

- **Grants Administered**
 - **Juvenile Justice and Delinquency Prevention**
 - Funds used to establish innovative community juvenile based programs.
 - Approximately \$3 million dollars for 1997-98.
 - **Victims of Crime Act**
 - Funds for victims assistance programs in rape crisis centers, domestic violence shelters, child abuse centers, and criminal justice agencies.
 - Approximately \$2 million dollars for 1997-98.

Governor's Crime Commission Budget

Highlights (Continued)

- **Grants Administered (Continued)**
 - Drug Control and Systems Improvement
 - Funds provided to state and local units to assist in activities to decrease drug use and distribution, enforce drug laws, treat drug users, and for other system improvement strategies.
 - Approximately \$20 million for 1997-98.
 - Children's Justice Grant
 - Funds provided to support training of court personnel, social services workers, mental health professionals, and law enforcement officers in recognizing and investigating child abuse.
 - Approximately \$400,000 for 1997-98.

Governor's Crime Commission Budget

6

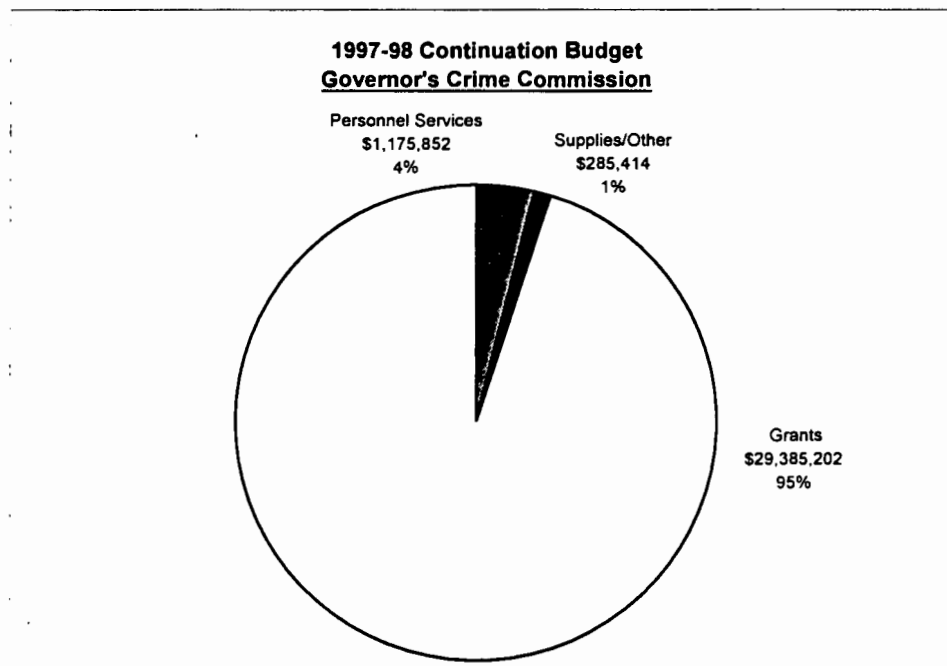
Highlights (Continued)

- There is a total of 27 positions within Governor's Crime Commission for 1997-98. (No changes in personnel from 1996-97.)
- The recommended Governor's Crime Commission Continuation Budget for 1997-98 is approximately 42% (\$30,846,468) of the total budget for the Department (\$74,721,234).

DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Governor's Crime Commission						
	1995-96 Actual	Current Fiscal Year	Governor's Continuation Request			
		1996-97 Authorized (Budget Document)	1997-98 Recommended	%Δ	1998-99 Recommended	%Δ
Expenditures	15,803,760	31,001,696	30,846,468	-0.5%	30,848,195	-0.5%
Less Receipts	(14,618,371)	(29,688,486)	(29,721,984)	0.1%	(29,723,191)	0.1%
State Appropriations	1,185,389	1,313,210	1,124,484	-14.4%	1,125,004	-14.3%
Positions	27.00	27.00	27.00		27.00	

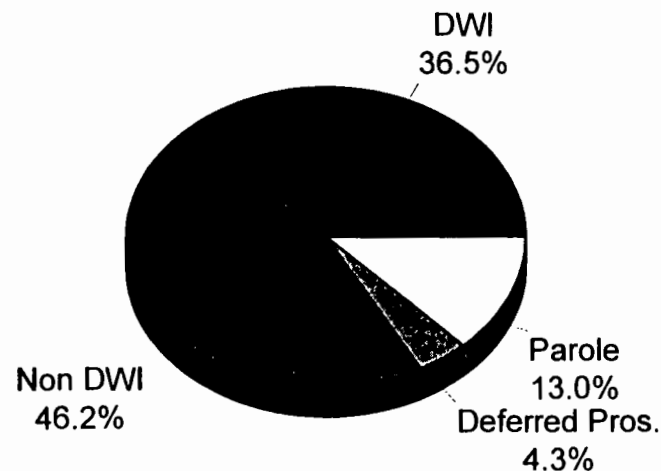
% Δ = Percentage change in budget over/under Current Fiscal Year 1996-97 Authorized Budget



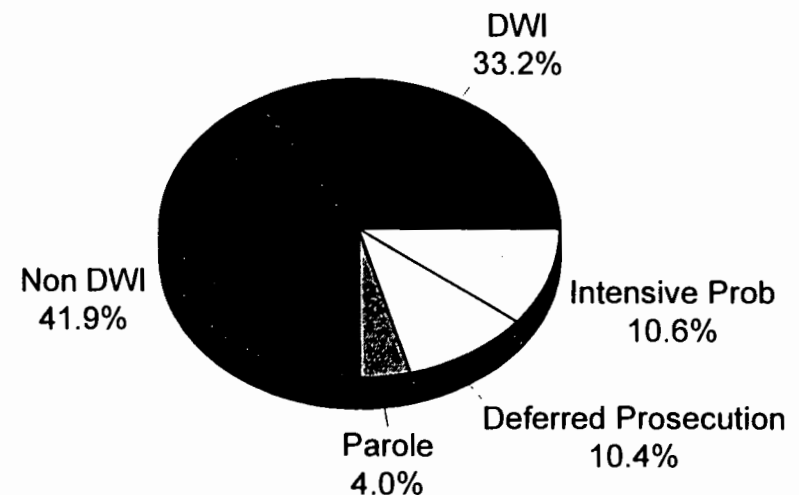
Major Changes in the Continuation Budget: None.

Other Issues for Consideration: None.

Community Service Work Program



1993-94



1996-97

Community Service Work Program STATISTICS (YTD)

⑨

ADMISSIONS BY CATEGORY

DWI	16,044
NON DWI	20,284
DEFERRED	
PROSECUTION	5,019
PAROLEE	1,916
PROBATION	
ORDERED	38
INTENSIVE	5,095

COMPLETION RATES

81%
68%
80%
39%

TOTAL 48,496

CASES COMPLETED 46,486 (73% successfully)

WORK HOURS COMPLETE

1,559,369

FEES PAID

\$ 3,527,141

84 OFFICES

122 Coordinators

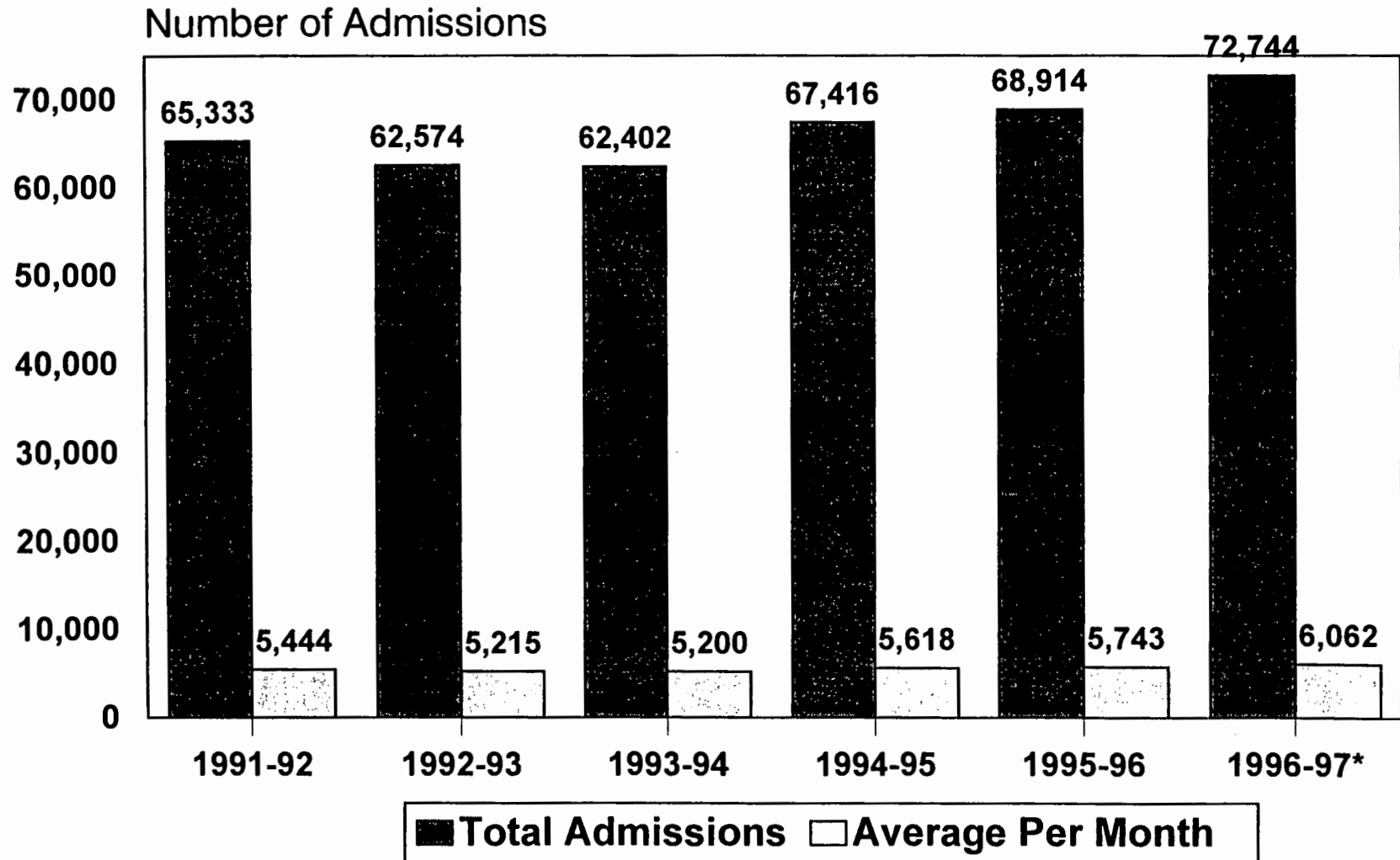
30 Program/Area Managers

40 Secretaries

192 Total Staff (not including state office @15)

COMMUNITY SERVICE PROGRAM ADMISSIONS

Fiscal Years 1991- 92 Through 1996 - 97



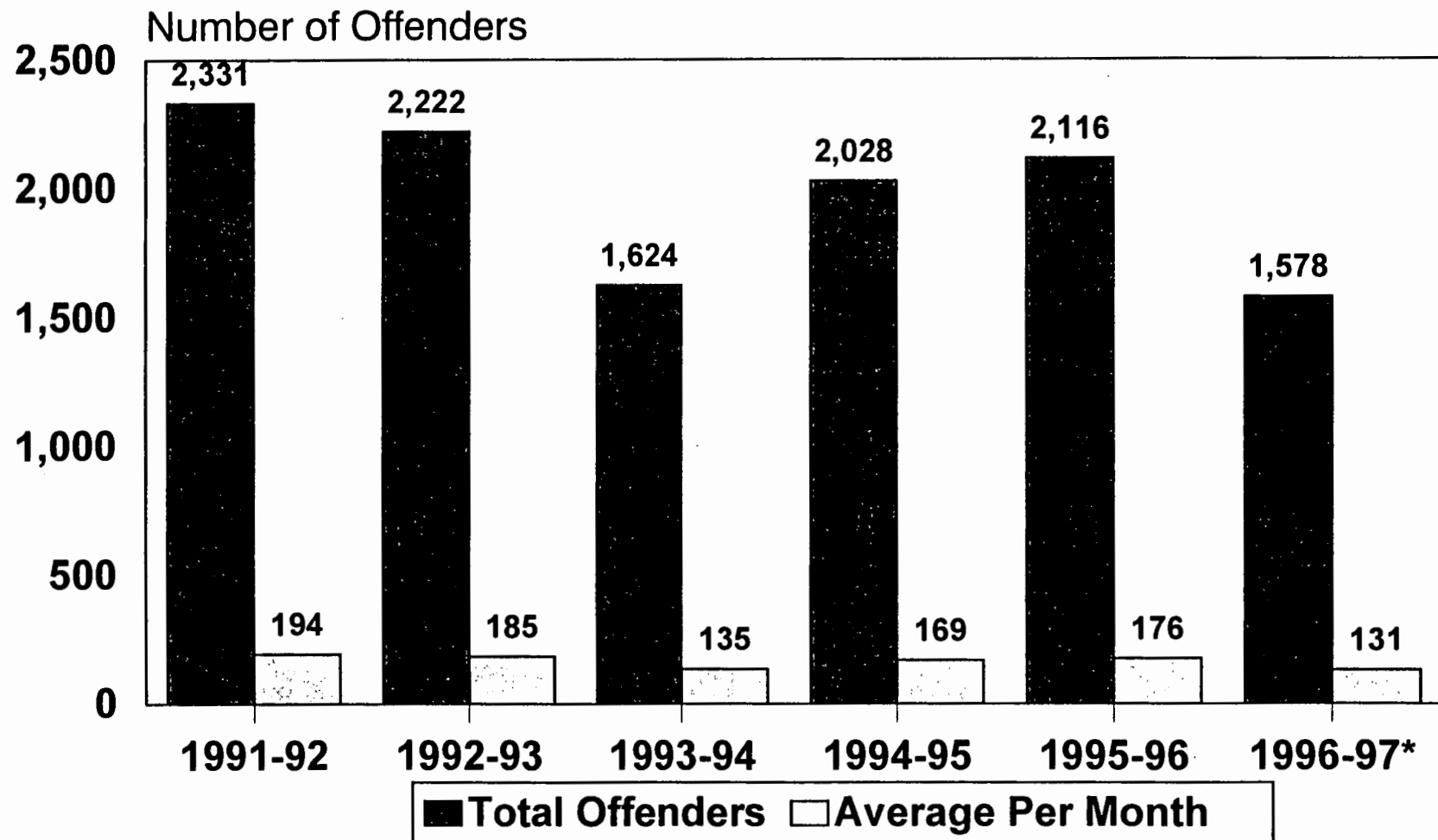
*projected, if final third of year like first 2/3

COMMUNITY SERVICE WORK PROGRAM

Number of Offenders Working in Parks

FY's 1991 - 92 Through 1996 - 97

11



* Based on first two quarter numbers for FY 1996-97: 789 offenders for an average of 131 per month.

Objective 4: Increase the rate of compliance with conditions of supervision.

Measure	Actual					Estimated	Expected	Expected
	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99
Outcome Measures:								
Percentage of supervision conditions satisfied (comprehensive measure being developed)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Performance Measures:								
Total community service hours performed	2,724,277	2,504,186	2,198,868	2,356,190	2,343,921	2,564,002	2,721,323	2,878,644
Number ordered to perform community service	65,333	62,574	62,402	67,416	n/a	n/a	n/a	n/a
Number of community service sentences completed	49,280	47,197	44,544	45,451	48,030	50,000	51,400	53,000
Percentage of ordered community work performed	97%	105%	97%	106%	99%	98%	99%	99%
Number or drug screenings performed by DAPP	n/a	n/a	119,022	126,722	147,653	175,000	175,000	175,000

Current Situation:

The state plans to accomplish this objective through the appropriate use of the case management system and court-delegated administrative discretion for increasing rates of compliance with imposed conditions of supervision.

Funds:

4500 DOC
1410 DAPP Management
1430 DAPP Supervision

4900 CCPS
1610 Victim & Justice Services

ANALYSIS OF VICTIMS COMPENSATION FUND

FY	Beginning Balance	General Fun Appropriatio	VOCA Receipts	DOC Receipts	Total Budget	Total Expended	Unexpended Carried Over
92-93	\$881	\$1,200,000	\$569,000		\$1,769,881	\$1,764,778	\$5,103
93-94	\$5,103	\$1,800,000	\$441,211		\$2,246,314	\$2,246,314	
94-95		\$5,000,000		\$391,000	\$5,391,000	\$4,866,812	\$524,188
95-96	\$524,188	\$2,000,000	\$1,977,805	\$507,143	\$5,009,136	\$3,039,278	\$1,969,858
96-97 ytd*	\$1,969,858	\$2,000,000	\$1,056,400	\$393,322	\$5,319,580	\$2,613,777	\$2,705,803

*ytd as of March 24, 1997 (75% of fiscal year)

an additional \$400,000 is expected from the canteen fund, DOC

Projected carry over for 1997-8:

If claims paid continue at the same pace for the remainder of the fiscal year, total paid will be \$3,485,036.

This represents 15% growth in claims paid over 1995-6 but would leave \$2,277,196 unexpended

Projected VOCA receipts for 1997-8

Claims paid Oct 1, 1996-March 24, 1997 (half the federal fiscal year): \$1,290,206

Projected claims based on similar pace through Sept 1997: \$2,580,412

Federal VOCA funds generated: \$1,032,165

Increase over budgeted amount: \$508,658

ANALYSIS OF RAPE VICTIM'S ASSISTANCE FUND

FY	BUDGET	EXPENDED	BALANCE
92-93	\$90,809	\$90,790	\$19
93-94	\$238,211	\$230,042	\$8,169
94-95	\$158,422	\$101,915	\$56,507
95-96	\$158,422	\$73,090	\$85,332
96-97 YTD*	\$158,422	\$56,041	\$102,381

*as of Jan 31, 1997

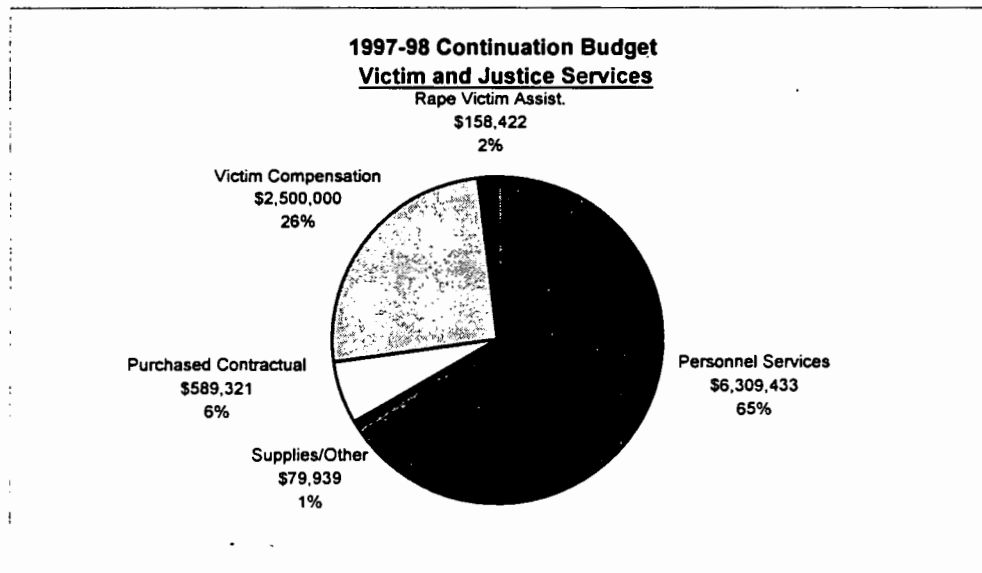
Issues to Consider

- ◆ In the Crime Victims Compensation Fund, \$1.97 Million was carried over from last year. If claims paid continue in the 4th quarter at a similar pace, \$2.2 Million will be carried over this year.
- ◆ In the Rape Victim's Assistance Fund, \$85,332 reverted to the General Fund. A similar amount is projected to revert this year.
- ◆ The Continuation Budget projects no receipts from Department of Correction (Enterprises and Canteen Fund). By statute, 5% of enterprise profits go to the fund each year. For 1995-6 that was \$93,773 and for 1996-7 it was \$200,000. Because of the variability of the amount, no receipts are projected. In addition, a portion of funds from the canteen sales go to the fund but none are budgeted. \$400,000 was received each of the past two years.
- ◆ The Continuation Budget projects \$523,507 in federal VOCA funds. These are received as 40 cents on every \$1 paid to victims the previous (federal) fiscal year. In 1995-6, \$1,056,400 was received.
- ◆ For the first half of the current (federal) fiscal year, \$1,290,206 has been paid to victims which will generate \$516,082 in federal funds. If claims paid continues at a similar pace, the federal receipts would be \$1,032,164, \$508,657 more than is projected.
- ◆ Special Provisions related to this division include the *use of \$150,000 for Victims Assistance Network, a required quarterly report to Gov Ops on the use of community service workers in state parks, and an annual report on administrative expenses for the Crime Victims Compensation Fund.*

DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Victim and Justice Services						
	1995-96 Actual	Current Fiscal Year 1996-97 Authorized (Budget Document)	1997-98 Recommended	%Δ	1998-99 Recommended	%Δ
Expenditures	11,786,375	9,598,155	9,637,115	2.5%	9,642,930	0.5%
Less Receipts	(3,167,688)	(500,000)	(523,858)	4.8%	(523,858)	4.8%
State Appropriations	8,618,687	9,098,155	9,113,257	0.2%	9,119,072	0.2%
Positions	207.00	208.00	207.00		207.00	

% Δ = Percentage change in budget over/under Current Fiscal Year 1996-97 Authorized Budget



Major Changes in the Continuation Budget:

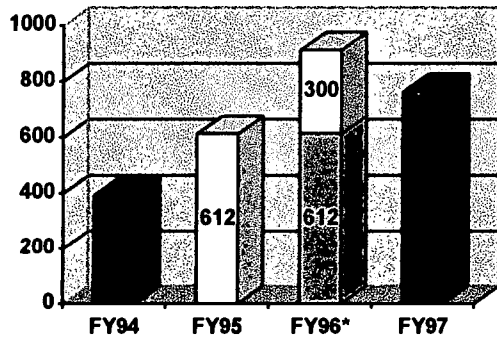
- 1) Continuation of a federally funded processing assistant
- 2) Increase of \$3,524 for rent for community service work program

Other Issues for Consideration:

- 1) Projected revenues from Federal funds and Correction Enter. may understate actual receipts.

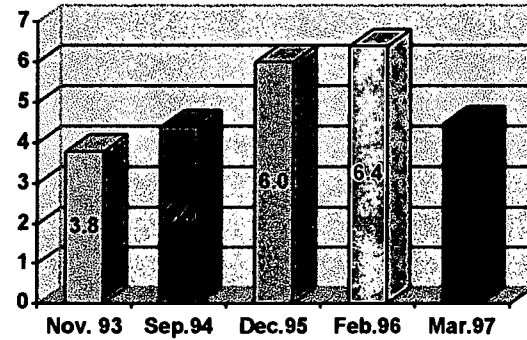
Facts About the N.C. National Guard Armory Maintenance Program

- The North Carolina National Guard is pleased to report substantial progress in our maintenance program. Funding increases in the last three years have brought our recurring maintenance and repair account up to \$762,464. A large one-time appropriation of \$2,022,200 from the 1996 Reserve for Repairs and Renovations has also helped dramatically reduce our backlog of roofing problems. *The National Guard has been able to reduce its overall maintenance backlog from \$6.4 million to \$4.5 million in one year.*



*\$300,000 non-recurring increase

Funding has increased by \$370,000 since 1993...



...And the maintenance backlog has finally dropped to 4.5 million

- Recent successes have shown the value of proactive maintenance. Total roof replacement needs have dropped over 46%, even after the addition of six new projects to our list. Looking at our overall inventory, *one armory in every five will have a new roof* after the completion of our most recent projects. Because so many of our roofing systems are new, partial roof repair needs have dropped over 60%.

Progress Due to 1996 Maintenance & Repair Funding Increases

Type of Repair	Last Year's Backlog (2/1996)	This Year's Backlog (3/1997)	Percent Change (+/-)
Roof Replacements	\$2,179,400	\$1,174,700	-46.1
Roof Repairs	127,000	50,000	-60.6
POV Parking Lots	535,700	514,800	-3.9
Military Vehicle Parking Lots & Fencing	371,400	234,800	-36.8
Mechanical, Electrical & Plumbing	1,318,550	949,700	-28.0
Miscellaneous Work	271,700	291,800	+7.4
Life Safety Code Upgrades	1,273,550	1,004,200	-21.1
Americans With Disabilities Act Improvements	150,000	150,000	0
Painting	152,000	119,000	-21.7
	<u>\$6,379,300</u>	<u>\$4,489,000</u>	<u>-29.6%</u>

- We propose that the N.C. General Assembly should continue to fund our maintenance program in two ways. First of all, the recurring maintenance and repair account should be kept at its current funding level (\$762,464) to allow timely repairs of building systems other than roofs. Secondly, major roof replacements should continue to be funded from the Reserve for Repairs and Renovations. We project that a \$1.0 million appropriation each year, on the average, will allow us to systematically replace our older roofs as they age out.

NORTH CAROLINA NATIONAL GUARD TUITION ASSISTANCE PROGRAM

The North Carolina National Guard Tuition Assistance Program (TAP) is an educational assistance program for qualified NCNG members. The program has an annual budget of \$837,713.00 and is administered on a first-come, first-served basis. The qualifying factors are as follows:

1. Must be a NCNG member who is drilling satisfactorily at his/her unit.
2. Must be attending a school which is approved by the State Approving Agency. (May be a full-time, part-time, or less than part-time student.)
3. Must have at least two (2) years remaining on enlistment at the end of the period for which TAP award is applied.
4. Must satisfactorily complete the course(s) funded by TAP unless circumstances beyond his/her control force the NCNG member to drop the course(s).

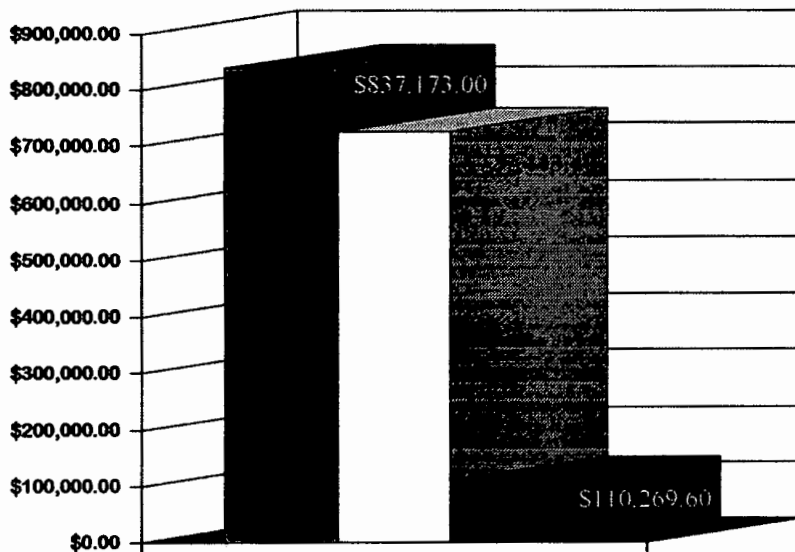
As of February 27, 1997, the TAP status for this fiscal year, which began July 1st and ends June 30th, is as follows:

NCNG TAP Budget

- Of the FY 96-97 total budget, \$727,443.40 has been obligated, and there is \$110,269.60 remaining.

- 1161 NCNG members have been awarded TAP.

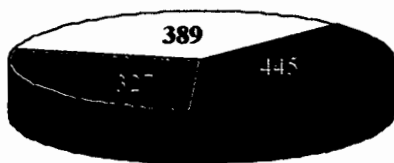
- Of these 1161 members, 445 are believed to be full-time students at a 4-year state-supported college or university, and 327 at a 2-year community college.



Fiscal Year 1996-1997

■ Budgeted
□ Obligated
■ Available

1996-1997 TAP Recipients



Total Number of Participants:
1161

■ Full-time at 4-yr state-supported school
■ Full-time at 2-yr community college
□ Other - Private Schools and/or Part-time Students



"Excellence in Education!"

**JUDICIAL DEPARTMENT
OVERVIEW OF CONTINUATION BUDGET
ITEMS FLAGGED AS OF MARCH 5, 1997**

INDIGENT DEFENSE

1. Reduce Estimated Additional Requirements - The current 1997-99 continuation budget request includes an additional \$6,073,533 in 97-98 and \$8,750,380 in 98-99 for counsel of indigent defendants. These increases were based on projections completed in August 1996. The AOC updated their projections in March 1997 and determined expenditures in capital and non-capital cases were lower than originally anticipated. The AOC also determined that receipts from indigents were being collected at a higher rate. Thus, they estimate an increase of \$4,111,744 in 97-98 and \$6,335,144 in 98-99 are more likely which would allow for a reduction of \$1,961,789 and \$2,415,236 respectively.
2. Grant (\$1,250,000) to the NC State Bar - The AOC provides a direct grant to the NC Bar for representation of indigents in civil cases. The Bar is allowed to contract up to \$250,000 with the Center for Death Penalty Litigation who provides training, consultation, brief banking, and other assistance to attorneys for indigent capital defendants. The special provision which allows this terminates June 30, 1997.

RESERVES

3. Reserve for Operations - Reserve of \$447,612 for each of the biennium is to partially restore operating reductions made in 1991, give department flexibility for unanticipated needs, and, to ensure appropriate allocation to programs (programs for the most part do not have separate equipment and supply budgets). Funds are used for non-personnel items including postage, travel, phones, electricity, etc (see special provision).
4. Salary Reserve - These are funds generated by positions being filled at a salary less than the budgeted salary. Current availability is approximately \$1.3 million - anticipate accumulating \$1.7 million by June 30, 1997. The 1996 Short Session of the General Assembly reduced available salary reserve funds by 75%, totaling \$750,000.

OTHER PROGRAMS

5. Dispute Settlement Centers - Funds were included in the continuation budget (\$5,000) for the Wayne Dispute Settlement Center even though the Center discontinued operations on July 1, 1995. The Committee also discussed revising current special provision language concerning match requirements for the Centers.

6. Guardian Ad Litem Attorney Expenditures - The 1995 General Assembly reduced this line-item by \$393,636 in FY 1995-96 and \$378,996 in FY 1996-97. As a result, the GAL Program implemented a new attorney management plan which included: (1) capping fees at \$120 for non-secure hearings through first disposition, (2) establishing a retainer for each district for new hearing if case is contested, and (3) providing discretionary funds for appeals and termination of parental rights hearings. The program spent \$846,328 of an available \$941,000 budget in FY 1995-96 and is currently on pace to spend approximately \$800,000 of their \$955,640 budget in FY 1996-97. The recommended attorney budget for the 1997-99 biennium is \$955,640 for each fiscal year. The Department anticipates spending the entire \$955,640 since many attorneys send all their bills in at the end of the year, instead of one at a time throughout the year.
7. Mecklenburg Drug Court Program - The continuation budget includes both permanent and contractual funds for this program consistent with the existing funding formula - 75% state funds with 25% local match. The authorized budget in FY 1996-97 is \$346,147 and the recommended 1997-98 budget is \$399,723. If the committee approves this request, they may want to increase the local match receipts by \$13,394 for each year of the biennium to reach the 25% local match.
8. Drug Treatment Court Pilot Program - These programs aim to provide offenders with substance abuse problems both supervision and rehabilitation without incarceration. There is \$800,000 in the continuation budget for FY 1997-98, \$52,551 for the Director's salary. The program sunsets on June 30, 1998, however, the Director's salary is included in the budget for FY 1998-99 as well (see special provision).
9. Community Penalties Program - Currently, there are programs in 33 districts covering 84 counties. The committee discussed expanding the program statewide (approximately \$500,000) and revising current special provision language.

**SENATE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY**

REVIEW OF POTENTIAL JUDICIAL DEPARTMENT SPECIAL PROVISIONS

MARCH 25, 1997

Judicial Department Special Provisions

Requested by: Representatives Justus, Thompson, Senator Ballance
ANNUAL REPORT ON RECIDIVISM

Expansion
Sec. 22.3. The Judicial Department, through the North Carolina Sentencing and Policy Advisory Commission, and the Department of Correction shall jointly prepare an annual report on recidivism among criminal offenders. The findings of the report shall be based upon methodology similar to that employed in the May 1, 1996, Recidivism Study that was presented to the Chairs of the House and Senate Appropriations Committees and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety. This methodology shall include tracking of all offenders assigned to community corrections programs or

released from prison by fiscal year, beginning with the 1993-94 fiscal year for the first year's report, and then identifying those offenders rearrested within two years or more after assignment to a program or release from prison. Community correction programs to be included in the report are the Treatment Alternatives to Street Crime (TASC), the Community Penalties Program, Community Service, all supervised probation and parole programs, and all community correction programs supervised or funded by the Department of Correction.

As part of this joint project, the Department of Correction shall provide the Sentencing and Policy Advisory Commission with a computerized list of offenders released from prison and offenders entering supervised probation during the specified time period. The list shall include specific offender-identifying information and clearly identify offenders entering community corrections programs supervised or funded by the Department of Correction. The Sentencing and Policy Advisory Commission shall be responsible for matching offenders to Division of Criminal Information (DCI) criminal records and for the production and printing of the final report.

Data collection and report preparation for the first year shall be funded from the sum of four thousand dollars (\$4,000) appropriated to the Judicial Department for the 1996-97 fiscal year for that purpose, and grant funds available to the Department of Correction for the 1996-97 fiscal year, up to the sum of twenty-five thousand dollars (\$25,000). The report shall be due by April 1 of each year.

Requested by: Representatives Justus, Thompson, Senator Ballance

TRANSFER OF EQUIPMENT AND SUPPLY FUNDS

Sec. 21.3. Funds appropriated to the Judicial Department in the 1995-97 biennium for equipment and supplies shall be certified in a reserve account. The Administrative Office of the Courts shall have the authority to transfer these funds to the appropriate programs and between programs as the equipment priorities and supply consumptions occur during the operating year. These funds may not be expended for any other purpose. The Administrative Office of the Courts shall make quarterly reports on transfers made pursuant to this section to the Joint Legislative Commission on Governmental Operations and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety.

52 N.C. STATE BAR FUNDS

Sec. 21.14. Of the funds appropriated in this act as a grant-in-aid to the North Carolina State Bar for the 1995-97 fiscal biennium, the North Carolina State Bar may in its discretion use up to the sum of two hundred fifty thousand dollars (\$250,000) for the 1995-96 fiscal year and up to the sum of two hundred fifty thousand dollars (\$250,000) for the 1996-97 fiscal year to further the criminal justice system.

Requested by: Senators Ballance, Rand Representatives Justus, Thompson, Kiser
INDIGENT PERSONS' ATTORNEY FEE FUND

Sec. 21.3. (a) Effective July 1, 1995, the Administrative Office of the Courts shall each year of the 1995-97 biennium reserve funds for capital cases and for transcripts, professional examinations, and expert witness fees from the Indigent Persons' Attorney Fee Fund. The remaining available funds in the Indigent Persons' Attorney Fee Fund shall be allotted for adult, juvenile, and guardian ad litem cases for the 1995-96 and 1996-97 fiscal years to each judicial district in which the superior and district court districts are coterminous, and otherwise by county, according to the caseload of indigent persons who were not represented by the public defender in the districts or counties during 1994-95 and 1995-96 respectively.

The Administrative Office of the Courts shall notify all senior resident superior court judges, all chief district court judges, and the clerk of superior court within the district or county immediately after the allotment is made and shall provide a monthly report on the status of the allotment for the district or county.

The senior resident superior court judge and the chief district court judge of each district or county shall ask all judges holding court within the district or county: (i) to take into consideration the amount of money allotted at the beginning of the fiscal year and the amount of money remaining in the allotment when they

award counsel fees to attorneys of indigent persons, and (ii) to make an effort to award fees equally and justly for legal services provided. The clerk of superior court for each county shall ensure that all judges holding court within the county receive this request from the senior resident superior court judge and the chief district court judge.

(b) If the funds allotted pursuant to subsection (a) of this section are depleted in a district or county prior to the end of the fiscal year, the Administrative Office of the Courts shall allot any available funds from the reserve fund specified in subsection (a) or from unanticipated receipts. However, if necessary and appropriate due to unusual and unanticipated circumstances occurring in the current year, the Administrative Office of the Courts may allocate available funds to a district or county in a manner calculated to result in the reasonably fair distribution of remaining funds.

(c) If funds allocated in subsections (a) and (b) are depleted in a district or county prior to the end of the fiscal year, the Administrative Office of the Courts shall allot available funds from the Public Defender program.

(d) If the funds allotted pursuant to subsections (a), (b), and (c) of this section are depleted in a district or county prior to the end of the fiscal year, the Administrative Office of the Courts is authorized to transfer funds between districts or counties only if the Administrative Office of the Courts determines that the funds transferred will not be needed to meet the obligations incurred by the Indigent Persons' Attorney Fee Fund for the county or district from which the funds are transferred for the fiscal year.

Rev.
Sec. 21.3
#3

INDIGENT PERSONS' ATTORNEY FEE FUND

Sec. 7. (a) Effective July 1, 1997, the Administrative Office of the Courts shall each year of the 1997-99 biennium reserve funds for adult, juvenile, and guardian ad litem cases from the Indigent Persons' Attorney Fee Fund. These funds shall be allotted to each judicial district in which the superior and district court districts are coterminous, and otherwise by county, according to the caseload of indigent persons who were not represented by the public defender in the districts or counties during 1996-97 and 1997-98, respectively. The remaining available funds in the Indigent Persons' Attorney Fee Fund shall be budgeted for capital cases and for transcripts, professional examinations, expert witness fees and other supporting services.

*Make
more
clear*

The Administrative Office of the Courts shall notify all senior resident superior court judges, all chief district court judges, and the clerk of superior court within the district or county immediately after the allotment is made and shall provide a monthly report on the status of the allotment for the district or county.

The senior resident superior court judge and the chief district court judge of each district or county shall ask all judges holding court within the district or county: (i) to take into consideration the amount of money allotted at the beginning of the fiscal year and the amount of money remaining in the allotment when they award counsel fees to attorneys of indigent persons, and (ii) to make an effort to award fees equally and justly for legal services provided. The clerk of superior court for each county shall ensure that all judges holding court within the county receive this request from the senior resident superior court judge and the chief district court judge.

(b) If the funds allotted pursuant to subsection (a) of this section are depleted in a district or county prior to the end of the fiscal year, the Administrative Office of the Courts shall allot any available funds from the reserved funds specified in subsection (a) or from unanticipated receipts. However, if necessary and appropriate due to unusual and unanticipated circumstances occurring in the current year, the Administrative Office of the Courts may allot available funds to a district or county in a manner calculated to result in the reasonably fair distribution of remaining funds.

(c) If funds allotted in subsections (a) and (b) are depleted in a district or county prior to the end of the fiscal year, the Administrative Office of the Courts shall allot available funds from the Public Defender program.

(d) If the funds allotted pursuant to subsections (a), (b), and (c) of this section are depleted in a district or county prior to the end of the fiscal year, the Administrative Office of the Courts is authorized to transfer funds between districts or counties only if the Administrative Office of the Courts determines that the funds transferred will not be needed to meet the obligations incurred by the Indigent Persons' Attorney Fee Fund for the county or district from which the funds are transferred for the fiscal year.

14
15 Requested by: Representatives Justus, Thompson, Senator Ballance
16 REPORT ON DISPUTE SETTLEMENT CENTERS

* Revised language
pg. 5

17 Sec. 21.5. (a) All local dispute settlement centers currently receiving
18 State funds shall report annually to the Judicial Department on the program's
19 funding and activities, including:

- 20 (1) Types of dispute settlement services provided;
- 21 (2) Clients receiving each type of dispute settlement service;
- 22 (3) Number and type of referrals received, cases actually mediated,
23 cases resolved in mediation, and total clients served in the cases
24 mediated;
- 25 (4) Total program funding and funding sources;
- 26 (5) Itemization of the use of funds, including operating expenses and
27 personnel;
- 28 (6) Itemization of the use of State funds;
- 29 (7) Level of volunteer activity; and
- 30 (8) Identification of future service demands and budget requirements.

31 The Judicial Department shall compile and summarize the information
32 provided pursuant to this subsection and shall provide the information to the Chairs
33 of the House and Senate Appropriations Committees and the Chairs of the House
34 and Senate Appropriations Subcommittees on Justice and Public Safety by February
35 1 of each year.

36 (b) Each local dispute settlement center requesting State funds for the
37 first time shall provide the General Assembly with (i) the information enumerated in
38 subsection (a) of this section, or projections where historical data is not available, as
39 well as a detailed statement justifying the need for State funding, and (ii) certification
40 that at least fifty percent (50%) of total funding for the first fiscal year in which
41 funding is requested shall come from non-State sources, and (iii) if funding is
42 requested for a second fiscal year, certification that at least sixty percent (60%) of
43 total funding for the second fiscal year shall come from non-State sources.

44 (c) Each local dispute settlement center requesting an expansion of State
45 funding shall provide the General Assembly with (i) the information enumerated in
46 subsection (a) of this section, or projections where historical data is not available, as
47 well as a detailed statement justifying the need for the expansion of State funding,
48 and (ii) certification that at least sixty percent (60%) of total funding shall come from
49 non-State sources.

1 (e) Each dispute settlement center receiving State
2 funds for six or more years shall document that at least fifty
3 percent (50%) of total funding comes from non-State sources.
4 (f) The percentage that State funds comprise of the
5 total funding of each dispute settlement center shall be
6 determined at the conclusion of each fiscal year with the
7 information provided pursuant to G.S. 7A-346.1 and is intended as
8 a funding ratio and not a matching funds requirement. Local
9 dispute settlement centers may include the market value of
10 donated office space, utilities, and professional legal and
11 accounting services in determining total funding.
12 (g) A local dispute settlement center serving a low
13 wealth county or expanding service into a county not served by a
14 local dispute settlement center may request a waiver or special
15 consideration in meeting the funding ratios provided for in this
16 section.
17 (h) The provisions of G.S. 143-31.4 do not apply to
18 local dispute settlement centers receiving State funds.

Requested by: Representatives Justus, Thompson, Daughtry, Senators Ballance, Rand
COMMUNITY PENALTIES PROGRAM

Sec. 21.9. (a) Of the funds appropriated from the General Fund to the Judicial Department for the 1995-97 biennium to conduct the Community Penalties program, the sum of three million four hundred eighty-four thousand nine hundred twelve dollars (\$3,484,912) for the 1995-96 fiscal year and the sum of four million one hundred thirty-four thousand nine hundred twelve dollars (\$4,134,912) for the 1996-97 fiscal year may be allocated by the Judicial Department in each year of the biennium in any amount among existing community penalties programs, including any State-operated programs, or may be used to establish new State-operated community penalties programs.

(b) The Judicial Department shall report annually to the Senate and House Appropriations Subcommittees on Justice and Public Safety and to the Fiscal Research Division on the administrative expenditures of the community penalties programs. The Judicial Department shall report quarterly to the Joint Legislative Commission on Governmental Operations on any elimination or reduction of funding for community penalties programs funded in the 1994-95 fiscal year or any program receiving initial funding during the 1995-97 biennium.

(c) G.S. 7A-771(1) reads as rewritten:

"(1) 'Community penalties program' means an agency or State-run office within the judicial district which shall (i) prepare community penalty plans; (ii) arrange or contract with public and private agencies for necessary services for offenders; and (iii) monitor the progress of offenders placed on community penalty plans."

(d) G.S. 7A-772 reads as rewritten:

"§ 7A-772. Allocation of funds.

(a) The Director may award grants in accordance with the policies established by this Article and in accordance with any laws made for that purpose, including appropriations acts and provisions in appropriations acts, and adopt regulations for the implementation, operation, and monitoring of community penalties programs. Community penalties programs that are grantees shall use such funds to develop, implement, and monitor community penalty plans. Grants shall be awarded by the Director to agencies whose comprehensive program plans promise best to meet the goals set forth herein.

(b) The Director may establish local community penalties programs and appoint those staff as the Director deems necessary. These personnel may serve as full-time or part-time State employees or may be hired on a contractual basis when determined appropriate by the director. Contracts entered under the authority of this subsection shall be exempt from the competitive bidding procedures under Chapter 143 of the General Statutes. The Administrative Office of the Courts shall adopt rules necessary and appropriate for the administration of the program. Funds appropriated by the

General Assembly for the establishment and maintenance of community penalties programs under this Article shall be administered by the Administrative Office of the Courts."

(e) G.S. 7A-773 reads as rewritten:

"§ 7A-773. Responsibilities of a community penalties program.

A community penalties program shall be responsible for:

- (1) Targeting offenders who are eligible to receive an intermediate punishment based on their class of offense and prior record level and who face an imminent and substantial threat of imprisonment.
- (2) Preparing detailed community penalty plans for presentation to the sentencing judge by the offender's attorney, attorney or at the request of the sentencing judge.
- (3) Contracting or arranging with public or private agencies for services described in the community penalty plan.
- (4) Monitoring the progress of offenders under community penalty plans."

DRUG TREATMENT COURTS/FUNDS IN RESERVE

Sec. 21.6. (a) Chapter 7A of the General Statutes is amended by adding a new Subchapter to read:

"SUBCHAPTER XIV. DRUG TREATMENT COURTS.

"ARTICLE 62.

"North Carolina Drug Treatment Court Act.

"§ 7A-790. Short title.

This Article shall be known and may be cited as the 'North Carolina Drug Treatment Court Act of 1995'.

"§ 7A-791. Purpose.

The General Assembly recognizes that a critical need exists in this State for criminal justice system programs that will reduce the incidence of drug use and drug addiction and crimes committed as a result of drug use and drug addiction. It is the intent of the General Assembly by this Article to create a program to facilitate the creation of drug treatment court pilot programs in a minimum of two judicial districts.

"§ 7A-792. Goals.

The goals of the drug treatment court programs funded under this Article include the following:

- (1) To reduce alcoholism and other drug dependencies among offenders;
- (2) To reduce recidivism;
- (3) To reduce the drug-related court workload;
- (4) To increase the personal, familial, and societal accountability of offenders; and
- (5) To promote effective interaction and use of resources among criminal justice personnel and community agencies.

"§ 7A-793. Establishment of Program.

The North Carolina Drug Treatment Court Program is established in the Administrative Office of the Courts to facilitate the creation of drug treatment court programs and the funding of pilot drug treatment court programs. Drug treatment court programs funded pursuant to this Article shall be operated consistent with the guidelines promulgated by the Director of the Administrative Office of the Courts in consultation with the State Drug Treatment Court Advisory Committee established in G.S. 7A-795. In promulgating the guidelines, the Director and the Advisory Committee shall consider the Substance Abuse and the Courts Action Plan and other recommendations of the Substance Abuse and the Courts State Task Force.

"§ 7A-794. Fund administration.

The Drug Treatment Court Program Fund is created in the Administrative Office of the Courts and is administered by the Director of the Administrative Office of the Courts in consultation with the State Drug Treatment Court Advisory Committee. The Director of the Administrative Office of the Courts shall award grants from this Fund and implement drug treatment court programs in a minimum of two judicial districts. Grants shall be awarded based upon the general guidelines set forth by the Director of the Administrative Office of the Courts and the State Drug Treatment Court Advisory Committee.

"§ 7A-795. State Drug Treatment Court Advisory Committee.

The State Drug Treatment Court Advisory Committee is established to develop guidelines for the drug treatment court program and to monitor programs wherever they are implemented. The Committee shall be chaired by the Director of the Administrative Office of the Courts or the Director's designee and shall consist of not less than seven members appointed by the Director and broadly representative of the courts, corrections, and substance abuse treatment communities.

"§ 7A-796. Local drug treatment court management committee.

Each judicial district choosing to establish a drug treatment court or applying to participate in a funded pilot program shall form a local drug treatment court management committee, consisting of the following persons, appointed by the senior resident superior court judge with the concurrence of the district attorney for that district:

- (1) A judge of the superior court;
- (2) A judge of the district court;
- (3) A district attorney or assistant district attorney;
- (4) A public defender or assistant public defender in judicial districts served by a public defender;
- (5) A member of the private criminal defense bar;
- (6) A clerk of superior court;
- (7) The trial court administrator in judicial districts served by a trial court administrator;
- (8) A probation officer;
- (9) A local law enforcement officer;
- (10) A representative of the local community college;
- (11) A representative of the treatment providers;
- (12) The local program director provided for in G.S. 7A-798; and
- (13) Any other persons selected by the local management committee.

The local drug treatment court management committee shall develop local guidelines and procedures, not inconsistent with the State guidelines, that are necessary for the operation and evaluation of the local drug treatment court.

"§ 7A-797. Eligible population; drug treatment court procedures.

The Director of the Administrative Office of the Courts, in conjunction with the State Drug Treatment Court Advisory Committee, shall develop criteria for eligibility and other procedural and substantive guidelines for drug treatment court operation.

"§ 7A-798. Drug treatment court grant application; local program director.

(a) Grant applications for the pilot programs shall be submitted to the Director of the Administrative Office of the Courts, in such form and with such information as the Director may require consistent with the provisions of this Article. Grants shall be awarded to two or more judicial districts that submit the most comprehensive and feasible plans for the implementation and operation of a drug treatment court. The Director shall award and administer grants in accordance with any laws made for that purpose, including appropriations acts and provisions in appropriations acts, and may adopt rules for the implementation, operation, and monitoring of grant-funded programs.

(b) Grant applications shall specify a local program director who shall be responsible for local administration of the project. Grant funds may be used to fund a full-time or part-time local program director position. The local program director may be an employee of the grant recipient, an employee of the court, or a grant-established position under the senior resident superior court judge or chief district court judge.

"§ 7A-799. Treatment not guaranteed.

Nothing contained in this Article shall confer a right or an expectation of a right to treatment for a defendant or offender within the criminal justice system.

"§ 7A-800. Payment of costs of treatment program.

Each defendant shall contribute to the cost of the substance abuse treatment received in the drug treatment court program, based upon guidelines developed by the local drug treatment court management committee.

"§ 7A-801. Plan for evaluation.

Each grant application requesting funding for the pilot program shall include a method for evaluating the pilot program's effectiveness, based upon the goals stated in G.S. 7A-792. Each funded program shall submit evaluation reports to the Administrative Office of the Courts as requested. Additionally, the Administrative Office of the Courts shall be responsible for developing an evaluation model on the State level to compare the effectiveness of all pilot programs and shall submit a report to the General Assembly by May 1, 1998."

(b) Funds to implement and evaluate the pilot programs established under the North Carolina Drug Treatment Court Act shall be allocated from the reserve of eight hundred thousand dollars (\$800,000) created in Section 41 of Chapter 24 of the Session Laws of the 1994 Extra Session. These funds shall be used primarily to provide substance abuse treatment, but the sum of two hundred thousand dollars (\$200,000) for the 1995-96 fiscal year shall be used to fund systemwide equipment needs and the sum of forty-three thousand seven hundred seventy-five dollars (\$43,775) for the 1995-96 fiscal year and the sum of fifty-two thousand five hundred fifty-one thousand dollars (\$52,551) for the 1996-97 fiscal year may be used to fund one program administrator position.

(c) Subsection (a) of this section becomes effective July 1, 1995, and expires June 30, 1998. The remainder of this section becomes effective October 1, 1995.

REV 6
language
pg.
11

N. C DRUG TREATMENT COURT PROGRAM

Sec. 2(a) The funds appropriated to the Judicial Department in the certified budget for the 1997-99 biennium for the N. C. Drug Treatment Court Program shall be used primarily for substance abuse treatment and related program needs, but fifty-two thousand five hundred fifty one dollars (\$52,551) may be used during the 1997-98 fiscal year to fund one program administrator position.

(b) Of the funds appropriated to the Judicial Department in the certified budget for the 1996-97 fiscal year for the N. C. Drug Treatment Court Program, up to the sum of one hundred thousand dollars (\$100,000) shall not revert, but may be used during the 1997-98 fiscal year for nonrecurring program items.

(c) Subsection (b) becomes effective June 30, 1997.

-11-

**SENATE APPROPRIATIONS SUBCOMMITTEE
ON**

JUSTICE AND PUBLIC SAFETY

Thursday March 27, 1997 – 8:30a.m.
Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

II. PRESENTATIONS

- Review Department of Correction Flags and Special Provisions

Jim Mills and Elisa Wolper, Fiscal Analysts
Department of Correction Staff

- Review Department of Justice Flags and Special Provisions

Elisa Wolper, Fiscal Analyst
Department of Justice Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT



MINUTES
SENATE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY
MARCH 27, 1997

The Senate Appropriations Subcommittee on Justice and Public Safety met at 8:30 AM on Thursday, March 27, 1997 in Room 421 of the Legislative Office Building. Five members were present. Senator Wib Gulley, Chairman, presided.

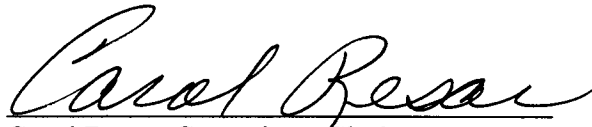
Senator Gulley asked Jim Mills, Fiscal Analyst, to review the flagged items from the Department of Corrections budget (see attached). Senator Gulley suggested to reduce the Governor's recommended adjustment from \$20.8 million to \$16.3 million (Item A-1, page five of handout). With regard to item A-2, Senator Ballance recommended that the \$5.8 million needed in the 1997-98 budget should be shown in the budget and the Subcommittee should not accept the recommended adjustment. The Subcommittee then approved items A-3 through A-8 of the Governor's recommended adjustments to the continuation budget on page five and six of the handout.

Next, the Subcommittee approved Item B on page 1 of the handout. The Items in section C of the handout are addressed in the Span of Control study and a decision on these times were delayed by the Subcommittee.

The meeting was adjourned at 9:45 AM.



Senator Wib Gulley, Chair



Carol Resar, Committee Clerk

DEPARTMENT OF CORRECTION – Justice and Public Safety
Appropriations Subcommittee Budget Flag List
(Division of Prisons unless otherwise noted)
(As of March 26, 1997 10 am)

A. **Items 1-8 Governors Recommended Adjustments to Continuation Budget.**

Total reductions are (\$48,188,556) in 1997-98 and (\$35,788,556) in 1998-99 (See Attached List – Attachment 1)

B. **Span of Control Study**

The Governor required the Department of Correction to reduce its budget by **\$8,528,430** million each year based on the 1996 Span of Control Study. The reductions were to be recurring positions. As of March 26, 1997, OSBM was analyzing DOC's proposal for meeting the \$8.5 million target – the proposal may include recurring positions and other recurring personnel-related reductions (contractual services). A recommendation on the details of implementing the \$8.5 million reduction is anticipated April 1, 1997.

C. **Other Budget Items Flagged by JPS Subcommittee (These items may or may not be on the DOC/OSBM \$8.5 million "Span of Control" list.)**

1. **Substance Abuse Program – Private Prison Treatment Beds** – **Approximately \$3 million dollars is appropriated for 150 beds** that are not filled due to contractual problems (350 beds are filled and operating close to capacity). The Subcommittee discussed two possible budget options: (1) One-time reduction due to delays in contracting for additional private prison beds (3 months would be approximately \$750,000 non-recurring reduction) or (2) Not funding the 150 beds based on contractual problems and long-term consideration of whether there will be enough offenders that meet the criteria for placement in the program to keep 500 beds fully occupied.

2. Title VII Program – In 1996, this program was fully funded at \$700,000 (17 positions) in the departmental management program and the division of prisons to develop and monitor a program to improve recruitment, hiring and promotion of female custody and security staff, in response to a federal lawsuit. The Governor cut \$150,000 and 2 positions based on the premise that DOC has fully implemented policies that have resulted in substantial increases in female hiring and promotion. **Given this situation, the Subcommittee asked whether all of the remaining 15 positions were necessary. DOC is reviewing the possibility of eliminating up to 7 additional positions.** Additionally, there is a \$5.5 million reserve for use in settling the lawsuit if necessary. The DOC and State Budget are recommending that this reserve be carried over to 1997-98 since the final settlement on the Title VII lawsuit has not been signed.
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4. Out of State Classification and Custody Staffing in Prison Management Budget -- DOC is funding 17 positions (\$544,235) for special custody and classification duties. These duties include classification of inmates housed out of state and in Jails and then management of the process for returning inmates to State prisons. The Subcommittee discussed the possibility of reducing the portion of funding allocated for custody and classification of out of state and jail inmates since these contracts will be expiring in 1997-98. DOC is currently reviewing this area.
5. Out of State Inmates – Transportation Funds – The 1997-99 prison inmate support Continuation Budget includes \$300,000 each year for transporting inmates to and from out of state prisons. DOC indicates the

funds are needed in 1997-98 to bring all the inmates back to North Carolina but that **\$300,000 is not needed in 1998-99** (there were 1,596 inmates out of state on 12/1/96; 1,035 on March 15, 1997).

6. Salary Reserve -- Salary Reserve is recurring funding generated from positions being filled at salaries lower than the budgeted salary. DOC is expected to generate about \$2 million this year. **A reduction of 75% would be (\$1,500,000).**
7. Education -- In 1996, the DOC used funds from the Inmate Welfare Fund (canteen and pay phone profits) to partially fund inmate education expenses (\$381,090). The cash balance for the Inmate Welfare Fund has traditionally averaged around \$600,000. **The Subcommittee asked DOC to determine if Welfare Funds could be used to reduce the General Fund Education Budget (approximately \$4 million) in 1997-98 and 1998-99.** (NOTE: Senate only as of 3-26)
8. GPAC Prison Units – 30 small prisons were originally identified by the GPAC study as being costly and inefficient to operate. GPAC recommended closing or converting these prisons and building larger, more efficient prisons. To-date, 16 prisons have been closed or converted. **The Subcommittee flagged these units for further discussion to determine whether additional units should be closed or converted during the 1997-99 biennium.** (See Attachment 3).
9. Diagnostic and Reception Centers – Prison admissions have declined by 30% since 1993. Southern Reception Center was closed in 1996-97 in response to this decline. **The Subcommittee requested additional information on staffing and budgets for diagnostic centers to determine if further reductions should be taken in budgets and staffing.** (NOTE: Senate only as of 3/26).
10. Road Squads – The 1997-99 Continuation Budget requires DOT to transfer \$10.74 million dollars from the Highway Fund to fund DOC's cost of providing inmate labor for minimum and medium security road squads. Actual payment for 1996-97 is anticipated to be \$5.6 million due to a special provision approved by the Transportation Subcommittee and the General Assembly in 1995 that requires that DOT only pay for

the "actual labor performed by medium custody inmates". In essence, DOT is not paying DOC if a road squad is unable to work because of inclement weather. The General Statutes language (G.S. 148-26.5) indicates that DOC should be reimbursed for local or state public work projects on a "cost basis." **State Budget has recommended that a similar provision not be passed this year and that the Governor be allowed to work out any disagreements between DOT and DOC over payment.** (Senate only as of 3/26)

11. Prison Reserves -- The DOC presented additional budget reductions in the 1997-99 Continuation Budget in prison reserves due to (1) Delays in opening several prisons (Non-recurring) and (2) Recurring reductions of 44 positions due to a review of "Span of Control." These cuts are over and above the Governor's original adjustments in the reserves in the prison budget (See Attachment 1). **Total recommended additional reductions are \$1,762,466 in 1997-98 and \$1,495,196 in 1998-99; these cuts include 44 positions** (recurring versus non-recurring total to be determined). Additionally, the DOC is reviewing projected completion dates for the two 500 bed private prisons to determine if further one time (non-recurring) reductions can be made in the operating reserves. (Senate only as of 3/26)

NOTE: The Subcommittee also noted that the Reserve for Repeal of the the Prison Cap was over-budgeted by \$79,568. Total reduction should be \$579,568 (Governor recommended \$500,000 each year).

DEPARTMENT OF CORRECTION

GOVERNOR'S ADJUSTMENTS TO 1997-99 BUDGETS*

	<u>1997-98</u>	<u>1998-99</u>
1. Out of State Housing of Inmates - Due to the increased availability of beds in North Carolina's prison system, funding for out of state housing of inmates was eliminated from the 1997-99 biennium continuation budget.	\$(20,819,756)	\$(20,819,756)
2. Funding for County Jail Contracts Due to the increased availability of beds in North Carolina's prison system, funding for county jail contracts to house the state's inmates was eliminated from the 1997-99 biennium continuation budget.	(5,818,800) **	(5,818,800) **
3. Reserve for Private Beds Due to delays in completing a lease and occupancy of a facility, funding for private beds was reduced in the 1997-98 fiscal year. This is a <u>one-time non-recurring reduction</u> .	(2,900,000) NR	-
4. Reserve for Operating New Facilities Due to delays in the completion of the (1) new Albemarle and (2) Avery/Mitchell facilities, the continuation budget for 1997-98 was reduced. This is a one time nonrecurring reduction.	(9,500,000) NR	-
5. Reduction in Food Cost The budget for food purchases in the department was reduced to a more realistic level for the cost per meal.	(5,000,000)	(5,000,000)

	<u>1997-98</u>	<u>1998-99</u>
6. Reserve for Repeal of Cap Funds in this reserve were reduced due to a less than anticipated number of inmates that needed to be placed in private beds.	\$ (500,000)	\$ (500,000)
7. Adjust Operating Budget of Probation/Parole The operating budget for Probation/Parole was adjusted to a more realistic level of need.	(3,500,000)	(3,500,000)
8. Reduce Title VI Supervision Two positions and support cost were eliminated from the area of Title VI supervision.	(150,000) (2)	(150,000) (2)
TOTAL	\$48,188,556	\$35,788,556

*Reductions reflected in Volume 4, Justice and Public Safety Budget and Governors "Summary of Recommendations." Narrative is from these documents also.

**Governor's Summary reflected reduction of \$8,824,240 each year for Jail Contracts but actual reduction was \$5,818,800 each year.

JM:djb

CALCULATION OF FOOD COSTS 97-99 BIENNIUM
BASED ON PROJECTED POPULATION FROM SENTENCING COMMISSION
LESS OUT OF STATE AND JAILS

F/Y	92-93 ACTUAL INFLATION	FACTOR	0.71 FUTURE
93-94	3.5%	1.035	0.735
94-95	3.2%	1.032	0.758
95-96	2.8%	1.028	0.780
96-97	3.2%	1.032	0.805
97-98	2.8%	1.028	0.827
98-99	2.7%	1.027	0.849

USING BEST PROJECTIONS

<u>97-98</u>	
PROJECTED POPULATION	
PER SENTENCING COMMISSION	32,260
TIMES MEALS PER DAY	3
TIMES DAYS PER YEAR	365
TIMES COST PER MEAL	0.827
EQUALS REQUIREMENTS	29,216,138
LESS JAILS & OUT OF STATE	(99,110)
PLUS MEALS SOLD	335,656
TOTAL REQUIREMENTS 97-98	29,452,684
CONTINUATION BUDGET 97-98	32,577,512
DIFFERENCE	3,124,828

<u>98-99</u>	
PROJECTED POPULATION	
PER SENTENCING COMMISSION	31,006
TIMES MEALS PER DAY	3
TIMES DAYS PER YEAR	365
TIMES COST PER MEAL	0.849
EQUALS REQUIREMENTS	28,838,630
PLUS MEALS SOLD	335,656
TOTAL REQUIREMENTS 98-99	29,174,286
CONTINUATION BUDGET 98-99	34,532,718
DIFFERENCE	5,358,432

USING HIGH PROJECTIONS

<u>97-98</u>	
PROJECTED POPULATION	
PER SENTENCING COMMISSION	33,885
TIMES MEALS PER DAY	3
TIMES DAYS PER YEAR	365
TIMES COST PER MEAL	0.827
EQUALS REQUIREMENTS	30,685,070
LESS JAILS & OUT OF STATE	(99,110)
PLUS MEALS SOLD	335,656
TOTAL REQUIREMENTS 97-98	30,921,616
CONTINUATION BUDGET 97-98	32,577,512
DIFFERENCE	1,655,896

<u>98-99</u>	
PROJECTED POPULATION	
PER SENTENCING COMMISSION	32,831
TIMES MEALS PER DAY	3
TIMES DAYS PER YEAR	365
TIMES COST PER MEAL	0.849
EQUALS REQUIREMENTS	30,521,503
PLUS MEALS SOLD	335,656
TOTAL REQUIREMENTS 98-99	30,857,159
CONTINUATION BUDGET 98-99	34,532,718
DIFFERENCE	3,675,559

ATTACHMENT
2
7

DEPARTMENT OF CORRECTION
A Report on GPAC Prison Consolidation Facilities

January 10, 1997

STATE AVE. 47.87

GPAC Minimum Security Prison Facilities		
Facility	Standard Operating Capacity	Daily Cost Per Inmate Fiscal Year 1995-96
Alamance Correctional Center	68	\$ 47.86
Gates Correctional Center	62	\$ 56.92
Goldsboro Correctional Center	64	\$ 37.47
Granville Correctional Center ¹	36	\$ 87.17
Guilford Correctional Center	132	\$ 49.85
Halifax Correctional Center ²	40	\$ 60.60
Haywood Correctional Center	56	\$ 61.53
Henderson Correctional Center	42	\$ 70.45
Martin Correctional Center	54	\$ 51.85
Mecklenburg Correctional Center	76	\$ 51.50
Person Correctional Center ³	44	\$ 79.48
Richmond Correctional Center	closed	n/a
Sandy Ridge Correctional Center	66	\$ 51.59
Stokes Correctional Center	68	\$ 52.74
Warren Correctional Center ⁴	28	\$ 122.57
Watauga Correctional Center ⁵	48	\$ 66.38
Total	884	n/a

NOTE: The average cost for a Minimum Security Facility in FY 1995-96 was \$47.87 ranging from a high at Warren Correctional Center of \$122.57 and a low at Raleigh Correctional Center for Women at \$31.02. The \$47.87 average compares with an average of \$50.12 in FY 1994-95 a \$2.25 or 4.5% reduction in daily costs.

- ¹ Warren GPAC - closed October 1, 1996
- ² Warren GPAC - closed October 23, 1996; the Department has discussed leasing this facility to Halifax County for use as a jail
- ³ Warren GPAC - closed August 26, 1996 and converted to a vocational education center for Dan River Prison Work Farm
- ⁴ Warren GPAC - remains operational as a start-up facility and inmate work site for the new Warren Correctional Facility
- ⁵ Western GPAC

STATE AVG. 62.00 9

GPAC Medium Security Prison Facilities		
Facility	Standard Operating Capacity	Daily Cost Per Inmate Fiscal Year 1995-96
Alexander Correctional Center ⁶	46	\$ 103.83
Avery Correctional Center ⁷	48	\$ 96.82
Currituck Correctional Center	56	\$ 69.78
Davie Correctional Center	48	\$ 89.40
McDowell Correctional Center ⁸	n/a	n/a
Moore Correctional Center	closed	n/a
Rockingham Correctional Center ⁹	52	\$ 96.12
Scotland Correctional Center ¹⁰	44	\$ 102.20
Stanly Correctional Center	64	\$ 75.26
Union Correctional Center	64	\$ 76.70
Vance Correctional Center ¹¹	44	\$ 121.95
Washington Correctional Center ¹²	44	\$ 90.54
Yadkin Correctional Center ¹³	48	\$ 102.29
Yancey Correctional Center ¹⁴	46	\$ 107.69
Total	604	n/a

NOTE: The average cost for a medium security facility in FY 1995-96 was \$62.00 ranging from a high of \$121.95 at Vance Correctional Center to a low of \$47.81 at Craggy Correctional Center. The \$62.00 average compares with an average of \$71.11 in FY 1994-95, a \$9.11 or a 12.8% reduction in daily costs.

- 6 Converted to Minimum Security effective October 1, 1996
- 7 Western GPAC
- 8 Consolidated with the Marion Correctional Institution
- 9 Closed September 18, 1996 - Facility leased for 3 years to Rockingham County for use as a jail
- 10 Converted to Minimum Security effective October 1, 1996
- 11 Warren GPAC - closed November 4, 1996
- 12 Closed November 1, 1996 (remains operational as start up site for Eastern Work Farm facility); the Department has discussed leasing this facility to Washington County for use as a jail
- 13 Converted to Minimum Security effective October 1, 1996
- 14 Western GPAC

VISITOR REGISTRATION SHEET

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR STATE AGENCY AND ADDRESS

Burley, Harry

OSBM

Joe Hamilton

DAC

Greg Stahl

NOF

Nancy Hamilton

PRS & Parole Commission

Leo RUBEN

CJPC

Ed Brackett

Asheville Citizen-Times

Eddie Caldwell

NCSA

SENATE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Thursday March 27, 1997 – 15 Minutes After Session
Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

II. PRESENTATIONS

- Review Department of Correction Flags and Special Provisions

Jim Mills and Elisa Wolper, Fiscal Analysts
Department of Correction Staff

- Review Department of Justice Flags and Special Provisions

Elisa Wolper and Andy Willis, Fiscal Analysts
Department of Justice Staff

- Review Department of Crime Control and Public Safety Special Provisions

Andy Willis, Fiscal Analyst
Crime Control Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT



MINUTES
SENATE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY
MARCH 27, 1997

The Senate Appropriations Subcommittee on Justice and Public Safety met fifteen minutes after the Senate adjourned Thursday, March 27, 1997 in Room 421 of the Legislative Office Building. Two members were present. Senator Wib Gulley, Chairman, presided.

Jim Mills and Elisa Wolper, Fiscal Analysts, reviewed the flagged items from the Department of Correction's budget (see attached). Senator Gulley asked why the state should not continue to close the GPAC facilities (reference item C-8, page 3). Mr. Mills replied that the closings depended on when the other prison beds come on line and when to closing these facilities was a timing issue. Mr. Gregg Stahl from the Department of Corrections also stated that the Department tried to be good stewards to the employees at these GPAC facilities. The Subcommittee also looked at page 8 of the handout which gave additional information regarding facility closings. Senator Gulley told Mr. Stahl that the Department of Corrections should let the Subcommittee know if the Department had a better proposal for closing other facilities.

Mr. Stahl stated to the Subcommittee that Item C-9, Diagnostic and Reception Centers, may need more study by the Department. Senator Gulley asked that suggested cost cuts should be given to the fiscal staff by next Monday morning.

With regard to item C-10, Mr. Humphreys with the Office of State Management and Budget told the Subcommittee that the OMB does not want a special provision that states that the Department of Transportation is required to pay only for "actual labor performed by medium custody inmates". He asked that the Governor be allowed to work out any disagreement between the Department of Transportation and the Department of Corrections regarding this issue. The Subcommittee approved item C-11 of the handout.

Next, Ms. Wolper went over the flagged items of the Department of Corrections Community Corrections Programs (see attached). It was decided by the Subcommittee with regard to Item 1 that there be a 20% cut the first year of the budget and a 10% cut

the second year for the DART-Cherry program. The IMPACT-West program in Item 2 was given a recommended cut of 20% the first year and a 10% cut the second year. The Department of Corrections will offer a recommendation.

Item #3 was discussed next. The fiscal staff was asked to get the figures that would keep the caseload ratio at 82:1 for 1997-98 and 70:1 for 1998-99. Item #4 was approved. With regard to Item #5, the Department of Corrections stated it needed more time to identify any savings. Item #6 was approved. Senator Gulley asked for a further cut in Item #7 for next year. Item #8 was left as stated in the handout.

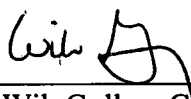
Next, special provisions for the Department of Corrections was discussed (see attached). Provisions #1 and #2 were deleted. The draft language on page three was approved. The \$15 million for leased beds for inmates on page three was deleted. Provision #5 through #8 were approved.

Ms. Wolper reviewed the special provisions for the Department of Corrections Community Corrections Programs (see attached). The provisions were all approved by the Subcommittee.

Next, Ms. Wolper and Andy Willis, Fiscal Analyst, reviewed the special provisions for the Department of Justice. The first eight provisions were approved. Section (d) of provision #9 was added to provision #11. The work "quarterly" was changed to "annually." Provision # 10 was approved. Provision #11 was approved after a change was made to the number of positions that the Department of Justice can add. The number was changed from "15" to "up to five" positions in the State Bureau of Investigation

Next, Mr. Willis and Ms. Wolper went through the special provisions for the Department of Crime Control and Public Safety (see attached). The new language for the first provision was approved. Provisions #2 and #3 were approved as written. In provision #4 the word "quarterly" was changed to "semi-annually, March 1 and September 1." Also, the 1995-96 fiscal year and the 1996-97 fiscal year was changed to the 1997-98 fiscal year and the 1998-99 fiscal year. Provision #5 was approved as written.

The meeting was adjourned at 7:00 PM.



Senator Wib Gulley, Chair



Carol Resar, Committee Clerk

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C. **Other Budget Items Flagged by JPS Subcommittee (These items may or may not be on the DOC/OSBM \$8.5 million "Span of Control" list.)**

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Approximately \$3 million dollars is appropriated for 150 beds that are not filled due to contractual problems (350 beds are filled and operating close to capacity). The Subcommittee discussed two possible budget options: (1) One-time reduction due to delays in contracting for additional private prison beds (3 months would be approximately \$750,000 non -recurring reduction) or (2) Not funding the 150 beds based on contractual problems and long-term consideration of whether there will be enough offenders that meet the criteria for placement in the program to keep 500 beds fully occupied.

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DEPARTMENT OF CORRECTION

GOVERNOR'S ADJUSTMENTS TO 1997-99 BUDGETS*

	<u>1997-98</u>	<u>1998-99</u>
1. Out of State Housing of Inmates - Due to the increased availability of beds in North Carolina's prison system, funding for out of state housing of inmates was eliminated from the 1997-99 biennium continuation budget.	\$(20,819,756) <u>16.3</u>	\$(20,819,756)
2. Funding for County Jail Contracts Due to the increased availability of beds in North Carolina's prison system, funding for county jail contracts to house the state's inmates was eliminated from the <u>1997-99</u> biennium continuation budget.	1997-98 5,818,800 **	1998-99 5,818,800 **
3. Reserve for Private Beds Due to delays in completing a lease and occupancy of a facility, funding for private beds was reduced in the 1997-98 fiscal year. This is a <u>one-time non-recurring reduction</u> .	(2,900,000) NR	-
4. Reserve for Operating New Facilities Due to delays in the completion of the (1) new Albemarle and (2) Avery/Mitchell facilities, the continuation budget for 1997-98 was reduced. This is a one time nonrecurring reduction.	(9,500,000) NR	-
5. Reduction in Food Cost The budget for food purchases in the department was reduced to a more realistic level for the cost per meal.	(5,000,000)	(5,000,000)

	<u>1997-98</u>	<u>1998-99</u>
6. Reserve for Repeal of Cap Funds in this reserve were reduced due to a less than anticipated number of inmates that needed to be placed in private beds.	\$ (500,000)	\$ (500,000)
7. Adjust Operating Budget of Probation/Parole The operating budget for Probation/Parole was adjusted to a more realistic level of need.	(3,500,000)	(3,500,000)
8. Reduce Title VI Supervision Two positions and support cost were eliminated from the area of Title VI supervision.	(150,000) (2)	(150,000) (2)
TOTAL	\$48,188,556	\$35,788,556

*Reductions reflected in Volume 4, Justice and Public Safety Budget and Governors "Summary of Recommendations." Narrative is from these documents also.

**Governor's Summary reflected reduction of \$8,824,240 each year for Jail Contracts but actual reduction was \$5,818,800 each year.

JM:djb

CALCULATION OF FOOD COSTS 97-99 BIENNIUM
BASED ON PROJECTED POPULATION FROM SENTENCING COMMISSION
LESS OUT OF STATE AND JAILS

	92-93 ACTUAL		0.71
F/Y	INFLATION	FACTOR	FUTURE
93-94	3.5%	1.035	0.735
94-95	3.2%	1.032	0.758
95-96	2.8%	1.028	0.780
96-97	3.2%	1.032	0.805
97-98	2.8%	1.028	0.827
98-99	2.7%	1.027	0.849

USING BEST PROJECTIONS

	97-98
PROJECTED POPULATION	
PER SENTENCING COMMISSION	32,260
TIMES MEALS PER DAY	3
TIMES DAYS PER YEAR	365
TIMES COST PER MEAL	0.827
EQUALS REQUIREMENTS	29,216,138
LESS JAILS & OUT OF STATE	(99,110)
PLUS MEALS SOLD	335,656
TOTAL REQUIREMENTS 97-98	29,452,684

CONTINUATION BUDGET 97-98 32,577,512

DIFFERENCE 3,124,828

	98-99
PROJECTED POPULATION	
PER SENTENCING COMMISSION	31,006
TIMES MEALS PER DAY	3
TIMES DAYS PER YEAR	365
TIMES COST PER MEAL	0.849
EQUALS REQUIREMENTS	28,838,630
PLUS MEALS SOLD	335,656
TOTAL REQUIREMENTS 98-99	29,174,286

CONTINUATION BUDGET 98-99 34,532,718

DIFFERENCE 5,358,432

USING HIGH PROJECTIONS

	97-98
PROJECTED POPULATION	
PER SENTENCING COMMISSION	33,885
TIMES MEALS PER DAY	3
TIMES DAYS PER YEAR	365
TIMES COST PER MEAL	0.827
EQUALS REQUIREMENTS	30,685,070
LESS JAILS & OUT OF STATE	(99,110)
PLUS MEALS SOLD	335,656
TOTAL REQUIREMENTS 97-98	30,921,616

CONTINUATION BUDGET 97-98 32,577,512

DIFFERENCE 1,655,896

	98-99
PROJECTED POPULATION	
PER SENTENCING COMMISSION	32,831
TIMES MEALS PER DAY	3
TIMES DAYS PER YEAR	365
TIMES COST PER MEAL	0.849
EQUALS REQUIREMENTS	30,521,503
PLUS MEALS SOLD	335,656
TOTAL REQUIREMENTS 98-99	30,857,159

CONTINUATION BUDGET 98-99 34,532,718

DIFFERENCE 3,675,559

ATTACHMENT
2
7

DEPARTMENT OF CORRECTION

A Report on GPAC Prison Consolidation Facilities

January 10, 1997

STATE AVE.

47.87

GPAC Minimum Security Prison Facilities		
Facility	Standard Operating Capacity	Daily Cost Per Inmate Fiscal Year 1995-96
Alamance Correctional Center	68	\$ 47.86
x Gates Correctional Center	62	\$ 56.92
Goldsboro Correctional Center	64	\$ 37.47
Granville Correctional Center ¹	36	\$ 87.17
Guilford Correctional Center	132	\$ 49.85
Halifax Correctional Center ²	40	\$ 60.60
x Haywood Correctional Center	56	\$ 61.53
x Henderson Correctional Center	42	\$ 70.45
Martin Correctional Center	54	\$ 51.85
Mecklenburg Correctional Center	76	\$ 51.50
Person Correctional Center ³	44	\$ 79.48
Richmond Correctional Center	closed	n/a
Sandy Ridge Correctional Center	66	\$ 51.59
Stokes Correctional Center	68	\$ 52.74
Warren Correctional Center ⁴	28	\$ 122.57
Watauga Correctional Center ⁵	48	\$ 66.38
Total	884	n/a

NOTE: The average cost for a Minimum Security Facility in FY 1995-96 was \$47.87 ranging from a high at Warren Correctional Center of \$122.57 and a low at Raleigh Correctional Center for Women at \$31.02. The \$47.87 average compares with an average of \$50.12 in FY 1994-95 a \$2.25 or 4.5% reduction in daily costs.

- ¹ Warren GPAC - closed October 1, 1996
- ² Warren GPAC - closed October 23, 1996; the Department has discussed leasing this facility to Halifax County for use as a jail
- ³ Warren GPAC - closed August 26, 1996 and converted to a vocational education center for Dan River Prison Work Farm
- ⁴ Warren GPAC - remains operational as a start-up facility and inmate work site for the new Warren Correctional Facility
- ⁵ Western GPAC

STATE AVG. 62.00 9

GPAC Medium Security Prison Facilities		
Facility	Standard Operating Capacity	Daily Cost Per Inmate Fiscal Year 1995-96
Alexander Correctional Center ⁶	46	\$ 103.83
Avery Correctional Center ⁷	48	\$ 96.82
Currituck Correctional Center	56	\$ 69.78 ✓
Davie Correctional Center	48	\$ 89.40 ✓
McDowell Correctional Center ⁸	n/a	n/a
Moore Correctional Center	closed	n/a
Rockingham Correctional Center ⁹	52	\$ 96.12
Scotland Correctional Center ¹⁰	44	\$ 102.20
Stanly Correctional Center	64	\$ 75.26 ✓
Union Correctional Center	64	\$ 76.70 ✓
Vance Correctional Center ¹¹	44	\$ 121.95
Washington Correctional Center ¹²	44	\$ 90.54
Yadkin Correctional Center ¹³	48	\$ 102.29
Yancey Correctional Center ¹⁴	46	\$ 107.69
Total	604	n/a

NOTE: The average cost for a medium security facility in FY 1995-96 was \$62.00 ranging from a high of \$121.95 at Vance Correctional Center to a low of \$47.81 at Craggy Correctional Center. The \$62.00 average compares with an average of \$71.11 in FY 1994-95, a \$9.11 or a 12.8% reduction in daily costs.

-
- 6 Converted to Minimum Security effective October 1, 1996
 - 7 Western GPAC
 - 8 Consolidated with the Marion Correctional Institution
 - 9 Closed September 18, 1996 - Facility leased for 3 years to Rockingham County for use as a jail
 - 10 Converted to Minimum Security effective October 1, 1996
 - 11 Warren GPAC - closed November 4, 1996
 - 12 Closed November 1, 1996 (remains operational as start up site for Eastern Work Farm facility); the Department has discussed leasing this facility to Washington County for use as a jail
 - 13 Converted to Minimum Security effective October 1, 1996
 - 14 Western GPAC

DIVISION OF PRISONS

WELFARE REVENUE AND EXPENDITURE - ACTUAL FOR 94-95 AND 95-96
 WELFARE REVENUE AND EXPENDITURE - PROJECTED FOR 96-97

DESCRIPTION	ACTUAL 1994-95	ACTUAL 1995-96	PROJECTED 1996-97
REVENUES:			
FACILITY CANTEEN PROFITS	2,202,026	2,559,971	2,902,002
PAY TELEPHONE COMMISSIONS	4,666,270	6,187,874	6,404,563
MISCELLANEOUS RECEIPTS	72,642	90,732	80,000
TOTAL REVENUES:	6,940,938	8,838,577	9,306,565
EXPENDITURES:			
OVER THE COUNTER MEDICATIONS AND RADIOS	0	115,490	120,090
JOB ORDERS	503,499	1,634,012	1,448,839
SALARIES AND BENEFITS(PAYPHONE & CASHLESS)	91,514	197,913	300,000
VOCATIONAL POSITIONS IN GENERAL FUND	0	0	380,000
OPUS POSITIONS (13)			364,000
INFORMATION HIGHWAY(PENDER, SOUTHERN, HYDE)	151,000	151,000	151,000
EDUCATION SUPPLIES	105,193	389,600	371,762
EDUCATION EQUIPMENT	503,607	547,715	719,540
PAY TELEPHONE EXPENSE & MAINTENANCE	245,522	295,739	300,000
PAY TELEPHONE EQUIPMENT	98,863	79,174	100,000
SALES TAX ON CANTEEN SALES	890,126	1,034,802	1,075,766
VICTIMS COMPENSATION FUND	391,000	413,370	410,184
INDIGENT INMATE EXPENSE	380,000	338,127	420,362
VOCATIONAL REHAB CONTRACT	0	320,479	310,366
CASHLESS CANTEEN SOFTWARE/EQUIPMENT			700,000
REGULAR FACILITY EXPENSES	1,565,533	1,991,095	885,000
EQUIPMENT EXPENDITURES	966,865	1,661,978	733,746
TOTAL EXPENDITURES:	5,892,722	9,170,494	8,670,565
RECEIPTS OVER EXPENDITURES	1,048,216	(331,917)	636,000
BEGINNING CASH BALANCE IN WELFARE 7-1-96			4,164,811
TOTAL CASH BALANCE IN WELFARE FUND 1-31-96			5,564,305
PROJECTED INCREASE IN 96-97:			636,000

INMATE WELFARE FUND

1. Allocation of Funds by Purpose (1995-96); anticipated allocation for 1996-97.

DESCRIPTION	ACTUAL 1995-96	PROJECTED 1996-97
ALLOCATION OF FUNDS BY PURPOSE:		
Receipts:	8,838,577	9,306,565
Expenditures:		
Division	8,512,540	7,860,830
Command	461,462	540,000
Local	196,491	210,000
Total Expenditures	9,170,493	8,610,830
Increase in Fund Balance	(331,916)	695,735

2. Estimated "excess" receipts? can receipts be used to fund more general fund inmate programs as was done in 95-97 budget?

The Department anticipates using excess receipts for the \$8.5 salary reductions/span of control study

COMMUNITY CORRECTIONS PROGRAMS IN DEPARTMENT OF CORRECTION

DISCUSSION OF FLAGGED ITEMS

MARCH 27, 1997

DEPARTMENT OF CORRECTION
Community Corrections

- 1) Under-capacity at DART-Cherry . The DART program for DWI and other substance abuse offenders has a capacity of 300 but averaged only 164 participants in 1995-6. February 1997 averaged 227. The program is funded as if it is fully utilized (\$3.595 Million, including \$2.25 Million in personnel expenses). Some operational costs could be adjusted to reflect actual levels of use. The dollar amounts of savings are likely to be small. (For instance, food is budgeted averaging 242 offenders per day. If budgeted at 200 the saving would be \$35,000)
- 2) Under-capacity at Impact West Boot camp programs, each of which have 180 beds are funded as if fully utilized. Impact West averaged 87 in 1995-6 and 109 for 1996-7. The Department estimates that even if each entering class is full, participation will average about 155 offenders, due to drop outs from the program. The budget for custody and security is \$1.9 Million in each program. Because of the unique staffing pattern in the Impact program, we are gathering additional information to analyze the effect of undercapacity on the program budget.
- 3) DAPP staffing expansion in reserves. The Continuation Budget includes \$9,549,573 (1997-8) and \$12,315,613 (1998-9) to expand staffing to meet Structured Sentencing needs. This amount reflects funding intermediate/high risk officers at lower caseloads (1:60) but was based on 1996 projections of the supervised population. Revised projections were used to recalculate the cost of implementing intermediate punishment officers. Three funding options were presented in subcommittee and are detailed below.

COMPARISON OF OPTIONS

Option	1997-98 Cost	1998-99 Cost	1997-98 High Risk Average Caseload	1998-99 High Risk Average Caseload
1 Continuation Budget	\$ 9,549,573	\$12,315,613	77:1	62:1
2 Full Fund High Risk Officers 97-98	\$11,723,081	\$15,189,462	60:1	52:1
3 Fund no High Risk Officers 97-98	\$ 8,110,743	\$ 8,820,303	90:1	78:1

4) Division of Adult Probation and Parole guns and rent money The cost of each new Probation Parole officer includes funding for firearms even though regular officers do not ordinarily carry firearms. Also, funding is included for rent even though counties are required to provide office space to regular officers. Adjusting for these items reduces the cost of new officers \$2,475 1st year and \$2,241 recurring. The Continuation Budget includes reserves to add 154 regular officers. Deleting funding for rent and firearms would cut \$381,150 from the cost.

5) Underutilization of electronic monitoring project. This program has capacity to monitor 2,217 offenders but has rarely been more than 50% utilized. The Department owns the equipment but pays maintenance and repair costs and personnel costs for technicians who monitor terminals 24 hours a day/7 days a week. The department has provided additional information on their budget which we are analyzing to find budgeted expenditures that could be reduced via changes in equipment or staffing patterns to reflect the lower operation level of the program.

6) Division of Adult Probation and Parole Operation Expenses— The Governor's budget includes a \$3.5 Million cut in operational expenses; employee physicals, repairs, travel per-diem, postage and printing, janitorial supplies, drug reagents, and other supplies. An analysis of spending to date in these categories suggests the cuts can be absorbed and that there may be room for some additional minor cuts.

7) Parole Commission –staffing vs. workload. The number of paroles has decreased 53% from 1993 to 1996. The number of paroled felons, a measure the Commission feels is more indicative, has decreased 42%. During that same time period the number of analysts has decreased from 20 to 17 or 15%. The work of the analysts and Commissioners also involves related investigations, review of parole/probation violation files, and input from the public but information on trends over time for these tasks is not available. Since the total supervised population is projected to decline slightly there is no reason to expect an increase in work related to violators.

Looking at the number of parole eligible felons in the system plus the number of DWI offenders plus the number on post release supervision as a measure, workload is projected to decrease an additional 45% by the year 2000. The Commission has proposed an expanded role in setting conditions for post release supervision but the Department of Correction has not endorsed these plans. There are currently 4 vacancies at the Commission; 1 analyst, 2 clerical and a special projects manager. Together these positions cost \$116,521 recurring. Personnel cost per analyst is \$33,746. Each of the 5 Commissioners has personnel cost of \$79,009 with the chair at \$85,434.

8) Criminal Justice Partnership Program continued funding The 1997-9 Continuation Budget contains an incorrect cut of \$5 Million from the CJPP's State Aid Appropriation leaving it at \$4.6 Million instead of \$9.6 Million. Because approximately \$8 Million is projected to be carried over from this year's budget, the Department believes the program will not be affected by the cut in 1997-8. However, their current level of operation would not be possible unless additional funds are appropriated in 1998-9.

A special provision in 1996 specified that all the appropriation for state aid would be used for implementation grants (the statute specifies 20% for discretionary) for 1996-7 and similar language would be needed to continue this for 1997-8.

DEPARTMENT OF CORRECTION – DIVISION OF PRISONS

SPECIAL PROVISIONS FOR REVIEW BY SENATE
JPS APPROPRIATIONS SUBCOMMITTEE

MARCH 26, 1997 (PM)

OUT OF STATE HOUSING

①

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

FUNDS TO HOUSE PRISONERS OUT OF STATE

Sec. 20.16. In addition to appropriations needed to fund the existing 1,867 contracted beds in out-of-state facilities, the Department of Correction may use up to ten million dollars (\$10,000,000) of the funds appropriated to the Department for the 1996-97 fiscal year to contract to house up to 500 prisoners out of state.

1996

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

2. ALTERNATIVES TO OUT-OF-STATE HOUSING

1996

Sec. 20.11. The Department of Correction shall investigate methods of housing inmates within the State rather than in out-of-state facilities, including the use of modular units and small units scheduled to be closed as a result of the recommendations made by the Government Performance Audit Committee. The Department shall report its findings and recommendations quarterly to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Correction Oversight Committee.

(2)

1995

3.

Requested by: Senators Ballance, Rand, Representatives Justus, Thompson, Kiser
**REIMBURSE COUNTIES FOR EXTRAORDINARY MEDICAL COSTS FOR
INMATES AWAITING TRANSFER TO STATE PRISON SYSTEM**

Sec. 19.4. Notwithstanding the provisions of G.S. 148-29, the Secretary of Correction may use funds appropriated to the Department of Correction for medical services to reimburse counties for extraordinary medical costs, as defined in G.S. 148-32.1(a), incurred by inmates housed in local confinement facilities awaiting transfer in the State prison system.

4.

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

**REIMBURSEMENT TO COUNTIES FOR HOUSING COSTS OF INMATES
AWAITING TRANSFER TO STATE PRISON SYSTEM**

Sec. 20.2. (a) G.S. 148-29 reads as rewritten: 1996

"§ 148-29. Transportation of convicts to prison; reimbursement to counties; sheriff's expense affidavit; State not liable for maintenance expenses until convict received. affidavit.

The sheriff having in charge any prisoner to be taken to the ~~Central Prison at Raleigh State prison system~~ shall send ~~him the prisoner~~ to the ~~Central Prison~~ custody of the Department of Correction within five days after the adjournment of the court at which he was sentenced, sentencing and the disposal of all pending charges against the prisoner, if no appeal has been taken. Beginning on the sixth day after sentencing and disposal of all pending charges against the prisoner and continuing through the day the prisoner is received by the Division of Prisons, the Department of Correction shall pay the county a standard sum set by the General Assembly in its appropriations acts for the cost of providing food, clothing, personal items, supervision, and necessary ordinary medical services to the prisoner awaiting transfer to the State prison system.

The sheriff shall file with the board of commissioners of his county a copy of his affidavit as to necessary guard, together with a copy of his itemized account of expenses, both certified to by him as true copies of those on file in his office. ~~The State is not liable for the expenses of maintaining convicts until they have been received by the State Department of Correction authorities, nor shall any moneys be paid out of the treasury for support of convicts prior to such reception."~~

(b) The Department of Correction may use funds available for the 1995-96 fiscal year to pay the sum of fourteen dollars and fifty cents (\$14.50) per day as reimbursement to counties for the cost of housing inmates convicted and awaiting transfer to the State prison system, as provided in G.S. 148-29.

(c) Of the funds appropriated to the Department of Correction for the 1996-97 fiscal year, the Department may use up to fourteen million six hundred thousand dollars (\$14,600,000) to raise the per diem reimbursement to counties from fourteen dollars and fifty cents (\$14.50) per day to forty dollars (\$40.00) per day for the cost of housing inmates convicted and awaiting transfer to the State prison system, as provided in G.S. 148-29. Counties shall send invoices to the Department

no more than once monthly, and the Department shall make reimbursement within 30 days of receipt of the invoice.

(d) Subsections (a) and (b) of this section become effective January 1, 1996.

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

FUNDS TO HOUSE PRISONERS OUT OF STATE

Sec. 20.16. In addition to appropriations needed to fund the existing 1,867 contracted beds in out-of-state facilities, the Department of Correction may use up to ten million dollars (\$10,000,000) of the funds appropriated to the Department for the 1996-97 fiscal year to contract to house up to 500 prisoners out of state.

requested by:

REIMBURSE COUNTIES FOR EXTRAORDINARY MEDICAL COSTS FOR INMATES AWAITING TRANSFER TO STATE PRISON SYSTEM

Sec. G.S. 148-29 reads as rewritten:

"§ 148-29. Transportation of convicts to prison; reimbursement to counties; sheriff's expense affidavit.

The sheriff having in charge any prisoner to be taken to the State prison system shall send the prisoner to the custody of the Department of Correction within five days after sentencing and the disposal of all pending charges against the prisoner, if no appeal has been taken. Beginning on the sixth day after sentencing and disposal of all pending charges against the prisoner and continuing through the day the prisoner is received by the Division of Prisons, the Department of Correction shall pay the ~~county~~ county. Same

(1) ~~a~~ A standard sum set by the General Assembly in its appropriations acts for the cost of providing food, clothing, personal items, supervision, and necessary ordinary medical services to the prisoner awaiting transfer to the State prison system: ~~system~~; and ✓

(2) Extraordinary medical costs, as defined in G.S. 148-32.1 (a), incurred by prisoners awaiting transfer to the State prison system. ✓

The sheriff shall file with the board of commissioners of his county a copy of his affidavit as to necessary guard, together with a copy of his itemized account of expenses, both certified to by him as true copies of those on file in his office. This provision is effective on July 1, 1997. } Same

Requested by:

REIMBURSEMENT TO COUNTIES FOR HOUSING AND EXTRAORDINARY MEDICAL COSTS OF INMATES AWAITING TRANSFER TO STATE PRISON SYSTEM

Sec. (a) Of the funds appropriated to the Department of Correction for the 1997-98 and 1998-99 fiscal years, the Department may use up to fourteen million six hundred thousand dollars (\$14,600,000) each fiscal year to pay the sum of forty dollars (\$40.00) per day for the cost of housing for inmates convicted and awaiting transfer to the State prison system, as provided in G.S. 148-29.

(b) The Department may also use these funds to pay the sum of forty dollars (\$40.00) per day to the counties for the cost of providing food, clothing, personal items, supervision, and necessary ordinary medical services to parolees or post-release supervisees awaiting transfer to the State prison system beginning on the sixth day after preliminary hearings held pursuant to G.S. 15A-1368.6(b) and G.S. 15A-1376(b).

(c) The Department may use these funds to pay for extraordinary medical costs as defined in G.S. 148-32.1 (a) incurred by prisoners, parolees and post-release supervisees awaiting transfer to the State prison system.

(d) This provision is effective on July 1, 1997.

Requested by:

LEASED BEDS FOR INMATES

Sec. Of the funds appropriated to the Department of Correction for the 1997-98 and 1998-99 fiscal years, the Department may use up to fifteen million dollars (\$15,000,000) each fiscal year to contract to house prisoners in leased beds. This provision is effective on July 1, 1997. X

4

PRIVATE TREATMENT BEDS

5.

Requested by: Senators Ballance, Rand, Representatives Justus, Thompson, Kiser
EXEMPTION FROM LICENSURE AND CERTIFICATE OF NEED

Sec. 19.9. (a) Inpatient chemical dependency or substance abuse facilities that provide services exclusively to inmates of the Department of Correction shall be exempt from licensure by the Department of Human Resources under Chapter 122C of the General Statutes. If an inpatient chemical dependency or substance abuse facility provides services both to inmates of the Department of Correction and to members of the general public, the portion of the facility that serves inmates shall be exempt from licensure.

1995

(b) Any person who contracts to provide inpatient chemical dependency or substance abuse services to inmates of the Department of Correction may construct and operate a new chemical dependency or substance abuse facility for that purpose without first obtaining a certificate of need from the Department of Human Resources pursuant to Article 9 of Chapter 131E of the General Statutes. However, a new facility or addition developed for that purpose without a certificate of need shall not be licensed pursuant to Chapter 122C of the General Statutes and shall not admit anyone other than inmates unless the owner or operator first obtains a certificate of need.

(c) This section applies to existing facilities, as well as future facilities contracting with the Department of Correction.

6.

Requested by: Senators Ballance, Rand, Representatives Justus, Thompson, Daughtry
LIMIT USE OF OPERATIONAL FUNDS

Sec. 19.1. Funds appropriated in this act to the Department of Correction for operational costs for additional facilities shall be used for personnel and operating expenses set forth in the budget approved by the General Assembly in this act. These funds may not be expended for any other purpose, except as provided for in this act, and may not be expended for additional prison personnel positions until the new facilities are within 90 days of projected completion, except for certain management, security, and support positions necessary to prepare the facility for opening, as authorized in the budget approved by the General Assembly.

1995

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7.

PART 20. DEPARTMENT OF CORRECTION

1996

Requested by: Representatives Holmes, Creech, Esposito, Senator Ballance
USE OF FACILITIES CLOSED UNDER GPAC

Sec. 20.1. In conjunction with the closing of small expensive prison units recommended for consolidation by the Government Performance Audit Committee, the Department of Correction shall consult with the county or municipality in which the unit is located or any private for-profit or nonprofit firm about the possibility of converting that unit to other use. Consistent with existing law, the Department may provide for the lease of any of these units to counties, municipalities, or private firms wishing to convert them to other use. The Department of Correction may also consider converting some of the units recommended for closing from medium security to minimum security, where that conversion would be cost-effective.

The Department of Correction shall report quarterly to the Joint Legislative Corrections Oversight Committee on the conversion of these units to other use.

6

8.

Requested by: Senators Ballance, Rand, Representatives Justus, Thompson, Kiser
FEDERAL GRANT REPORTING

1995

Sec. 19.13. The Department of Correction, the Department of Justice, the Department of Crime Control and Public Safety, and the Judicial Department shall report by December 1 and June 1 of each year 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 on federal grant funds received or pre-approved for receipt by those departments. The report shall include information on the amount of grant funds received or pre-approved for receipt by each department, the use of the funds, and the State match expended to receive the funds.

COMMUNITY CORRECTIONS PROGRAMS IN DEPARTMENT OF CORRECTION

SPECIAL PROVISIONS

MARCH 27, 1997

Requested by: Representatives Justus, Thompson, Senator Ballance
REPORT ON SUMMIT HOUSE

Sec. 19.2. Summit House shall report quarterly during each year of the 1995-97 biennium to the Joint Legislative Commission on Governmental Operations on the (i) expenditure of State appropriations and on the effectiveness of the program, including information on the number of clients served, the number of clients who have their probation revoked, and the number of clients who successfully complete the program while housed at Summit House; and (ii) the expansion of its program into Mecklenburg and Wake Counties.

Requested by: Senators Ballance, Odom, Rand, Representatives Justus, Thompson, Daughtry

SUMMIT HOUSE FUNDS SHALL NOT REVERT

Sec. 19.2A. (a) The balance of the nine hundred thousand dollars (\$900,000) appropriated in Chapter 321 of the 1993 Session Laws to the Department of Correction for the 1994-95 fiscal year for support and expansion of the programs at Summit House in Greensboro and Mecklenburg and Wake Counties shall not revert at the end of the fiscal year but shall remain in the Department for that purpose.

(b) This section becomes effective June 30, 1995.

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

HARRIET'S HOUSE FUNDS

Sec. 20.12. (a) Section 19.7 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 19.7. Of the funds appropriated to the Department of Correction, the sum of two hundred thousand dollars (\$200,000) for the 1995-96 fiscal year and the sum of two hundred thousand dollars (\$200,000) for the 1996-97 fiscal year shall be used to support the programs of Harriet's House, a transitional home for female ex-offenders and their children. The funds may be used for program operating costs, the purchase of equipment, and the rental of real property. Harriet's House shall report quarterly to the Joint Legislative Commission on Governmental Operations on the expenditure of State appropriations and on the effectiveness of the program including information on the number of clients served and the number of clients who successfully complete the Harriet's House program."

(b) The balance of the two hundred thousand dollars (\$200,000) appropriated in Chapter 507 of the 1995 Session Laws to the Department of Correction for the 1995-96 fiscal year to support the programs at Harriet's House shall not revert at the end of the fiscal year but shall remain available to the Department during the 1996-97 fiscal year to be used for program operating costs, the purchase of equipment, and the rental of real property.

(c) This section becomes effective June 30, 1996.

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

Requested by:

MODIFICATION OF FUNDING FORMULA FROM THE NORTH CAROLINA STATE-COUNTY CRIMINAL JUSTICE PARTNERSHIP ACT.

Sec. . Notwithstanding the funding formula set forth in G.S. 143B-273.15, grants made through the North Carolina State-County Criminal Justice Partnership Act for the 1997-98 and 1998-99 fiscal years shall be distributed to the counties as specified in G.S. 143B-273.15 (2) only and not as discretionary funds. Further, the department may use funds available to augment appropriations in order to maintain the counties' allocations of \$9,600,000 as provided in previous fiscal years. Also, appropriations not claimed or expended by the counties during the 1997-1999 fiscal years are to be distributed as per G.S. 143B-273.15(1) This provision is effective on July 1, 1997.

DOC PROPOSAL

DEPARTMENT OF JUSTICE

**DISCUSSION OF SPECIAL PROVISIONS
MARCH 28, 1997**

#1 Requested by: Representatives Justus, Thompson, Senator Ballance
DEPARTMENT OF JUSTICE SALARY FUNDS

Sec. 22.1. Of the funds appropriated to the Department of Justice in this act, the sum of ninety-three thousand four hundred fifty-three dollars (\$93,453) for the 1995-96 fiscal year and the sum of ninety-three thousand four hundred fifty-three dollars (\$93,453) for the 1996-97 fiscal year may be used for one-time annual salary adjustments for attorneys who are determined to be eligible for the adjustments based upon outstanding job performance for the preceding year.

#2 Requested by: Representatives Justus, Thompson, Senator Ballance
SBI FUNDS/SPENDING PRIORITIES

Sec. 22.2. Of the funds appropriated in this act to the Department of Justice, State Bureau of Investigation, for the 1995-97 biennium for overtime payments, the first priority for use of the funds by the Department shall be:

- (1) To make overtime payments to SBI agents in the Field Investigations Division; and
- (2) To make overtime payments to supervisory personnel receiving overtime payments as of June 30, 1995, up to a maximum of five thousand two hundred dollars (\$5,200) annually per individual.

#3 Requested by: Representatives Justus, Thompson, Senator Ballance
SBI USE OF COURT-ORDERED REIMBURSEMENT FUNDS

Sec. 22.3. The State Bureau of Investigation (SBI) may use funds available from court-ordered reimbursement in undercover drug operations.

#4 Requested by: Representatives Justus, Thompson, Senator Ballance
PRIVATE PROTECTIVE SERVICES AND ALARM SYSTEMS LICENSING BOARDS PAY FOR USE OF STATE FACILITIES AND SERVICES

Sec. 22.4. The Private Protective Services and Alarm Systems Licensing Boards shall pay the appropriate State agency for the use of physical facilities and services provided to those boards by the State.

#5 Requested by: Representatives Justus, Thompson, Daughtry, Senators Ballance, Rand
LIMITS ON COMPUTER SYSTEM UPGRADE

HB 229 Sec. 22.5. Any proposed increase in mainframe computer capacity or system upgrade for the Judicial Department, the Department of Correction, the Department of Justice, or the Department of Crime Control and Public Safety, to be funded from the Continuation Budget, shall be reported to the Joint Legislative Commission on Governmental Operations, to the Senate and House Chairs of the Appropriations Committees, and to the Chairs of the Justice and Public Safety Committees before the department enters into any contractual agreement. This report is to be made jointly by the Information Resource Management Commission, the Office of State Budget and Management, and the requesting department.

#6 Requested by: Senators Ballance, Rand, Representatives Justus, Thompson, Daughtry
CERTAIN LITIGATION EXPENSES TO BE PAID BY CLIENT AGENCIES

Sec. 22.6. Client departments, agencies, and boards shall reimburse the Department for reasonable court fees, attorney travel and subsistence costs, and other costs directly related to litigation in which the Department is representing that client department, agency, or board.

HB 230 Requested by: Senators Ballance, Rand, Representatives Justus, Thompson, Kiser
REIMBURSEMENT FOR UNC BOARD OF GOVERNORS LEGAL REPRESENTATION

#7 Sec. 22.4. The Department of Justice shall be reimbursed by the Board of Governors of The University of North Carolina for two Attorney III positions to provide legal representation to The University of North Carolina system.

costs directly related to litigation in which the Department is representing that client department, agency, or board.

#8
Requested by: Representatives Justus, Thompson, Daughtry, Senators Ballance, Rand
USE OF SEIZED AND FORFEITED PROPERTY TRANSFERRED TO STATE LAW
ENFORCEMENT AGENCIES BY THE FEDERAL GOVERNMENT

Sec. 22.7. (a) Assets transferred to the Department of Justice during the 1995-97 biennium pursuant to 19 U.S.C. § 1616a shall be credited to the budget of that Department and shall result in an increase of law enforcement resources for the Department. Assets transferred to the Department of Crime Control and Public Safety during the 1995-97 biennium pursuant to 19 U.S.C. § 1616a shall be credited to the budget of that Department and shall result in an increase of law enforcement resources for the Department. The Departments shall report to the Joint Legislative Commission on Governmental Operations upon the receipt of these assets and, before using these assets, shall report the intended use of these assets and the departmental priorities on which the assets may be expended.

The General Assembly finds that the use of these assets for new personnel positions, new projects, the acquisition of real property, repair of buildings where such repair includes structural change, and construction of or additions to buildings may result in additional expenses for the State in future fiscal periods; therefore, the Department of Justice and the Department of Crime Control and Public Safety are prohibited from using these assets for such purposes without the prior approval of the General Assembly, except during the 1995-97 biennium, the Department of Justice may:

- (1) Use an amount not to exceed the sum of twenty-five thousand dollars (\$25,000) of the funds to extend the lease of space in the Town of Salemburg for SBI training; and
- (2) Use an amount not to exceed fifty thousand dollars (\$50,000) of the funds to lease space for its technical operations unit, storage of its equipment and vehicles, and command post vehicle.

(b) Nothing in this section prevents North Carolina law enforcement agencies from receiving funds from the United States Department of Justice pursuant to 19 U.S.C. § 1616a.

PART 23. DEPARTMENT OF HUMAN RESOURCES

Requested by: Senators Martin of Guilford, Conder, Representatives Gardner, Hayes, Nye, Russell

REDUCE DHR FUNDS IN ANTICIPATION OF RECEIPT OF FEDERAL FUNDS

Sec. 23. Funds appropriated to the Department of Human Resources for the 1995-96 fiscal year have been reduced by fourteen million thirteen thousand three hundred ninety-six dollars (\$14,013,396) in anticipation of the receipt of federal funds from the Title IV A - Emergency Assistance Program and the Social Services Block Grant. If these federal funds are not received or if only a portion of these funds are received, notwithstanding G.S. 143-15.3, the Director of the Budget may use funds available to the Department, not to exceed fourteen million thirteen thousand three hundred ninety-six dollars (\$14,013,396). The Director of the Budget shall report to the Joint Legislative Commission on Governmental Operations prior to any such transfer.

Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford
DHR EMPLOYEES/IN-KIND MATCH

P3
#9
Requested by: Senators Ballance, Rand, Representatives Justus, Thompson, Kiser
CONCEALED WEAPON PERMITS

Sec. 22.1. (a) G.S. 14-415.19 as enacted by Chapter 398 of the 1995 Session Laws reads as rewritten:
"§ 14-415.19. Fees.

(a) The permit fees assessed under this Article are payable to the sheriff. The sheriff shall transmit the proceeds of these fees to the county finance officer ~~to be used to pay the costs of the criminal record checks and investigations required under~~

~~this Article. to be remitted or credited by the county finance officer in accordance with the provisions of this subsection.~~ The permit fees are as follows:

Application fee~~\$50.00~~ \$80.00
Renewal fee~~\$50.00~~ \$80.00
Duplicate permit fee\$15.00

The county finance officer shall remit sixty dollars (\$60.00) of each application or renewal fee to the North Carolina Department of Justice for the costs of State and federal criminal record checks performed in connection with processing applications and for the implementation of the provisions of this Article. The remaining twenty dollars (\$20.00) of each application or renewal fee shall be used by the sheriff to pay the costs of administering this Article and for other law enforcement purposes. The county shall expend the restricted funds for these purposes only.

(b) An additional fee, not to exceed ten dollars (\$10.00), shall be collected by the sheriff from an applicant for a permit to pay for the costs of processing the applicant's fingerprints. This fee shall be retained by the ~~law enforcement office that processes the fingerprints.~~ sheriff."

(b) G.S. 14-415.13(a) reads as rewritten:

"(a) A person shall apply to the sheriff of the county in which the person resides to obtain a concealed handgun permit. The applicant shall submit to the sheriff all of the following:

- (1) An application, completed under oath, on a form provided by the sheriff.
- (2) A nonrefundable permit fee.
- (3) A full set of fingerprints of the applicant administered by ~~a law enforcement agency of this State.~~ the sheriff.
- (4) An original certificate of completion of an approved course, adopted and distributed by the North Carolina Criminal Justice Education and Training Standards Commission, signed by the certified instructor of the course attesting to the successful completion of the course by the applicant which shall verify that the applicant is competent with a handgun and knowledgeable about the laws governing the carrying of a concealed handgun and the use of deadly force.
- (5) A release, in a form to be prescribed by the Administrative Office of the Courts, that authorizes and requires disclosure to the sheriff of any records concerning the mental health or capacity of the applicant."

(c) G.S. 14-415.11(b) reads as rewritten:

"(b) The sheriff shall issue a permit to carry a concealed handgun to a person who qualifies for a permit under G.S. 14-415.12. The permit shall be valid throughout the State for a period of ~~three~~ four years from the date of issuance."

(d) The Department of Justice shall report quarterly to the Joint Legislative Commission on Governmental Operations, the Co-chairs of the Joint Appropriations Committee, and the Co-chairs of the Subcommittees on Justice and Public Safety on the receipts, costs for, and number of criminal record checks performed in connection with applications for concealed weapons permits. The report by the Department of Justice shall also include information on the number of applications received and approved for firearms safety courses.

(e) This section becomes effective December 1, 1995.

#10 AUTHORIZATION OF FICTITIOUS LICENSES AND REGISTRATION PLATES ON PUBLICLY OWNED MOTOR VEHICLES HB53

Sec. 23. (a) G.S. 20-39(h) reads as rewritten:

"(h) The Commissioner, notwithstanding any other provision of this Chapter, may lawfully and to the extent necessary, provide local, State or federal law-enforcement officers on special undercover assignments with motor vehicle drivers licenses and motor vehicle registration plates under assumed names using false or fictitious addresses. Such registration plates shall only be used on publicly owned or leased vehicles. Requests for these licenses and registration plates shall be made to the Commissioner by the head of the local, State or federal law-enforcement agency and be accompanied by approval in writing from the Director of the State Bureau of Investigation upon a specific finding by the Director that the request is justified and necessary. The Director shall keep a record of all such licenses, registration plates, assumed names, false or fictitious addresses, and law-enforcement officers using the licenses or registration plates, and shall request the immediate return of any license or registration plate that is no longer necessary. Licenses and registration plates provided under this subsection shall expire six months after initial issuance or subsequent validation after the request for extension has been approved in writing by the Director of the State Bureau of Investigation. The head of the local, State or federal law-enforcement agency shall be responsible for the use of the licenses and registration plates and shall return them immediately to the Commissioner for cancellation upon either (i) their expiration, (ii) request of the Director of the State Bureau of Investigation, or (iii) request of the Commissioner. Failure to return a license or registration plates issued pursuant to this subsection shall be punished as a Class 2 misdemeanor. At no time shall the number of valid licenses and registration plates issued under this act exceed fifty, one hundred, and those issued shall be strictly monitored by the Director. All of the private registration plates issued to special agents of the State Bureau of Investigation under the Department of Justice and to alcohol law enforcement agents under the Department of Crime Control and Public Safety, pursuant to G.S. 14-250, may be fictitious plates and shall not be counted in the total number of fictitious plates authorized by this subsection."

(b) The Joint Legislative Commission on Governmental Operations shall study the statutory authorization of the use of private, confidential, and fictitious license plates on State-owned motor vehicles and the administration and enforcement of the applicable statutes. The Commission shall report the results of its study to the 1997 General Assembly.

(c) Subsection (a) of this section expires June 30, 1997

PS
#11
Requested by: Senators Ballance, Rand, Plyler, Perdue, Odom, Representatives Justus, Thompson, Kiser, Holmes, Creech, Esposito H3236
DEPARTMENT OF JUSTICE RECORD CHECKS STAFF AND FIREARMS TRAINING FUNDS

Sec. 22. (a) Of the funds appropriated in this act to the Department of Justice for the 1995-97 biennium, the sum of two hundred ninety-seven thousand four hundred seventy-three dollars (\$297,473) may be used to add nine positions in the State Bureau of Investigation to facilitate record checks that are performed as a result of legislation ratified during the 1995 Session.

(b) The Department of Justice may use, for each year of the 1995-97 biennium, the sum of up to three hundred seventy-nine thousand two hundred eighty-seven dollars (\$379,287) to add 15 positions in the State Bureau of Investigation to facilitate record checks for concealed weapons permits. The Office of State Budget and Management may adjust the allotment of appropriations to the Department of Justice until receipts are realized. If the number of criminal record checks performed by the Department of Justice falls below the level of 10,000 checks per one and one-half positions, the number of positions performing records checks shall be reduced by the Department accordingly.

(c) The Department of Justice may charge a fee for the reasonable costs of the firearms safety courses required for a concealed weapon permit. The Department of Justice may use up to one hundred thousand dollars (\$100,000) of its State appropriations to pay the costs of developing standards and implementing firearms safety courses until receipts from the courses are sufficient and available to pay the cost of those courses.

AUTHORIZATION OF FICTITIOUS LICENSES AND REGISTRATION PLATES ON PUBLICLY OWNED MOTOR VEHICLES H353

Sec. 23. (a) G.S. 20-39(h) reads as rewritten:

"(h) The Commissioner, notwithstanding any other provision of this Chapter, may lawfully and to the extent necessary, provide local, State or federal law-enforcement officers on special undercover assignments with motor vehicle drivers licenses and motor vehicle registration plates under assumed names using false or fictitious addresses. Such registration plates shall only be used on publicly owned or leased vehicles. Requests for these licenses and registration plates shall be made to the Commissioner by the head of the local, State or federal law-enforcement agency and be accompanied by approval in writing from the Director of the State Bureau of Investigation upon a specific finding by the Director that the request is justified and necessary. The Director shall keep a record of all such licenses, registration plates, assumed names, false or fictitious addresses, and law-enforcement officers using the licenses or registration plates, and shall request the immediate return of any license or registration plate that is no longer necessary. Licenses and registration plates provided under this subsection shall expire six months after initial issuance or subsequent validation after the request for extension has been approved in writing by the Director of the State Bureau of Investigation. The head of the local, State or federal law-enforcement agency shall be responsible for the use of the licenses and registration plates and shall return them immediately to the Commissioner for cancellation upon either (i) their expiration, (ii) request of the Director of the State Bureau of Investigation, or (iii) request of the Commissioner. Failure to return a license or registration plates issued pursuant to this subsection shall be punished as a Class 2 misdemeanor. At no time shall the number of valid licenses and registration plates issued under this act exceed fifty, one hundred, and those issued shall be strictly monitored by the Director. All of the private registration plates issued to special agents of the State Bureau of Investigation under the Department of Justice and to alcohol law enforcement agents under the Department of Crime Control and Public Safety, pursuant to G.S. 14-250, may be fictitious plates and shall not be counted in the total number of fictitious plates authorized by this subsection."

(b) The Joint Legislative Commission on Governmental Operations shall study the statutory authorization of the use of private, confidential, and fictitious license plates on State-owned motor vehicles and the administration and enforcement of the applicable statutes. The Commission shall report the results of its study to the 1997 General Assembly.

(c) Subsection (a) of this section expires June 30, 1997.

Department of Crime Control and Public Safety

1997-99 Budget Overview

Departmental Special Provisions

Senate Appropriations Subcommittee on Justice and Public Safety

March 27, 1997

1. PART 20. DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Requested by: Representatives Justus, Thompson, Senator Ballance

LEGISLATIVE REVIEW OF DRUG LAW ENFORCEMENT AND OTHER GRANTS

Sec. 20. (a) Section 1303(4) of the Omnibus Crime Control and Safe Streets Act of 1968 provides that State applications for drug law enforcement grants are subject to review by the State legislature or its designated body.

(b) The North Carolina General Assembly hereby provides that State applications for grants under the State and Local Law Enforcement Assistance Act of 1986, Part M of the Omnibus Crime Control and Safe Streets Act of 1968 as enacted by Subtitle K of P.L. 99-570, the Anti-Drug Abuse Act of 1986, are subject to review by the Joint Legislative Commission on Governmental Operations if at the time of review the General Assembly is not in session. Any State agency submitting a grant application for review shall also report to the House Appropriations Subcommittee on Justice and Public Safety and to the Senate Appropriations Subcommittee on Justice and Public Safety with regard to the grant.

(c) Unless a State statute provides a different forum for review, when a federal law or regulation provides that a State application for a grant must be reviewed by the State legislature or its designated body and at the time of the review the General Assembly is not in session, that application shall be reviewed by the Joint Legislative Commission on Governmental Operations. Any State agency submitting a grant application for review shall also report to the House Appropriations Subcommittee on Justice and Public Safety and to the Senate Appropriations Committee on Justice and Public Safety with regard to the grant.

2. 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.

CODE NO. 97CCPS-S001

Requested by: Senator Gulley

LEGISLATIVE REVIEW OF DRUG LAW ENFORCEMENT AND OTHER GRANTS

1 Section e. (a) Section 1303(4) of the Omnibus Crime
2 Control and Safe Streets Act of 1968 provides that the State
3 application for Drug Law Enforcement Grants is subject to review
4 by the State legislature or its designated body. Therefore, the
5 Governor's Crime Commission of the Department of Crime Control
6 and Public Safety shall report on the State application for
7 grants under the State and Local Law Enforcement Assistance Act
8 of 1986, Part M of the Omnibus Crime Control and Safe Streets Act
9 of 1968 as enacted by Subtitle K of P.L. 99-570, the Anti-Drug
10 Abuse Act of 1986, to the Senate and House Appropriations
11 Subcommittees on Justice and Public Safety when the General
12 Assembly is in session. When the General Assembly is not in
13 session, the Governor's Crime Commission shall report on the
14 State application to the Joint Legislative Commission on
15 Governmental Operations.

16 (b) Unless a State statute provides a different forum
17 for review, when a federal law or regulation provides that an
18 individual State application for a grant must be reviewed by the
19 State legislature or its designated body and at the time of the
20 review the General Assembly is not in session, that application
21 shall be reviewed by the Joint Legislative Commission on
22 Governmental Operations.

Requested by: Representatives Justus, Thompson, Daughtry, Senators Ballance, Rand
VICTIMS ASSISTANCE NETWORK FUNDS

Sec. 20.1. (a) Of the funds appropriated in this act to the Department of Crime Control and Public Safety, the sum of one hundred fifty thousand dollars (\$150,000) for the 1995-96 fiscal year and the sum of one hundred fifty thousand dollars (\$150,000) for the 1996-97 fiscal year shall be used to support the Victims Assistance Network. These funds shall be used by the Victims Assistance Network to perform the following functions under the direction of and as required by the Department of Crime Control and Public Safety:

- (1) Conduct surveys and gather data on crime victims and their needs;
- (2) Act as a clearinghouse for crime victims services;
- (3) Provide an automated crime victims bulletin board for subscribers;
- (4) Coordinate and support the activities of other crime victims advocacy groups;
- (5) Identify training needs of crime victims services providers and criminal justice personnel and coordinate training efforts for those persons; and

- (6) Provide other services as identified by the Governor's Crime Commission or the Department of Crime Control and Public Safety.

(b) This section becomes effective July 1, 1995.

Requested by: Representatives Justus, Thompson, Daughtry, Senators Ballance, Rand
REPORT ON COMMUNITY SERVICE WORKERS

Sec. 20.2. The Department of Crime Control and Public Safety shall report quarterly in the 1995-96 fiscal year and the 1996-97 fiscal year to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on the number of community service workers who were available during each month of the time period preceding that report to perform repairs and maintenance of the parks and when and where they were available.

5. Requested by: Representatives Justus, Thompson, Daughtry, Senators Ballance, Rand
REPORT ON CRIME VICTIMS COMPENSATION FUND

Sec. 20.3. The Department of Crime Control and Public Safety shall report annually to the Senate and House Appropriations Base Budget Committees on Justice and Public Safety and the Fiscal Research Division on the administrative expenditures of the North Carolina Crime Victims Compensation Fund.

VISITOR REGISTRATION SHEET

JPS Subcommittee

3/27/97

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR STATE AGENCY AND ADDRESS

Jane P Gray
Vicky O. Harding
Dorothy Thompson
Hazel Stahl
Joan Hamilton

DOJ
Parole Commission
OSBM
NOT
NOT

**SENATE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY**

Tuesday April 1, 1997 – 15 min after session adjourns
Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

II. PRESENTATIONS

- Department of Justice 1997-99 Expansion Budget Request

Jane Gray, Deputy Attorney General
Department of Justice Staff
Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

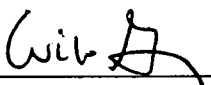


MINUTES
SENATE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY
APRIL 1, 1997

The Senate Appropriations Subcommittee on Justice and Public Safety met fifteen minutes after the Senate adjournment on Tuesday 1, 1997 in Room 421 of the Legislative Office Building. Six members were present. Senator Wib Gulley, Chairman, presided.

Senator Gulley asked Jane Gray with the Attorney General's Office to present the expansion budget requests for the Justice Department. Ms. Gray presented a handout with fifteen prioritized items (see attached). Ms. Gray, Mr. James Coman and Mr. Ron Hawley from the SBI, Mr. Phillip Lyons with the Department of Justice and Mr. Marty Stanford with the North Carolina Justice Academy all gave the Subcommittee detailed explanations about these fifteen requests and answered questions from the Subcommittee.

The meeting was adjourned at 6:00 PM.



Senator Wib Gulley, Chair



Carol Resar, Committee Clerk

4-1-97 PM

**DEPARTMENT OF JUSTICE
1997-99 EXPANSION BUDGET REQUEST**

Priority Number	Budget Code	Fund Number	Program Number	Program Description	1997-98	1998-99
1	13600	1300		State Bureau of Investigation - Pay Equity Sworn Personnel Pay equity for sworn personnel	\$ 3,457,440 R	\$ 3,457,440 R
2	13600	1200		Legal Services - Citizen Rights Division Safe Neighborhood has been a very successful grant for the past two years; however, it will end June 30, 1997 and needs to be funded by the General Fund to serve the citizens of North Carolina. Also an attorney III is needed to help in the increase in the antitrust cases that can return funds to North Carolina citizens like in past years from price fixing and other similar matters.	\$ 373,346 \$355,720 R \$ 17,626 NR	\$ 355,720 \$355,720 R
				1 Community Development Specialist II Grade 74	7.00	7.00
				3 Community Development Specialist I Grade 70		
				1 Informa & Communication Specialist I Grade 63		
				1 Office Assistant IV Grade 59		
				1 Attorney III Grade 82		

3	13600	1500	Training and Standards Division-	\$ 412,790	\$ 304,290
(a)			Criminal justice investigators are needed in the Criminal Justice Education & Training Standards Commission to locate & interview applicants, certified officers and witnesses involved in investigations of violations of training delivery and certification rules.	\$266,447 R	\$266,447 R
				\$70,000 NR	
			1 Criminal Justice Planner I - Grade 70	5.00	5.00
			1 CJ Training Coordinator I - Grade 74		
			1 Processing Assistant V - Grade 61		
			1 Media Technician II - Grade 63		
			1 CJ Research Associate - Grade 68		
(b)			Support requirements needed by the Sheriffs' Standards Division & Law Enforcement Liaison Section to meet the statutory responsibilities of the Sheriffs' Education and Training Standards Commission.	\$37,843 R	\$37,843 R
				\$38,500 NR	
			1 Administrative Assistant - Grade 63	1.00	1.00
4	13600	1200	Legal Services - Capital Litigation- Criminal Div.	\$ 309,350	\$ 294,290
			There are presently 158 prisoners on death row and 79 death cases in post-conviction review.	\$ 294,290-R	\$ 294,290-R
			This increase in workload requires additional staff.	\$ 15,060-NR	
			2 Attorney IV	3.00	3.00
			1 Processing Assistant V		

5	13600	1300	State Bureau of Investigation-DCI-	\$ 780,014	\$ 439,249
(a)			Business Recovery-IRMC has mandated all agencies to develop and implement a Business Recovery Plan	\$ 57,290-R	\$ 57,290-R
			1 SDLC Quality Assurance Coordinator Grade 80	\$ 260,000-NR	
				1.00	1.00
(b)			Uninterrupted Sys.-The existing system of uninterrupted power system has been in place for 17 years but was design for only 16 years. Failure due to age has become a real issue	\$ 77,500-NR	
(c)			As a result of passage of sexual offender laws, domestic violence laws NCIC 2000 enhancements and personal computer training, additional printing charges have occurred on training materials.	\$18,750-NR	
(d)			There is a need to develop a training and certification delivery mechanism which reduces the demand on existing training staff.	\$60,000-NR	
(e)			Demands on existing data processing personnel exceed the present positions available due to increase workload.	\$ 67,472-R	\$ 89,962-R
			1 Database Software Analyst GR 76	1.50	2.00
			1 Computing Consultant I GR 70		
			(All .75 first year)		
(f)			The need for a dedicated HELPDESK operations grows with each new file or system created by either the General Assembly, the FBI or DCI.	\$ 98,895-R	\$ 131,860-R
			4 Computing Consultant I Grade 68	\$ 20,000-NR	
			(All .75 first year)	3.00	4.00
(g)			The General Assembly mandated Adult Care Agencies must conduct criminal records check with SBI starting 1-1-97 and Nursing Homes and Home Care on 1-1-98. This will increase dramatically the numbers of criminal and fingerprint checks.	\$120,103-R	\$160,137-R
			4 Fingerprint ID Tech II Grade 64	4.50	6.00
			2 Processing Assistant III Grade 57		
			(All .75 first year)		

6	13600	1200	Legal Services - Information Systems Funds are needed to allow for the completion of the Department's transition to local area network (LAN).	\$ 297,239 NR	
7	13600	1300	State Bureau of Investigation-Field-New Agents Violent crimes is steadily increasing and additional agents are needed in field investigations to provide assistance to the local law enforcement officers.	\$ 1,920,398 \$1,175,529-R \$ 774,869-NR	\$ 1,536,836 \$1,536,836-R
			SBI Agent I - Grade 70 Special Investigator - Grade 76 (All .75 first year)	21.75	29.00
8	13600	1500	Criminal Justice Standards Div. - Law Enforcement Liaison An Attorney II is needed to handle the correctional officers certification issues before the Commission, etc. Presently Department of Correction has agreed to a contract position for the fiscal year 1996-97.	\$ 62,736 \$ 58,116 R \$ 4,620 NR	\$ 58,116 \$ 58,116 R
			1 Attorney II Grade 79	1.00	1.00
9	13600	1200	Legal Services - Environmental Division Additional attorney and support staff is needed to cover the increase work for the Division of Marine Fisheries. The law enforcement branch (Marine Patrol) needs access to immediate advice for its enforcement of fisheries regulatory program.	\$ 133,388 \$ 123,348-R \$ 10,040-NR	\$ 123,348 \$ 123,348-R
			1 Attorney III Grade 82 1 Program Assistant V Grade 61	2.00	2.00
10	13600	1100	General Administration Over the past several years additional staff has been added to the Department of Justice with no increase in the Personnel nor Accounting staff. Also processing asst. needed as backup receptionist and paralegal II needed to serve as research technician for Legal Serv. and handle publications. Mandatory training funds are needed for the attorneys' CLE and OSHA.	\$ 178,458 \$ 159,978 R \$ 18,480 NR	\$ 159,978 \$ 159,978 R
			1 Paralegal II Grade 67 1 Personnel Analyst I Grade 65 1 Accounting Tech III Grade 65 1 Processing Asst. I Grade 61	4.00	4.00

11	13600	1300	State Bureau of Investigation-Lab - SBI needs to expand its capability to provide state-of-the-art forensic services to user agencies to meet increasing demand with analysis turnaround time.	\$ 1,299,113 \$ 531,763-R \$ 767,350-NR	\$ 1,079,784 \$ 728,684-R \$ 351,100-NR
			2 Chemist I Gr 72 1 Forensic Imp. Ana.(70) 2 Forensic Serologist I(72) 2Evidence Tech Gr 66 1 Research Tech III (66) 1 Proc. Asst. III Gr 57 1 Office Asst. IV Gr 59 (All .75 first year)	7.50	10.00
12	13600	1200	Legal Services - Administrative Division Additional paralegal II is needed in the Human Resources Section, Attorney III dedicated to serve Administrative Office of the Courts is needed in the Service to State Agencies and a Program Assistant V is needed in Tort Claims, as well as additional equipment.	\$ 181,603 \$160,988 R \$ 20,615 NR	\$ 160,988 \$160,988 R
			1 Attorney III Grade 82 1 Paralegal II Grade 67 1 Processing Assistant Grade 61	3.00	3.00
13	13600	1500	Training & Standards - N C Justice Academy Funds are needed to instruct courses in standardized field sobriety testing, accident investigation and detecting criminal activity.	\$ 162,591 \$123,591-R \$ 39,000-NR	\$ 123,591 \$123,591-R
			2 Instructor Coordinators Grade 74 1 Processing Assistant V Grade 59	3.00	3.00
14	13600	1300	State Bureau of Investigation-Field Additional data entry staff needed to handle the Case Record Management System.	\$ 643,383 \$ 124,383-R \$ 247,700-NR	\$ 281,958 \$ 131,958-R
			2 Processing Assistant IV Grade 59 2 Word Processor IV Grade 59 (All .75 first year) Funds needed to relocate the Fayetteville and Asheville District Offices to a more Strategic environment to better serve the public.	3.00 4.00	4.00
15	13600	1500	Training & Standards - N C Justice Academy Student & Staff Support Funds are needed to cover increase costs in operations of the academy (the funds from the 1996 short session were non-recurring)	\$ 318,713 \$ 227,921-R \$ 90,792-NR	\$ 227,921 \$ 227,921-R
			1 Computer System Adm - Grade 70 1 Media Technician - Grade 63	2.00	2.00

VISITOR REGISTRATION SHEET

Senate Commerce Committee

April 1, 1997

Name of Committee

Date _____

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Denise A. Gessome

202

Frank J. Jassio

Do J

Ron Hawley

DoJ/ SBT

Jane O. Gray

205

Dancey Carver

SBI

James J. Cronan

SBI

Philip D. Rogers

DOI

SENATE APPROPRIATIONS SUBCOMMITTEE

ON

JUSTICE AND PUBLIC SAFETY

Wednesday April 2, 1997 – 8:30a.m.

Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

II. PRESENTATIONS

- Review of Judicial Department's 1997-99 Expansion Budget Requests

Dallas Cameron, Director

John Taylor, Director, Information Services Division

Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

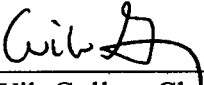


MINUTES
SENATE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY
APRIL 2, 1997

The Senate Appropriations Subcommittee on Justice and Public Safety met at 8:30 AM on Wednesday, April 2, 1997 in Room 421 of the Legislative Office Building. Six members were present. Senator Wib Gulley, Chairman, presided.

Senator Gulley asked Mr. Dallas Cameron, Director of the Administrative Office of the Courts, to present the Judicial Department's expansion budget requests. After Mr. Cameron's brief remarks regarding the handout (see attached) showing the requests, Mr. John Taylor, Administrator of Information Services Division, explained the technology items in the expansion budget.

The meeting was adjourned at 9:45 AM.



Senator Wib Gulley, Chair



Carol Resar, Committee Clerk

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA

1997-99 EXPANSION BUDGET REQUESTS

REVISED

EXECUTIVE SUMMARY

3/13/97

	1997-98	1998-99
DESCRIPTION	TOTALS	TOTALS

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1997-99 JUDICIAL TECHNOLOGY RESERVE

<i>RECURRING TOTALS:</i>	<i>\$6,972,972</i>	<i>\$8,677,599</i>
<i>NON-RECURRING TOTALS:</i>	<i>\$4,596,893</i>	<i>\$6,082,025</i>
<i>TECHNOLOGY FUND TOTALS:</i>	<i>\$11,569,865</i>	<i>\$14,759,624</i>
<i>NUMBER OF POSITIONS:</i>	<i>46.00</i>	<i>67.00</i>

1997-99 NON-TECHNOLOGY REQUEST TOTAL REQUIREMENTS

<i>RECURRING TOTALS:</i>	<i>\$20,223,372</i>	<i>\$34,014,454</i>
<i>NON-RECURRING TOTALS:</i>	<i>\$1,931,654</i>	<i>\$628,011</i>
<i>REQUIREMENT TOTALS:</i>	<i>\$22,155,026</i>	<i>\$34,642,465</i>
<i>NUMBER OF POSITIONS:</i>	<i>583.25</i>	<i>828.75</i>

TOTAL 1997-99 EXPANSION BUDGET REQUESTS

<i>RECURRING TOTALS:</i>	<i>\$27,196,344</i>	<i>\$42,692,053</i>
<i>NON-RECURRING TOTALS:</i>	<i>\$6,528,547</i>	<i>\$6,710,036</i>
<i>REQUIREMENT TOTALS:</i>	<i>\$33,724,891</i>	<i>\$49,402,089</i>
<i>NUMBER OF POSITIONS:</i>	<i>629.25</i>	<i>895.75</i>

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
 1997-99 JUDICIAL TECHNOLOGY RESERVE PROPOSAL
 EXECUTIVE SUMMARY

REVISED: 3/13/97

DESCRIPTION	1997-98 TOTALS	1998-99 TOTALS
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I. EQUIPMENT UPDATE & REPLACEMENT

<i>RECURRING TOTALS:</i>	<i>\$1,483,176</i>	<i>\$1,442,265</i>
<i>NON-RECURRING TOTALS:</i>	<i>\$1,342,353</i>	<i>\$3,766,250</i>
<i>REPLACEMENT & UPGRADE EQUIPMENT & SOFTWARE TOTALS:</i>	<i><u>\$2,825,529.00</u></i>	<i><u>\$5,208,515.00</u></i>

II. EXISTING SYSTEM SUPPORT

<i>RECURRING TOTALS:</i>	<i>\$1,747,658</i>	<i>\$3,040,326</i>
<i>NON-RECURRING TOTALS:</i>	<i>\$250,180</i>	<i>\$80,140</i>
<i>EXISTING SUPPORT TOTALS:</i>	<i><u>\$1,997,838.00</u></i>	<i><u>\$3,120,466.00</u></i>
<i>NUMBER OF POSITIONS:</i>	<i><u>31.00</u></i>	<i><u>45.00</u></i>

III. COURT AUTOMATION PROGRAMS

<i>RECURRING TOTALS:</i>	<i>\$3,742,138</i>	<i>\$4,195,008</i>
<i>NON-RECURRING TOTALS:</i>	<i>\$3,004,360</i>	<i>\$2,235,635</i>
<i>COURT AUTOMATION TOTALS:</i>	<i><u>\$6,746,498.00</u></i>	<i><u>\$6,430,643.00</u></i>
<i>NUMBER OF POSITIONS:</i>	<i><u>15.00</u></i>	<i><u>22.00</u></i>

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
 1997-99 JUDICIAL TECHNOLOGY RESERVE PROPOSAL
 EXECUTIVE SUMMARY

REVISED: 3/13/97

DESCRIPTION	1997-98 TOTALS	1998-99 TOTALS
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1997-99 JUDICIAL TECHNOLOGY RESERVE TOTAL REQUIREME

<i>RECURRING TOTALS:</i>	<i>\$6,972,972</i>	<i>\$8,677,599</i>
<i>NON-RECURRING TOTALS:</i>	<i>\$4,596,893</i>	<i>\$6,082,025</i>
<i>TECHNOLOGY FUND TOTALS:</i>	<i>\$11,569,865</i>	<i>\$14,759,624</i>
<i>NUMBER OF POSITIONS:</i>	<i><u>46.00</u></i>	<i><u>67.00</u></i>

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
1997-99 JUDICIAL TECHNOLOGY RESERVE PROPOSAL
REPLACEMENT & UPGRADE OF D.P. EQUIPMENT & SOFTWARE

3/14/97

DESCRIPTION

1997-98
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TOTALS

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I. EQUIPMENT UPDATE & REPLACEMENT

A. Mainframe Devices

Equipment - Computers (N/R)

COVERED BY GOVERNOR'S BUDGET REQUEST

Cash-Receipting Equipment	(\$250,000) \$0	\$250,000
Computer-Aided Transcript (CAT) Units	(\$65,000) \$0	\$65,000
Data Center Printer	(\$31,800) \$0	\$0
Terminals (300/Yr. @ \$705)	(\$211,500) \$0	\$211,500
Systems Printers (50/Yr @ \$1,900)	(\$95,000) \$0	\$95,000
Screen Printers (100/Yr @ \$200)	(\$20,000) \$0	\$20,000
Control Units (27/Yr @ \$20,000)	(\$540,000) \$0	\$540,000

<u>Maintenance Agreements (R)</u>	(\$89,830) \$0	(\$89,830) \$0
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RECURRING COSTS:	\$0	\$0
NON-RECURRING COSTS:	\$0	\$1,181,500
TOTALS:	\$0	\$1,181,500

B. Telephone Systems

Equipment - Communications (N/R)

System Replacements (7 Yr.)

16 Systems @ \$30,000	\$480,000	\$0
16 Systems @ \$60,000	\$0	\$960,000
Answering Machines	\$10,000	\$10,000
Voice Mail Automatic Attendant (5 Largest @ \$50,000)	\$250,000	\$0

<u>Maintenance Agreements (R)</u>	\$150,833	\$164,344
(Includes Existing Systems Coming Off Warranty)		

RECURRING COSTS:	\$150,833	\$164,344
NON-RECURRING COSTS:	\$740,000	\$970,000
RECURRING COST TOTALS:	\$890,833	\$1,134,344

C. Laptop Computers

Equipment - Computers (N/R)

Superior Court Judges	\$308,750	\$308,750
District Court Judges	\$0	\$220,000
<u>Maintenance Agreements (R)</u>	\$30,875	\$52,875

RECURRING COSTS:	\$30,875	\$52,875
NON-RECURRING COSTS:	\$308,750	\$528,750
TOTALS:	\$339,625	\$581,625

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
 1997-99 JUDICIAL TECHNOLOGY RESERVE PROPOSAL
 REPLACEMENT & UPGRADE OF D.P. EQUIPMENT & SOFTWARE

3/14/97

DESCRIPTION

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TOTALS

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D. Personal Computer & File ServersEquipment - Computers (N/R)COVERED BY GOVERNOR'S BUDGET REQUEST

Personnel Computers (300/Yr @ \$3,300)

(\$1,320,000) \$0

\$990,000

File Servers (16/Yr @ \$6,000)

(\$96,000) \$0

\$96,000

Maintenance Agreements (R)

(\$141,600) \$0

(\$141,600) \$0

RECURRING COSTS:

\$0

\$0

NON-RECURRING COSTS:

\$0

\$1,086,000

TOTALS:

\$0

\$1,086,000

E. Software UpgradesComputer - Software

Personnel Computers Software (R)

\$150,000

\$150,000

Data Center Operating Software (R)

\$510,000

\$515,250

Database Conversion Software

\$225,000

\$0

(IMS to DB2) (N/R)

LAN Administration & Capacity

Monitoring Software (R)

\$250,000

\$100,000

Maintenance Agreements (R)

\$63,500

\$63,500

RECURRING COSTS:

\$973,500

\$828,750

NON-RECURRING COSTS:

\$225,000

\$0

TOTALS:

\$1,198,500

\$828,750

F. Data Center UpgradesEquipment - Computers (N/R)COVERED BY GOVERNOR'S BUDGET REQUEST

DASD & ATL Capacity

(\$300,000) \$0

0

Maintenance Agreements (N/R)

Change Control Software

(\$181,397) \$0

\$0

Change Control Software

\$68,603

\$0

Maintenance Agreements (R)

Includes Existing Hardware

(\$18,344) \$0

(\$18,344) \$0

Includes Existing Hardware

\$77,968

\$146,296

RECURRING COSTS:

\$77,968

\$146,296

NON-RECURRING COSTS:

\$68,603

\$0

TOTALS:

\$146,571

\$146,296

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
 1997-99 JUDICIAL TECHNOLOGY RESERVE PROPOSAL
 REPLACEMENT & UPGRADE OF D.P. EQUIPMENT & SOFTWARE

3/14/97

DESCRIPTION

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TOTALS

PAGE 6

*G. Frame Relay (Data Transmission)*Systems Data Line Costs (R)

\$250,000

\$250,000

RECURRING COST TOTALS:

\$250,000

\$250,000

RECURRING TOTALS:	\$1,483,176	\$1,442,265
NON-RECURRING TOTALS:	\$1,342,353	\$3,766,250
REPLACEMENT & UPGRADE EQUIPMENT & SOFTWARE TOTALS:	<u>\$2,825,529.00</u>	<u>\$5,208,515.00</u>

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
1997-99 JUDICIAL TECHNOLOGY RESERVE PROPOSAL

EXISTING SYSTEM SUPPORT

Revised
3/14/97

DESCRIPTION	1997-98 TOTALS	1998-99 TOTALS
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II. EXISTING SYSTEM SUPPORT

A. PERSONNEL

Personnel

9 Applications Analyst Programmers (R)	\$574,731	\$761,265
(Effective 10/1/97) (NR)	\$86,175	
4 Applications Analyst Programmers (R)		\$338,340
(Effective 7/01/98)		\$39,440
3 PC Support Specialists (R)	\$152,340	\$201,438
(Effective 10/1/97) (NR)	\$28,725	\$0
2 Wide Area Network Specialists (R)	\$127,718	\$169,170
(Effective 10/1/97) (NR)	\$19,150	\$0
2 Voice/Data Specialists (R)	\$111,016	\$146,898
(Effective 10/1/97) (NR)	\$19,150	\$0
1 LAN Trouble Shooter Specialist (R)	\$63,859	\$84,585
(Effective 10/1/97) (NR)	\$9,575	\$0
5 LAN Support Specialists (R)	\$277,540	\$367,245
(Effective 10/1/97) (NR)	\$47,875	\$0
5 Remote LAN Administrators (R)	\$199,830	\$263,635
(Effective 10/1/97) (NR)	\$39,530	\$0
5 Remote LAN Administrators (R)		\$263,635
(Effective 7/1/98) (NR)		\$40,700
4 System Accountants (R)	\$190,624	\$190,624
(Effective 7/1/97) (NR)	\$0	\$0
1 AOC Secretary (R)	\$0	\$29,491
(Effective 7/1/98) (NR)	\$0	\$0
4 System Accountants (R)	\$0	\$174,000
(Effective 7/1/98) (NR)	\$0	\$0

RECURRING COSTS:	\$1,697,658	\$2,990,326
NON-RECURRING COSTS:	\$250,180	\$80,140
TOTALS:	\$1,947,838	\$3,070,466

B. Staff Development & Training

Registration & Training Fees (R)	\$20,000	\$20,000
Other Employee Educational Costs (R)	\$30,000	\$30,000
RECURRING COSTS:	\$50,000	\$50,000
NON-RECURRING COSTS:	\$0	\$0
TOTALS:	\$50,000	\$50,000

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
1997-99 JUDICIAL TECHNOLOGY RESERVE PROPOSAL

EXISTING SYSTEM SUPPORT

Revised
3/14/97

DESCRIPTION	1997-98 TOTALS	1998-99 TOTALS
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RECURRING TOTALS:	\$1,747,658	\$3,040,326
NON-RECURRING TOTALS:	\$250,180	\$80,140
EXISTING SUPPORT TOTALS:	<u>\$1,997,838.00</u>	<u>\$3,120,466.00</u>
NUMBER OF POSITIONS:	<u>31.00</u>	<u>45.00</u>

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
1997-99 JUDICIAL TECHNOLOGY RESERVE PROPOSAL

COURT AUTOMATION PROGRAMS PLAN

Revised
3/13/97

DESCRIPTION		1997-98 TOTALS	1998-99 TOTALS
III.	COURT AUTOMATION PROGRAMS		PAGE 9
A. Improve and Maintain the Court Automation Infrastructure			
<u>Infrastructure - Wide Area Network</u>			
<u>Personnel</u>			
1 Wide Area Network Specialist (R)		\$0	\$84,585
(Effective 7/1/98) (NR)			\$9,860
<u>Dial-Backup System for Network</u>			
Other Ongoing Operating Costs (R)		\$127,997	\$340,603
Equipment - Communications (N/R)		\$176,873	\$176,873
	RECURRING COSTS:	\$127,997	\$425,188
	NON-RECURRING COSTS:	\$176,873	\$186,733
	TOTALS:	\$304,870	\$611,921
B. Applications - Development			
1. <u>New Criminal Information System (R)</u>			
(a) Reserve for Magistrate System (R)		\$2,000,000	\$1,000,000
(b) Development & Implementation (R)		\$0	\$500,000
2. <u>Automated Forms in the Courtroom</u>			
<u>Personnel</u>			
1 PC Support Specialist (R)		\$50,780	\$67,146
(Effective 10/1/97) (NR)		\$9,575	\$0
Other Ongoing Operating Costs (R)		\$24,500	\$36,750
Equipment - Computers (N/R)		\$245,000	\$122,500
Computer - Software (N/R)		\$30,000	\$15,000
3. <u>Automated Forms in District Attorney Offices</u>			
Computer - Software (N/R)		\$19,500	\$0
4. <u>Automated Forms in Clerk Offices</u>			
<u>Personnel</u>			
1 PC Support Specialist (R)		\$50,780	\$67,146
(Effective 10/1/97) (NR)		\$9,575	\$0
Other Ongoing Operating Costs (R)		\$19,975	\$34,610
Equipment - Computers (N/R)		\$199,750	\$146,350
Computer - Software (N/R)		\$37,000	\$24,000
	RECURRING COSTS:	\$2,146,035	\$1,205,652
	NON-RECURRING COSTS:	\$550,400	\$807,850
	TOTALS:	\$2,696,435	\$2,013,502

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
1997-99 JUDICIAL TECHNOLOGY RESERVE PROPOSAL

COURT AUTOMATION PROGRAMS PLAN

Revised
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DESCRIPTION	1997-98 TOTALS	1998-99 TOTALS
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**C. District Attorney and Public Defender
Office Automation and Case Management
System Completion**

Personnel

3 Remote LAN Support Specialists (R)	\$166,524	\$220,347
(Effective 10/1/97) (NR)	\$28,725	\$0
4 Remote LAN Administrators (R)	\$159,864	\$210,908
(Effective 10/1/97) (NR)	\$31,624	\$0
4 Remote LAN Administrators (R)		\$210,908
(Effective 7/1/98) (NR)		\$32,560
2 Help Desk Specialists (R)	\$64,408	\$85,406
(Effective 10/1/97) (NR)	\$13,230	\$0
Other Ongoing Operating Costs (R)	\$104,750	\$106,250
Systems Data Line Costs (R)	\$58,800	\$58,800
Equipment - Computers (N/R)	\$646,000	\$0
Computer - Software (N/R)	\$114,000	\$0

RECURRING COSTS:	\$554,346	\$892,619
NON-RECURRING COSTS:	\$833,579	\$32,560
TOTALS:	\$1,387,925	\$925,179

D. Internet and Public Access

1. Data Center Internet Support

Other Ongoing Operating Costs (R)	\$24,910	\$103,296
Equipment - Computers (N/R)	\$249,100	\$169,600
Computer - Software (N/R)	\$346,408	\$229,172

2. Internet Access For Court Officials

4 PC Support Specialist (R)	\$203,120	\$268,584
(Effective 10/1/97) (NR)	\$38,300	\$0

Internet Access for SCJ's

Systems Data Line Costs (R)	\$114,000	\$85,500
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Internet Access for DCJ's

Systems Data Line Costs (R)	\$242,880	\$165,780
Equipment -Computers (Modems)(N/R)	\$20,200	\$0

Internet Access for PD's

Systems Data Line Costs (R)	\$13,200	\$9,900
Equipment -Computers (Modems)(N/R)	\$2,200	\$0

Internet Access for DAs

Systems Data Line Costs (R)	\$46,800	\$18,720
Equipment -Computers (Modems)(N/R)	\$7,800	\$0

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
1997-99 JUDICIAL TECHNOLOGY RESERVE PROPOSAL

COURT AUTOMATION PROGRAMS PLAN

Revised
3/13/97

DESCRIPTION	1997-98 TOTALS	1998-99 TOTALS
PAGE 11		
3. Additional FAX Services		
Systems Data Line Costs (R)	\$138,060	\$84,960
Other Ongoing Operating Costs (R)	\$23,040	\$26,928
Equipment - FAX Machines (N/R)	\$152,000	\$0
4. Cellular Phone Deployment		
Cellular Phone Services (R)	\$50,000	\$70,000
RECURRING COSTS:	\$856,010	\$833,668
NON-RECURRING COSTS:	\$816,008	\$398,772
TOTALS:	\$1,672,018	\$1,232,440
E. Intelligent Workstations		
<u>Personnel</u>		
2 PC Support Specialist (R)	\$0	\$97,622
(Effective 10/1/98) (NR)	\$0	\$19,720
Other Ongoing Operating Costs (R)	\$57,750	\$210,259
Equipment - Computers (R)	\$0	\$30,000
<i>(Recurring for Moves, Additions, and Changes in connection with LAN-based PC hardware.)</i>		
Equipment - Computers (N/R)	\$577,500	\$1,240,000
(1) The following in FY 1997-98:		
(a) 22 PC Workstations for PD's;		
(b) 75 PC Workstations for CSC's; and		
(b) 78 PC Workstations for DA's.		
(2) The following in FY's 1998-99 and 1999-00:		
(a) 46 PC Workstations for PD staffs in each year;		
(b) 100 PC Workstations for Clerk Staffs in each year;		
(c) 100 Laser Printers for CSC's in each year; and		
(d) 154 PC Workstations for ADA's in each year.		
RECURRING COSTS:	\$57,750	\$337,881
NON-RECURRING COSTS:	\$577,500	\$1,259,720
TOTALS:	\$635,250	\$1,597,601
F. LAN Support		
<u>Mecklenburg Connectivity Improvements</u>		
Equipment - Computers (N/R)	\$40,000	\$40,000
(Hardware to Interconnect all Facilities)		
Computer - Software (N/R)	\$10,000	\$10,000
RECURRING COSTS:	\$0	\$0
NON-RECURRING COSTS:	\$50,000	\$50,000
TOTALS:	\$50,000	\$50,000

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
1997-99 JUDICIAL TECHNOLOGY RESERVE PROPOSAL

COURT AUTOMATION PROGRAMS PLAN

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<i>RECURRING TOTALS:</i>	<i>\$3,742,138</i>	<i>\$3,695,008</i>
<i>NON-RECURRING TOTALS:</i>	<i>\$3,004,360</i>	<i>\$2,735,635</i>
<i>COURT AUTOMATION TOTALS:</i>	<i><u>\$6,746,498.00</u></i>	<i><u>\$6,430,643.00</u></i>
<i>NUMBER OF POSITIONS:</i>	<i><u>15.00</u></i>	<i><u>22.00</u></i>

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
1997-99 NON-TECHNOLOGY EXPANSION REQUESTS

REVISED

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I. ONGOING DEPARTMENT
OPERATING REQUIREMENTS

RECURRING TOTALS:	\$431,000	\$796,000
NON-RECURRING TOTALS:	\$0	\$0
EQUIPMENT & SUPPLY UPGRADE & REPLACEMENT TOTALS:	<u>\$431,000.00</u>	<u>\$796,000.00</u>

II. ENHANCEMENT OF
PROSECUTION SERVICES

RECURRING TOTALS:	\$6,069,824	\$8,580,877
NON-RECURRING TOTALS:	\$801,421	\$108,162
PROSECUTION ENHANCEMENT TOTALS:	<u>\$6,871,245.00</u>	<u>\$8,689,039.00</u>
NUMBER OF POSITIONS:	<u>181.00</u>	<u>199.00</u>

III. NECESSARY
CORE-FUNCTION PERSONNEL

RECURRING TOTALS:	\$7,748,787	\$12,179,745
NON-RECURRING TOTALS:	\$824,235	\$229,108
CORE-FUNCTION PERSONNEL TOTALS:	<u>\$8,573,022.00</u>	<u>\$12,408,853.00</u>
NUMBER OF POSITIONS:	<u>266.00</u>	<u>362.00</u>

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
1997-99 NON-TECHNOLOGY EXPANSION REQUESTS

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IV. ALTERNATIVE DISPUTE
RESOLUTION PROGRAMS

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RECURRING TOTALS:	\$1,004,984	\$1,639,715
NON-RECURRING TOTALS:	\$47,325	\$33,084
ADR PROGRAMS TOTALS:	<u>\$1,052,309.00</u>	<u>\$1,672,799.00</u>
NUMBER OF POSITIONS (FTE):	<u>6.25</u>	<u>10.75</u>

V. IMPROVED COURT SERVICES
FOR CHILDREN

RECURRING TOTALS:	\$4,468,777	\$10,318,117
NON-RECURRING TOTALS:	\$258,673	\$257,657
IMPROVE COURT SERVICES FOR CHILDREN TOTALS:	<u>\$4,727,450.00</u>	<u>\$10,575,774.00</u>
NUMBER OF POSITIONS :	<u>130.00</u>	<u>257.00</u>

VI. COMPLETE STATEWIDE
EXPANSION OF THE COMMUNITY
PENALTIES PROGRAM

RECURRING TOTALS:	\$500,000	\$500,000
NON-RECURRING TOTALS:	\$0	\$0
COMMUNITY PENALTIES PROGRAM TOTALS:	<u>\$500,000.00</u>	<u>\$500,000.00</u>

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
1997-99 NON-TECHNOLOGY EXPANSION REQUESTS

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1997-99 NON-TECHNOLOGY REQUEST TOTAL REQUIREMENTS

<i>RECURRING TOTALS:</i>	<i>\$20,223,372</i>	<i>\$34,014,454</i>
<i>NON-RECURRING TOTALS:</i>	<i>\$1,931,654</i>	<i>\$628,011</i>
<i>REQUIREMENT TOTALS:</i>	<i>\$22,155,026</i>	<i>\$34,642,465</i>
<i>NUMBER OF POSITIONS:</i>	<i><u>583.25</u></i>	<i><u>828.75</u></i>

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA

1997-99 NON-TECHNOLOGY EXPANSION REQUESTS

		1997-98	1998-99
DESCRIPTION		TOTALS	TOTALS
PAGE 16			
I.	ONGOING DEPARTMENT OPERATING REQUIREMENTS		
A. Office Equipment Update & Replacement Requirements		COVERED BY GOVERNORS' BUDGET REQUEST	
RECURRING COSTS:		(\$0) \$0	(\$104,462) \$0
NON-RECURRING COSTS:		(\$1,123,529) \$0	\$0
TOTALS:		(\$1,123,529) \$0	(\$104,462) \$0
B. Increased Department Supply & Material Requirements			
RECURRING COSTS:		\$431,000	\$796,000
TOTALS:		\$431,000	\$796,000
RECURRING TOTALS:		\$431,000	\$796,000
NON-RECURRING TOTALS:		\$0	\$0
EQUIPMENT UPGRADE TOTALS:		\$431,000.00	\$796,000.00
II.	ENHANCEMENT OF PROSECUTION SERVICES		
A. Additional District Attorney Personnel			
RECURRING COSTS:		\$5,481,452	\$7,239,553
NON-RECURRING COSTS:		\$684,741	\$0
TOTALS:		\$6,166,193	\$7,239,553
STAFF REQUEST			
56 Assistant District Attorneys (Eff. 10/1/97)			
103 Support Staff (Eff. 10/1/97)			
NO. OF POSITIONS:		159.00	159.00
B. Expansion of the Criminal Docket Management Program			
RECURRING COSTS:		\$588,372	\$1,341,324
NON-RECURRING COSTS:		\$116,680	\$108,162
TOTALS:		\$705,052	\$1,449,486
STAFF REQUEST			
2 CDM Judicial Assistants (Eff. 7/1/97)			
(Continuation of Program Pilot Staffs)			
10 CDM Judicial Assistants (Eff. 10/1/97)			
10 CDM Judicial Assistants (Eff. 1/1/98)			

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
1997-99 NON-TECHNOLOGY EXPANSION REQUESTS

	1997-98	1998-99
DESCRIPTION	TOTALS	TOTALS

PAGE 17

10 CDM Judicial Assistants (Eff. 10/1/98)
8 CDM Judicial Assistants (Eff. 1/1/99)

NO. OF POSITIONS: 22.00 40.00

<i>C. Expand Victim-Witness Services in All D.A.'s Offices</i>		<u>COVERED BY GOVERNORS' BUDGET REQUEST</u>	
RECURRING COSTS:	(\$1,068,003) \$0	(\$1,386,296) \$0	
NON-RECURRING COSTS:	(\$201,757) \$0		\$0
TOTALS:	(\$1,269,760) \$0	(\$1,386,296) \$0	
<u>STAFF REQUEST</u>			
<i>41 Victim-Witness Assistants (Eff. 10/1/97)</i>			
NO. OF POSITIONS:	(41.00) 0.00	(41.00) 0.00	

RECURRING TOTALS:	\$6,069,824	\$8,580,877
NON-RECURRING TOTALS:	\$801,421	\$108,162
<u>PROSECUTION</u>		
ENHANCEMENT TOTALS:	<u>\$6,871,245.00</u>	<u>\$8,689,039.00</u>
NUMBER OF POSITIONS:	<u>181.00</u>	<u>199.00</u>

III. **NECESSARY
CORE-FUNCTION PERSONNEL**

A. Additional Clerk Personnel

RECURRING COSTS: \$2,569,725 \$4,865,370
NON-RECURRING COSTS: \$149,715 \$85,725
TOTALS: \$2,719,440 \$4,951,095

STAFF REQUEST

135 Deputy Clerks (Eff. 10/1/97)
75 Deputy Clerks (Eff. 10/1/98)

NO. OF POSITIONS: 135.00 210.00

B. Additional Public Defender Personnel

(1) New Assistant Public Defenders
(To be funded via transfer funds from the
Indigent Persons' Attorney Fee Fund. The
total transfer from Fund 1310 would be \$752,745
in 1997-98 and some \$983,490 in 1998-99.

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA

1997-99 NON-TECHNOLOGY EXPANSION REQUESTS

DESCRIPTION	1997-98	1998-99
	TOTALS	TOTALS
STAFF REQUEST - VIA TRANSFER		
<i>15 Assistant Public Defenders (Eff. 10/1/97)</i>		
NO. OF POSITIONS:	15.00	15.00
(2) New Public Defender Support Staff		
RECURRING COSTS:	\$465,682	\$612,974
NON-RECURRING COSTS:	\$68,108	\$0
TOTALS:	\$533,790	\$612,974
STAFF REQUEST		
6 Public Defender Investigators (Eff. 10/1/97)		
11 Public Defender Legal Assistants (Eff. 10/1/97)		
NO. OF POSITIONS:	17.00	17.00
C. Judicial Assistants for Case Calendaring in the District Court		
RECURRING COSTS:	\$660,510	\$1,402,274
NON-RECURRING COSTS:	\$113,328	\$123,215
TOTALS:	\$773,838	\$1,525,489
STAFF REQUEST		
3 Judicial Assistants (Eff. 7/1/97) - Continuation of Pilot Program		
18 Judicial Assistants (Eff. 10/1/97)		
19 Judicial Assistants (Eff. 10/1/98)		
NO. OF POSITIONS:	21.00	40.00
D. Additional Appellate Division Staff		
RECURRING COSTS:	\$237,715	\$314,378
NON-RECURRING COSTS:	\$29,891	\$0
TOTALS:	\$267,606	\$314,378
STAFF REQUEST		
1 Assistant Appellate Reporter (Eff. 10/1/97)		
1 Librarian (Eff. 10/1/97)		
1 Library Technical Assistant (Eff. 10/1/97)		
2 COA Staff Attorneys (Eff. 10/1/97)		
1 COA Appellate Clerk (Eff. 10/1/97)		
NO. OF POSITIONS:	6.00	6.00
E. New Superior Court Judges		
RECURRING COSTS:	\$853,464	\$1,056,528
NON-RECURRING COSTS:	\$84,768	\$0
TOTALS:	\$938,232	\$1,056,528

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA

1997-99 NON-TECHNOLOGY EXPANSION REQUESTS

	1997-98	1998-99
DESCRIPTION	TOTALS	TOTALS

PAGE 19

STAFF REQUEST

8 Superior Court Judges (Eff. 10/1/97)

NO. OF POSITIONS:	8.00	8.00
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F. Additional Superior Court Support Staff

RECURRING COSTS:	\$144,540	\$188,802
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NON-RECURRING COSTS:	\$33,954	\$0
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TOTALS:	\$178,494	\$188,802
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STAFF REQUEST

6 Superior Court Legal Assistants (Eff. 10/1/97)

NO. OF POSITIONS:	6.00	6.00
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G. New Superior Court Reporter Positions

RECURRING COSTS:	\$264,928	\$353,104
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NON-RECURRING COSTS:	\$24,720	\$0
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TOTALS:	\$289,648	\$353,104
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STAFF REQUEST

8 Superior Court Reporters (Eff. 10/1/97)

NO. OF POSITIONS:	8.00	8.00
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H. Re-establish Superior Court Reporter Positions Lost in 1995

RECURRING COSTS:	\$264,928	\$353,104
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NON-RECURRING COSTS:	\$0	\$0
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TOTALS:	\$264,928	\$353,104
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STAFF REQUEST

8 Superior Court Reporters (Eff. 10/1/97)

NO. OF POSITIONS:	8.00	8.00
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I. Additional District Court Judges

RECURRING COSTS:	\$1,336,688	\$1,754,704
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NON-RECURRING COSTS:	\$147,600	\$0
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TOTALS:	\$1,484,288	\$1,754,704
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STAFF REQUEST

16 District Court Judges (Eff. 10/1/97)

NO. OF POSITIONS:	16.00	16.00
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THE JUDICIAL DEPARTMENT OF NORTH CAROLINA

1997-99 NON-TECHNOLOGY EXPANSION REQUESTS

	1997-98	1998-99
DESCRIPTION	TOTALS	TOTALS
PAGE 20		
J. Additional Magistrate Positions		
RECURRING COSTS:	\$169,330	\$326,330
NON-RECURRING COSTS:	\$52,270	\$0
TOTALS:	\$221,600	\$326,330
STAFF REQUEST		
10 Magistrates (Eff. 1/1/98)		
NO. OF POSITIONS:	10.00	10.00
K. Additional Special Counsel Support Staff		
RECURRING COSTS:	\$32,066	\$42,740
NON-RECURRING COSTS:	\$903	\$0
TOTALS:	\$32,969	\$42,740
STAFF REQUEST		
1 Assistant to the Special Counsel (Eff. 10/1/97)		
NO. OF POSITIONS:	1.00	1.00
L. New AOC Personnel		
(1) Court Services Division Automation Support Personnel		
RECURRING COSTS:	\$422,171	\$547,589
NON-RECURRING COSTS:	\$68,333	\$20,168
TOTALS:	\$490,504	\$567,757
STAFF REQUEST		
1 Court Management Specialist (Eff. 7/1/97)		
4 Court Services Analysts (Eff. 7/1/97)		
2 Court Services Analysts (Eff. 10/1/97)		
2 Court Services Analysts (Eff. 10/1/98)		
NO. OF POSITIONS:	7.00	9.00
(2) New Personnel in AOC - General Administration		
RECURRING COSTS:	\$327,040	\$361,848
NON-RECURRING COSTS:	\$50,645	\$0
TOTALS:	\$377,685	\$361,848
STAFF REQUEST		
1 Associate Counsel (Eff. 7/1/97)		
1 Trial Judges' Research Attorney (Eff. 10/1/97)		
1 Research Specialist (Eff. 10/1/97)		
1 AOC Secretary (Eff. 7/1/97)		
1 AOC Secretary (Eff. 10/1/97)		

**THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
1997-99 NON-TECHNOLOGY EXPANSION REQUESTS**

	1997-98	1998-99
DESCRIPTION	TOTALS	TOTALS

PAGE 21

*(2) New Personnel in AOC - General
Administration (Continued)*

- 1 Managing Court Reporter (7/1/97)
- 1 Mail Clerk (Eff. 7/1/97)
- 1 Printing Equipment Operator (Eff. 7/1/97)

NO. OF POSITIONS: 8.00 8.00

RECURRING TOTALS:	\$7,748,787	\$12,179,745
NON-RECURRING TOTALS:	\$824,235	\$229,108
CORE-FUNCTION PERSONNEL TOTALS:	<u>\$8,573,022.00</u>	<u>\$12,408,853.00</u>
NUMBER OF POSITIONS:	<u>266.00</u>	<u>362.00</u>

**IV. ALTERNATIVE DISPUTE
RESOLUTION PROGRAMS**

**A. Statewide Expansion of Court-Ordered
Arbitration Program**

RECURRING COSTS:	\$427,456	\$712,875
NON-RECURRING COSTS:	\$30,714	\$33,084
TOTALS:	\$458,170	\$745,959

STAFF REQUEST

- 1 Arbitration Program Administrator (Eff. 7/1/97)
- 1 Arbitration Coordinator (Eff. 7/1/97)
- 3 30-Hour (2.25 FTE) Arbitration Coordinators (Eff. 7/1/97)
- 6 30-Hour (4.5 FTE) Arbitration Coordinators (Eff. 7/1/98)

NO. OF POSITIONS (FTE): 4.25 8.75

**B. Statewide Expansion of Custody Mediation
Programs**

RECURRING COSTS:	\$577,528	\$926,840
NON-RECURRING COSTS:	\$16,611	\$0
TOTALS:	\$594,139	\$926,840

STAFF REQUEST

- 1 Custody Med. Program Administrator (Eff. 7/1/97)
- 1 AOC Secretary (Eff. 7/1/97)

NO. OF POSITIONS: 2.00 2.00

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA
1997-99 NON-TECHNOLOGY EXPANSION REQUESTS

	1997-98	1998-99
DESCRIPTION	TOTALS	TOTALS

PAGE 22

RECURRING TOTALS:	\$1,004,984	\$1,639,715
NON-RECURRING TOTALS:	\$47,325	\$33,084
ADR PROGRAMS TOTALS:	<u>\$1,052,309.00</u>	<u>\$1,672,799.00</u>
NUMBER OF POSITIONS:	6.25	10.75

V. IMPROVED COURT SERVICES
FOR CHILDREN

New Juvenile Services Personnel

RECURRING COSTS:	\$4,468,777	\$10,318,117
NON-RECURRING COSTS:	\$258,673	\$257,657
TOTALS:	\$4,727,450	\$10,575,774

STAFF REQUEST

37 Intensive Services Counselors (Eff. 10/1/97)
36 Intensive Services Counselors (Eff. 10/1/98)
31 Intake Counselors (Eff. 10/1/97)
30 Intake Counselors (Eff. 10/1/98)
43 Probation & Aftercare (PRAF) Counselors (Eff. 10/1/97)
43 Probation & Aftercare (PRAF) Counselors (Eff. 10/1/98)
19 JSD Secretaries (Eff. 10/1/97)
18 JSD Secretaries (Eff. 10/1/98)

NO. OF POSITIONS: 130.00 257.00

RECURRING TOTALS:	\$4,468,777	\$10,318,117
NON-RECURRING TOTALS:	\$258,673	\$257,657
IMPROVE COURT SERVICES FOR CHILDREN TOTALS:	<u>\$4,727,450.00</u>	<u>\$10,575,774.00</u>
NUMBER OF POSITIONS:	130.00	257.00

THE JUDICIAL DEPARTMENT OF NORTH CAROLINA

1997-99 NON-TECHNOLOGY EXPANSION REQUESTS

	1997-98	1998-99
DESCRIPTION		
TOTALS		TOTALS

PAGE 23

VI. COMPLETE STATEWIDE
EXPANSION OF THE COMMUNITY
PENALTIES PROGRAM

Community Penalties Program Expansion

RECURRING COSTS:	\$500,000	\$500,000
NON-RECURRING COSTS:	\$0	\$0
TOTALS:	\$500,000	\$500,000

RECURRING TOTALS:	\$500,000	\$500,000
NON-RECURRING TOTALS:	\$0	\$0
COMMUNITY PENALTIES PROGRAM TOTALS:	<u>\$500,000.00</u>	<u>\$500,000.00</u>

TOTAL NON-TECHNOLOGY REQUEST

TOTAL RECURRING:	\$20,223,372	\$34,014,454
TOTAL NON-RECURRING:	\$1,931,654	\$628,011

TOTAL NON-TECHNOLOGY :

\$22,155,026	\$34,642,465
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NUMBER OF POSITIONS:	583.25	828.75
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VISITOR REGISTRATION SHEET

Committee: _____ Date: _____

VISITORS: Please sign below and return to Committee Clerk.

NAME	FIRM OR STATE AGENCY AND ADDRESS
------	----------------------------------

Denise A. Sessome	JOJ
Burley Humphrey	OSPL
Chuck Crum	OSPL
Ch. Markin	ADC
John Tarkenton	ADC
W. E. Towell	ADC
Tom Dorman	OSPL

SENATE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Wednesday April 2, 1997 – 15 minute after session
Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

II. PRESENTATIONS

- Complete Review of Judicial Department's 1997-99 Expansion Budget Requests

Dallas Cameron, Director
John Taylor, Director, Information Services Division
Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT



MINUTES
SENATE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY
APRIL 2, 1997

The Senate Appropriations Subcommittee on Justice and Public Safety met fifteen minutes after the Senate adjourned on Wednesday, April 2, 1997 in Room 421 of the Legislative Office Building. Six members were present. Senator Wib Gulley, Chairman, presided.

Senator Gulley asked Mr. John Taylor, Administrator of the Information Services Division of the Judicial Department, to continue his presentation of the expansion budget requests for new technology in the Judicial Department (see attached). He told the Subcommittee that the total request for the equipment and software replacement and upgrade is \$2.8 million the first year and \$5.2 million the second year of the biennium. In addition, page seven of the handout shows the requests for support personnel for the technological requests which total \$2 million the first year and \$3.1 million the second year.

On page nine of the handout, Mr. Taylor began a discussion of the court automation programs which were being requested. Mr. Taylor told the Subcommittee that these requests would greatly help the Clerk of Courts do a better, more efficient job. The total costs of these requests are \$6.7 million the first year and \$6.4 million the second year.

Next, Mr. Cameron, Director of the Administrative Office of the Courts, explained to the Subcommittee the non-technological expansion budget requests which begin on page thirteen of the handout.

The meeting was adjourned at 5:15 PM.

A handwritten signature in dark ink, appearing to read "Wib Gulley".

Senator Wib Gulley, Chair

A handwritten signature in dark ink, appearing to read "Carol Resar".

Carol Resar, Committee Clerk

VISITOR REGISTRATION SHEET

Committee: _____ Date: _____

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR STATE AGENCY AND ADDRESS

DALLAS CAMERON

AOC

John Taylor

AOC

Buried Henry

OSBM

Chas Marshall

AOC

Chuck Crum

OSPL

FB Towell

AOC

SENATE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Thursday April 3, 1997 – 15 minutes after Session
Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

II. PRESENTATIONS

- Review of Correction Span of Control and Reduction List

Jim Mills, Fiscal Research
Department of Correction Staff

- Review of Correction Expansion Budget

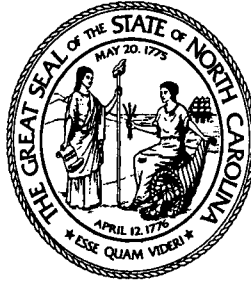
Joe Hamilton, Department of Correction
Greg Stahl, Department of Correction

- Review of Crime Control and Public Safety Span of Control List

Andy Willis, Fiscal Research
Crime Control Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT



MINUTES
SENATE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY
APRIL 3, 1997

The Senate Appropriations Subcommittee on Justice and Public Safety met fifteen minutes after the Senate adjourned on Thursday, April 3, 1997 in Room 421 of the Legislative Office Building. Five members were present. Senator Wib Gulley, Chairman, presided.

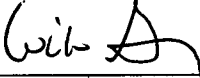
Senator Gulley asked Mr. Gregg Stahl and Mr. Joe Hamilton with the Department of Corrections to go over the expansion budget requests for the Department of Corrections (see attached). Mr. Buddy Humphry with the State Office of Budget and Management answered questions by the Subcommittee regarding the expansion of the inmate road squads. Senator Gulley asked if the Department of Transportation would pay for these new squads? Mr. Humphrys replied that they pay for the existing road squads, but they will not be paying for the new road squads until the next long session in 1999.

Next, Mr. Jim Mills, Fiscal Analyst, went over the Department of Corrections Span of Control and Reduction List (see attached). Senator Gulley recommended to the Subcommittee not to accept the cut if item #4 of the handout. Senator Rand stated he thought \$2.7 million was a lot of money for the 150 private substance abuse beds in item #4. Senator Gulley asked staff to see if there were inmates who needed these beds and if there was a better approach to this cut.

Senator Rand asked staff to give the Subcommittee more information with regard to the health care cut in item #13. The total reductions of the Department of Corrections list was \$23.3 million.

Next, Andy Willis, Fiscal Analyst, went over the Department of Crime Control and Public Safety Span of Control List (see attached). The total for the suggested reductions was \$272,532. With regard to item #4, Governor's Crime Commission, Senator Rand moved to pursue an effort to get all \$200,000 back from the Drug Enforcement match. Motion carried.

The meeting was adjourned at 5:30 PM.



Senator Wib Gulley, Chair



Carol Resar, Committee Clerk

Department of Correction

	<u>1997-98</u>	<u>1998-99</u>
1. Supervision of Sex Offenders		
Funding is recommended to support additional probation/parole officers and support staff to supervise sex offenders on probation and/or parole. The new officers will carry a caseload of approximately 60 offenders and the offenders will be supervised according to high risk supervision standards. These standards require a minimum of one face to face contact every two weeks. In addition to those offenders defined by the sex offender registration statute, these officers will also supervise offenders that are not defined in this statute, but have been identified through case staffing and/or risk assessment.	\$ 1,500,000	\$ 3,500,000
Number of Positions	64.0	82.0
2. Additional Road Squads		
Funding is recommended to add 25 road squads to the existing 98 road squads to provide maintenance for North Carolina's highways. In addition to providing maintenance for highways, these road squads provide work activities for inmates and prevents idleness. Work activities are particularly needed at the new facilities being constructed.		
Number of Positions	2,000,000 75.0	2,212,681 75.0
<i>#1.1M of \$2M is equipment in 1st year</i> <i>#2M is personnel in 2nd year</i>		
Total Recommended Expansion for the Department of Correction	\$ 3,500,000	\$ 5,712,681
Total Number of Positions	139.0	157.0

	DESCRIPTION		1997-98	1998-99
	REDUCTIONS:			
* 1	Reduce Out of State Positions and Air Fare (Eliminate 7 positions)	(R)	219,935 (7)	519,935 (7)
* 2	Repeal the Cap Reserve-7126 Reduce funding for removing the cap	(R)	79,568	79,568
* 3	Reduce Title VII Funding above the \$150,000 recommended in the Governor's Budget. (Eliminate 7 positions)	(R)	276,797 (7)	276,797 (7)
* 4	Eliminate remaining 150 Private Substance Abuse Beds	(R)	2,727,806	2,654,715
* 5	Reduce positions in reserve Span of Control and delay hire date:	(NR)	1,288,633	
	87.5 Million Reserve - 7120 (Eliminate 14 positions)	(R)	1,326,927 (14)	1,326,927 (14)
	Operating New Facilities - 7127 (Eliminate 30 positions) Positions delayed/Inmate Cost ADP	(NR)	548,779	
		(R)	1,436,110 (30)	1,436,110 (30)
* 6	Eliminate positions by reducing Span of Control (Eliminate 18 positions)	(R)	1,059,349 (18)	1,059,992 (18)
7	Private Prisons Reserve - 7128 Completion date delay	(NR)	1,646,952	641,824
8	Operating cost for closing Polk Youth	(R)	1,320,181	1,320,181
9	Reduce inmate and regular operating cost due to delay in Modular Housing	(NR)	543,132	
10	Reduce operating cost due to delay of 14 workcrews	(NR)	70,000	
11	ALIEN Housing Reimbursement	(R)	670,000	670,000
12	Title VII Reduction	(NR)	5,500,000	
* 13	Reduce Health Budget by calculating average daily population using worst case	(R)	2,357,972	3,088,686
14	Salary Reserve	(R)	628,000	628,000
** (1) 15	Reduce Food Budget by calculating average daily population using worst case	(R)	1,655,896	3,675,559
	SUB TOTAL REDUCTIONS:		23,356,037 (76)	17,378,294 (76)
	REQUIREMENTS:			
1	Span of Control		(8,528,430)	(8,528,430)
** (2) 2	Projected Jail Back-log 98-99 inmate back-log 300 @ 12 months		(5,444,747)	(3,720,000)
3	Out of State Housing		(4,262,500)	
4	Jail Contracts		(5,120,360)	(4,488,040)
	SUB TOTAL REQUIREMENTS:		(23,356,037)	(16,736,470)
	TOTAL:		0	641,824

* Span of Control recurring cost only.

** NOTES: (1) Agency needs special provision for flexibility if admission projections are greater than anticipated.
(2) Agency needs special provision for flexibility if actual exceeds projections

[illegible]

VISITOR REGISTRATION SHEET

Pensions & Retirement and Insurance

April 2, 1997

Name of Committee

Date _____

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS[illegible]

SENATE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Tuesday April 8, 1997 – 8:30a.m.
Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

II. PRESENTATIONS

- Review Crime Control and Public Safety's Expansion and Capital Budget Requests

Crime Control and Public Safety Staff

- Discuss Western Justice Academy

Andy Willis, Fiscal Analyst
Department of Justice Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT



MINUTES
SENATE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY
APRIL 8, 1997

The Senate Appropriations Subcommittee on Justice and Public Safety met at 8:30 AM on Tuesday, April 8, 1997 in Room 421 of the Legislative Office Building. Five members were present. Senator Wib Gulley, Chairman, presided.

Senator Gulley asked Mr. Eric Tolbert of the Department of Crime Control and Public Safety to go over the expansion budget requests for the Emergency Management Division (see attached). The Subcommittee asked Mr. Tolbert to provide the Subcommittee a list of the emergencies and disasters the Emergency Management Division have responded to in the past ten years.

Next, Mr. Neil Woodcock spoke to the Subcommittee regarding the Law Enforcement Support Service in the Department of Crime Control and Public Safety. (see attached).

Next, Mr. Joe Stewart from the Department of Crime Control and Public Safety reviewed the request for the Community Punishment Program for Juvenile Offenders (see attached).

Senator Gulley next asked Mr. Stewart to review the capital budget requests from the Department of Crime Control and Public Safety (see attached).

Next, Andy Willis, Fiscal Analyst, went over the handout on the Western Justice Academy in Edneyville (see attached). Mr. Willis told the Subcommittee that the Academy will be ready to open in January, 1998, but the funded for the Academy will not start until July, 1998. Mr. Marty Stanford, Director of the Justice Academy, reviewed the start-up cost for the Academy. Needed is \$2.5 million plus \$470,000 operating costs in 1997-98 and \$576,000 in 1998-99.

Next, Mr. Willis went over the expansion budget items for the Criminal Justice Information Network (CJIN) (see attached). Captain Akes gave more details to the Subcommittee and answered questions about CJIN. Senator Ballance asked how many

computers were installed now. Captain Akes said 42. Senator Wellons asked what the range is for the towers. Captain Akes stated it is further for flat land than mountainous areas. Mr. Joe Stewart from Department of Crime Control and Public Safety also told the Subcommittee that they were seeking federal funds for the towers and they would like some overlap for the towers so the signal would never be weak for an officer. Mr. Hawley with the Department of Justice then reviewed the \$2 million request for CJIN that would fall under the Department Justice (see attached).

The meeting was adjourned at 10:00 AM.



Senator Wib Gulley, Chair



Carol Resar, Committee Clerk

Emergency Management

Purpose: Protect the lives and property of the citizens of North Carolina from the effects of natural and manmade disasters through rapid response to local needs, and by providing training and increasing public awareness of safety measures before, during, and after emergency events.

Proposal: In dealing with the aftermath of the five major storms that hit North Carolina in the last year, the department realized that the management staff of this division has been stretched to the limit to respond to the needs of the citizens of the state.

To ensure that proper and timely decisions are implemented and administered in the preparation, response, and mitigation to storms and other disasters, creation of the following positions are requested: one (1) Emergency Management Deputy Director; three (3) Emergency Management Assistant Director positions; two (2) Emergency Management Planning Chief positions; four (4) Emergency Management planner positions.

Additionally, four positions are currently funded in part or in total with federal funds that will no longer be available due to changes in FEMA funding strategy; two (2) Emergency Management Planner I positions; one (1) Administrative Assistant II position; one (1) Administrative Assistant I position.

<u>Request:</u>	<u>1997-98</u>	<u>1998-99</u>
	\$494,121 8.5 positions	\$661,624 12.5 positions

Detail of budget is to be provided at the SAS Agency Management Report detail level.

Receipts	12,588,697	4,099,823					
APPROPRIATION	3,470,308	3,122,364	494,121	661,624	625,624	625,624	625,624
CASH BALANCE							

14

N.C. State Budget, 1997-99: Summary of Recommendations
General Fund - Expansion - Continued

Department of Crime Control and Public Safety
General Fund

	<u>1997-98</u>	<u>1998-99</u>
1. Additional Support for the Division of Emergency Management		
North Carolina has endured five disasters in the last year that warranted a Presidential declaration. These disasters are Hurricane Opal, two winter storms, Hurricane Bertha, and Hurricane Fran. As a result of these disasters, the department has come to realize it is understaffed to ensure that proper and timely decisions are implemented and effectively administered. In order to deal with the mammoth tasks and coordination of effort required to effectively deal with these disasters, it is recommended that the department add six new positions in 1997-98 and four additional in 1998-99.		
In addition to the new positions, funding is recommended to replace lost federal funding of positions already established in the Division of Emergency Management. Of the funding requested for 1997-98, \$54,000 is supported from nonrecurring funds.		
Number of Positions	\$ 494,121 8.5	\$ 661,624 12.5
2. Law Enforcement Support Services		
Funding is recommended to purchase equipment to be loaned to law enforcement agencies on an as needed basis. This is equipment that is too expensive for a single law enforcement agency to purchase on its own and may not be needed by that law enforcement agency on an ongoing basis. The types of equipment that would be purchased with the appropriation are ballistic shields, audiovisual equipment for court presentations, body wires, tracking systems, recorders, cameras, and accessories. This is equipment that cannot be secured through the Department of Defense excess stock that has been provided to state and local law enforcement agencies. This appropriation would be a one time appropriation from nonrecurring funds.		
	250,000	

N.C. State Budget, 1997-99: Summary of Recommendations
General Fund - Expansion
Crime Control and Public Safety - General Fund - Continued

	<u>1997-98</u>	<u>1998</u>
3. Community Punishment Program for Juvenile Offenders		
Funding is recommended to provide grants to establish early morning and/or weekend community punishment programs for juvenile offenders. These programs will be designed to strongly discourage and prevent additional offenses. Offenders will perform community service and participate in rigorous exercise and drill programs that stress hard work, discipline, and respect. Some or all of the components of these programs may be eligible for federal participation through grants from the Governor's Crime Commission. The department will make every effort to maximize the number of programs through use of the federal funds.	\$ 1,000,000	\$ 1,000,000
Total Recommended Expansion for the Department of Crime Control and Public Safety - General Fund	\$ 1,744,121	\$ 1,661,624
Total Number of Positions - General Fund	8.5	12.5

Department of Crime Control and Public Safety
Highway Fund

1. Criminal Justice Information Network		
Funding is recommended to continue the implementation of the statewide mobile data network consistent with the objectives of the NC Criminal Justice Information Network.	\$ 2,406,600	\$ 156,600
2. Mobile Data Computers		
Funding is recommended to purchase 200 Mobile Data Computers to provide technologically advanced equipment needed to enhance the State Highway Patrol's efficiency, effectiveness, and safety.	1,700,000	-
Total Recommended Expansion for the Department of Crime Control and Public Safety - Highway Fund	\$ 4,106,600	\$ 156,600

Law Enforcement Support Service (L.E.S.S.)

Purpose: Serve as a clearinghouse for providing surplus military equipment to local law enforcement agencies; since May 1994 more than \$41 million worth of equipment has been distributed to local agencies.

Proposal: Funding to purchase equipment that will stored and maintained by L.E.S.S. and loaned to law enforcement agencies on a as-needed basis; funds will be used for items too expensive for a single agency to purchase on its own or may not have cause to use on an ongoing basis.

Types of equipment: ballistic shields, audiovisual equipment for court presentations, body wires, tracking systems, recorders, cameras, and surveillance equipment. This equipment is not available through the Department of Defense excess stock.

Request: \$250,000 NR

COMMUNITY PUNISHMENT PROGRAM FOR JUVENILE OFFENDERS

PROGRAM GOAL: REINFORCING ACCOUNTABILITY FOR ACTIONS

The cornerstone of our system of justice is the principle that offenders face a consequence for their actions. However, too often and for far too many youthful offenders, this lesson is lost because no sanction is imposed after initial minor offenses, reinforcing the misconception that the juvenile may act with impunity.

Statewide juvenile arrests are up a total of 39.4% and violent offenses are up 245%. Among 16- and 17-year-olds, the arrest rate for violent crime is up 115%. Property arrests, drug violation and weapons arrests are dramatically up among older juveniles, perhaps the best evidence supporting the notion that a lack of accountability among younger offenders leads to an escalating level of criminal activity, which is increasing including the commission of a serious crime in which someone is injured or even killed.

We do our young people no favor when first-time juvenile offenders are provided no consequence for their actions. In fact, many adult offenders reflecting on their own criminal background report that the failure of "punishment" for the initial juvenile offenses only encouraged their continued and increasingly serious criminal behavior.

WHAT IS A COMMUNITY PUNISHMENT PROGRAM?

By definition, a Community Punishment Program:

1. is designed and managed by a local law enforcement agency;
2. combines physical training and calisthenics with lessons emphasizing respect for self and for the rights of others;
3. provides aftercare in the form of one-on-one mentoring between officers and juveniles.

Law enforcement agencies are key to the success of this initiative for three reasons: as a paramilitary organization, they have the culture and structure to provide a discipline-oriented program; as a agent of the justice system, they have an understanding of how juvenile courts administer justice; as a locally-focused agency, they have a vested interest in the welfare of the young people in the community they police. In fact, several successful models for this initiative already existing, and narratives outlining four examples are attached.

HOW THE PROGRAM WOULD BE ADMINISTERED

Funds would be appropriated to the Governor's Crime Commission (GCC) for distribution of \$10,000 made available to every county in the state in the form of grants to local law enforcement agencies. Application for grants would be reviewed, awarded, and administered by the GCC following existing GCC policies and procedures. All or some necessary portion of the \$10,000 could be used by the local law enforcement agency as their required match portion for other GCC grants applied for.

Qualifications for receiving the grant funds would be based on the submission of an application including a budget for the use of the funds and a description of the program to be funded, specifying that the program:

1. Is a new or existing effort within a local law enforcement agency to provide sanctions to juvenile offenders, especially first-time offenders;
2. Focuses on physical training activities such as calisthenics, instills discipline, self-respect and respect for others, and supports other sanctions imposed such as required restitution or community service;
3. Was developed in cooperation with local governments, other law enforcement agencies, and juvenile services agencies within county.

GCC staff would monitor recipient agencies to assure strict accountability for these funds, and would work with each local agency to establish methods for tracking youth served by these programs so that the full efficiency and effectiveness of each program could be measured. A full report on the programs funded would be provided annually to the General Assembly for review.

P100

OC-25 MAINTENANCE
OC-25: 99494004156

DEPT: 49 ID#: 4004 BIENNIUM: 1997 - 1999

PROJECT TYPE: 44 CLASS: D DATE RECEIVED: 112196
PROJECT SUBTYPE: PRTY: DATE RETURNED: 112196

PROJECT LOCATION: CHARLOTTE ARMORY

PROJECT IDENTIFICATION
NEW ADMINISTRATIVE AND TRAINING SPACE

PROJECT DESCRIPTION
CONSTRUCT A NEW 65,907 SF TWO STORY FACILITY FOR ADMINISTRATIVE AND
TRAINING SPACE AS PER THE ATTACHED SHEET

101

OC-25 MAINTENANCE
OC-25 99494004156 DATE REVIEWED: BIENNIUM 1997 - 1999

CURRENT ESTIMATED CONSTRUCTION COST	UNITS	UNIT COST	TOTAL
A. LAND REQUIREMENT			
B. SITE PREPARATION: DEMOLITION	0007433	006 . 72	000049900
GENERAL			000393900
C. CONSTRUCTION: UTILITY SERVICES			000024000
GENERAL CONTRUCTION	0065907	060 . 00	003954400
PLUMBING	0065907	007 . 00	000461300
HVAC	0065907	012 . 00	000790500
ELECTRICAL	0065907	010 . 00	000659100
OTHER SP			000003000
OTHER			
D. EQUIPMENT: FIXED			000072000
MOVEABLE			000006000
TOTAL CURRENT ESTIMATED COST			006914500
CONTIG & 03 . 00 = 00207435	DESIGN FEE & 06 . 50 = 000462926		
TOTAL EST PROJECT COST (INCLUDING CONTIG AND DESIGN FEE) =			007584900
EST COST INC = 00 . 42 & X 13 MONTHS X EST PROJ COST =			000414100
EST COST ON BID DATE = EST PROJECT COST + EST COST INC =			007999000
STATUS: A	APPROVED BY: KAH	DATE APPROVED: 112196	

Post-it Fax Note 7671		Date	# of pages
To	LT. JIM SEXTON		From
Co/Dept	STATE HIGHWAY P.		Co.
Phone #			Phone #
Fax #	733-2161		Fax #
			733-6609

P100

OC-25 MAINTENANCE
OC-25: 99494003047

DEPT: 49 ID#: 4003 BIENNIUM: 1997 - 1999

PROJECT TYPE: 59 CLASS: D DATE RECEIVED: 100396
PROJECT SUBTYPE: PRTY: DATE RETURNED: 100796

PROJECT LOCATION: HIGHWAY PATROL OFFICES

PROJECT IDENTIFICATION
REPLACEMENT OF EXISTING UNDERGROUND TANKS

PROJECT DESCRIPTION
REPLACEMENT OF 12 EXISTING UNDERGROUND TANKS THROUGHOUT THE STATE TO
COMPLY WITH THE FEDERAL EPA AND DEHNA GROUNDWATER REGULATIONS.

P101 OC-25 MAINTENANCE
OC-25 99494003047 DATE REVIEWED: BIENNIUM 1997 - 1999

CURRENT ESTIMATED CONSTRUCTION COST	UNITS	UNIT COST	TOTAL
A.LAND REQUIREMENT			
B.SITE PREPARATION: DEMOLITION			
GENERAL			
C.CONSTRUCTION: UTILITY SERVICES			
GENERAL CONTRUCTION			
PLUMBING			
HVAC			
ELECTRICAL			
OTHER SP	0042000	012 . 00	000504000
OTHER SP			000100000
D.EQUIPMENT: FIXED			
MOVEABLE			
TOTAL CURRENT ESTIMATED COST			000604000
CONTIG % 00 . 00 =	DESIGN FEE % 00 . 00 =		
TOTAL EST PROJECT COST (INCLUDING CONTIG AND DESIGN FEE) =			000604000
EST COST INC = 00 . 00 % X 00 MONTHS X EST PROJ COST =			
EST COST ON BID DATE = EST PROJECT COST + EST COST INC =			0000604000
STATUS: A APPROVED BY: KAH DATE APPROVED: 100796			

STATE OF NORTH CAROLINA

**Department of Administration
State Construction Office
Proposed Capital Improvement Project
From the Biennium 1995 - 1997**

1. **INSTITUTION OR AGENCY** Crime Control & Public Safety **DATE:** 1 October 1996
2. **PROJECT IDENTIFICATION** Highway Patrol Fuel Facilities
3. **LOCATION** Highway Patrol Offices located throughout the state
4. **PROJECT DESCRIPTION AND JUSTIFICATION** (Attach add't. data as necessary indicate need, size and functions of improvements)

Replace underground gasoline storage tanks to comply with Federal EPA and DEHNR Groundwater Regulations.

Facilities projected for tank replacement are:

Rutherfordton, Asheville, Shelby, Raleigh (Training Center), Raleigh (Troop "C" Headquarters), Raleigh (C&L), Greenville, Greensboro, Lillington, Sanford, Burnsville, and Hendersonville.

5. **CURRENT ESTIMATED CONSTRUCTION COST***

	QTY	UNIT	COST PER UNIT	TOTAL
A. Land Requirement	0		\$ -	\$ -
B. Site Preparation				
1. Demolition				\$ -
2. General*** (Included in construction)				\$ -
C. Construction				
1. Utility Services **	0		\$ -	\$ -
2. General Construction	12	Sites	\$ 42,000.00	\$ 504,000.00
3. Plumbing	0		\$ -	\$ -
4. HVAC	0		\$ -	\$ -
5. Electrical	0		\$ -	\$ -
6. Other- Contamination Clean-Up	0			\$ 100,000.00
7. Other-	0		\$ -	\$ -
8. Other-				\$ -
D. Equipment				
1. Fixed				\$ -
2. Movable				

ESTIMATED CONSTRUCTION COST

CONTINGENCIES 3 (% of Estimated Construction Cost)

DESIGN FEE _____ (% of Estimated Construction Cost + Contingencies)

\$	604,000.00
\$	18,120.00
\$	60,400.00

ESTIMATED COST (Estimated Construction Cost + Contingency + Design Fees)

\$	682,520.00
----	------------

Escalation% = .40% per month x No. of months 36 (to mid-point of construction) = 14.4%

ESCALATION COST INCREASE = Estimated Cost x Escalation %

\$	98,282.88
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TOTAL ESTIMATED PROJECT COST (Estimated Cost + Escalation Cost Increase)

\$	780,802.88
----	-------------------

* Attach basis and justification for estimate. Include description, quantities, units, special features, similar cost on receipt projects, etc.

** Give explanation of any special building, mechanical, or electrical service requirements with approximate distance to existing water. Electrical or other utility service.

*** Include items such as grading, roads, walks, parking, etc.

APPROVED BY: _____ TITLE: _____ DATE: _____
(Governing Board or Agency Head)

North Carolina Justice Academy Western Academy-Edneyville

1997-99 Continuation/Expansion Budget Review

Senate Appropriations Subcommittee on Justice and Public Safety

April 8, 1997

North Carolina Justice Academy

- Edneyville (Western Justice Academy)
 - The 1995 General Assembly funded the acquisition and construction of a Western Justice Academy in Edneyville, Henderson County.
 - In 1995, \$1,470,000 was appropriated for design and planning and the purchase of real property for the Western Justice Academy.
 - In 1996, \$108,430 of non-recurring funds were provided for an onsite office, and contract services for maintenance, housekeeping, and security services.
 - In 1996, up to \$6,000,000 was provided to expedite the repairs and renovations at the Academy.

North Carolina Justice Academy

- Edneyville - Western Justice Academy
 - Academy will be approximately one third of the size of the Academy at Salemburg.
 - With funding of eight trainers, it is projected the following number of students will be trained upon the opening of the Academy:*
 - 1997-98 - 800
 - 1998-99 - 1,800
 - 1999-00 - 2,500
 - 2000-01 - 2,600
 - 2001-02 - 2,700

* Information provided by the North Carolina Justice Academy

North Carolina Justice Academy

- Issue
 - In the Governor's Continuation Budget, \$1,750,000 is recommended in the second year of the biennium (1998-99).
 - The Academy is scheduled to be open in January of 1998. (Funding will not be available until July of 1998.)

WESTERN NORTH CAROLINA JUSTICE ACADEMY

START-UP COST

	<u>1997-98</u>
Educational Supplies	210,939
Office Supplies	25,000
Computer Supplies	30,000
Housekeeping Supplies	20,000
Maintenance Supplies	14,000
Maintenance Equipment	51,000
Educational Equipment	187,543
Radar Units	
Transparency Maker	
Laminator	
Binder	
Weight Room	
Motor Vehicle Equipment	203,000
Four Training Cars	
Van	
Truck	
Bus	
Computer & Library Equipment	538,000
Printers & Card Catalog System	
Classroom Equipment	640,000
Projectors, Chairs, & Tables	
Office Equipment	440,000
Other Equipment	<u>157,000</u>
TOTAL	<u>\$ 2,516,482</u>

WESTERN NORTH CAROLINA JUSTICE ACADEMY

OPERATING FUNDS

	<u>1997-98</u>	<u>1998-99</u>
Part-Time Instructors	10,000	15,000
Housekeeping Supplies	4,000	6,000
Clothing & Uniforms	2,000	2,000
Educational Supplies	45,000	80,000
Motor Vehicle Supplies	5,000	7,000
Office Supplies	3,000	7,000
Computer Supplies	15,000	18,000
Travel	15,000	40,000
Consultant Travel	12,000	15,000
Communications	62,000	67,000
Postage	7,000	15,000
Utilities	85,000	95,000
Repairs to Equipment	5,000	7,000
Repairs to Buildings & Grounds	4,000	8,000
Maintenance Contracts	8,000	15,000
Security Contract	40,000	40,000
Housekeeping & Grounds Contract	35,000	35,000
Insurance	6,000	6,000
Dues & Subscriptions	10,000	12,000
Equipment (Maintenance & Grounds)	15,000	20,000

Western NCJA - Operating Funds

Page 2

	<u>1997-98</u>	<u>1998-99</u>
Motor Vehicles (Step Van & Pick-Up Truck)	60,000	40,000
Books and Films	10,000	20,000
Moving Expense	<u>12,000</u>	<u>6,000</u>
TOTAL	<u>\$470,000</u>	<u>\$576,000</u>

WESTERN NORTH CAROLINA JUSTICE ACADEMY

STAFF

	<u>Grade</u>	<u>July 1 '97</u>	<u>Oct. 1 '97</u>	<u>Jan. 1 '98</u>	<u>FY 1998-99</u>
Deputy Director	80	45,902			45,902
Training Coordinator II	78	41,896			41,896
Administrative Service Manager	73	33,401			33,401
Purchasing Agent I	65	23,831			23,831
Administrative Assistant	63	22,015			22,015
Librarian III	69		21,129		28,172
Computer Systems Administrator	68		20,263		27,017
Maintenance Mechanic IV	64		17,177		22,903
Program Assistant V (2)	61		30,504		40,672
Agency Legal Specialist	75			18,287	36,573
Training Coordinator I (7)	74			122,266	244,531
Educational Media Specialist	68			13,509	27,017
Accounting Technician II	61			10,168	20,336
Program Assistant V (2)	61			20,336	40,672
Maintenance Mechanic II	60			9,753	19,515
Grounds Keeper	56			8,366	16,732
General Utility Workers (2)	53			15,724	31,448
Social Security (7.65)		12,779	6,814	16,708	55,281
Retirement (10.83)		18,091	9,647	23,654	78,261
Hospitalization		<u>8,680</u>	<u>6,510</u>	<u>13,888</u>	<u>45,136</u>
TOTAL		<u>\$206,595</u>	<u>\$112,044</u>	<u>\$272,659</u>	<u>\$901,311</u>

Director

SALEMBURG

EDNEYVILLE

Deputy Director
Grade 80

Administrative Services
Manager
Grade 73

Administrative Assistant
Grade 63

Training
Coordinator II
Grade 78

Librarian III
Grade 68

Maintenance
Mechanic IV
Grade 64

Program Assistant V
Grade 61

Program Assistant V
Grade 61

Educational Media
Specialist
Grade 68

Program
Assistant V
Grade 61

General Utility
Worker
Grade 53

Agency Legal
Specialist
Grade 75

Training
Coordinator I
Grade 74

Accounting
Technician II
Grade 61

Program
Assistant V
Grade 61

General Utility
Worker
Grade 53

Training
Coordinator I
Grade 74

Training
Coordinator I
Grade 74

Computer Systems
Administrator
Grade 68

Purchasing Agent I
Grade 65

Groundskeeper
Grade 56

Training
Coordinator I
Grade 74

Training
Coordinator I
Grade 74

CONTRACTUAL

Food Services
Security
Printing
Housekeeping

Maintenance
Mechanic II
Grade 60

Training
Coordinator I
Grade 74

Training
Coordinator I
Grade 74

Criminal Justice Information Network

1997-99 Expansion Budget Review

Senate Appropriations Subcommittee on Justice and Public Safety

April 8, 1997

Criminal Justice Information Network

- Review of Past Funding
 - 1996 Short Session
 - \$400,000 Appropriated
 - \$100,000 Establishment of CJIN Governing Board
 - \$400,000 Begin development of data sharing standards
 - \$3,288,000 Appropriated to the Highway Patrol
 - \$1,288,000 for 184 Mobile Data Terminals in cars
 - \$2,000,000 for Hardware and software for towers

Criminal Justice Information Network

- 1997-99 Expansion Request
 - Continued funding of the Mobile Data Network (Highway Patrol)
 - \$2,406,600 (1997-98)
 - \$156,600 (1998-99)
 - Purchase of 200 Mobile Data Computers for Highway Patrol cars
 - \$1,700,000
 - Continued funding for the development of data sharing and AFIS development (Justice Dept.)
 - \$2,000,000

Criminal Justice Information Network

- Total Funds Requested
 - Highway Patrol (\$4,263,200)
 - 1997-98 (\$4,106,600)
 - 1998-99 (\$156,600)
 - Department of Justice (\$2,000,000)
 - 1997-98 (\$2,000,000)

(f) Subsections (a) and (b) of this section become effective October 1, 1996, and apply to offenses committed on or after that date. Subsection (d) of this section is effective upon ratification and applies to all cases pending on that date. Subsection (e) of this section becomes effective October 1, 1996, and applies to juveniles considered for release on or after that date. The remainder of this section is effective upon ratification.

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

ESTABLISH CRIMINAL JUSTICE INFORMATION NETWORK GOVERNING BOARD

Sec. 23.3. (a) Chapter 143 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 69.

"Criminal Justice Information Network Governing Board.

"§ 143-660. Definitions.

As used in this Article:

- (1) 'Board' means the Criminal Justice Information Network Governing Board established by G.S. 143-661.
- (2) 'Local government user' means a unit of local government of this State having authorized access to the Network.
- (3) 'Network' means the Criminal Justice Information Network established by the Board pursuant to this Article.
- (4) 'Network user' or 'user' means any person having authorized access to the Network.
- (5) 'State agency' means any State department, agency, institution, board, commission, or other unit of State government.

"§ 143-661. Criminal Justice Information Network Governing Board -- creation; purpose; membership; conflicts of interest.

(a) The Criminal Justice Information Network Governing Board is established within the Department of Justice, State Bureau of Investigation, to operate the State's Criminal Justice Information Network, the purpose of which shall be to provide the governmental and technical information systems infrastructure necessary for accomplishing State and local governmental public safety and justice functions in the most effective manner by appropriately and efficiently sharing criminal justice information among law enforcement, judicial, and corrections agencies. The Board is established within the Department of Justice, State Bureau of Investigation, for organizational and budgetary purposes only and the Board shall exercise all of its statutory powers in this Article independent of control by the Department of Justice.

(b) The Board shall consist of 15 members, appointed as follows:

- (1) Three members appointed by the Governor, including one member who is a director or employee of a State correction agency for a term to begin September 1, 1996 and to expire on June 30, 1997, one member who is an employee of the North Carolina Department of Crime Control and Public Safety for a term beginning September 1, 1996 and to expire on June 30, 1997, and one member selected from the North Carolina Association of Chiefs of Police for a term to begin September 1, 1996 and to expire on June 30, 1999.
- (2) Six members appointed by the General Assembly in accordance with G.S. 120-121, as follows:
 - a. Three members recommended by the President Pro Tempore of the Senate, including two members of the

(F)

general public for terms to begin on September 1, 1996 and to expire on June 30, 1997, and one member selected from the North Carolina League of Municipalities who is a member of, or an employee working directly for, the governing board of a North Carolina municipality for a term to begin on September 1, 1996 and to expire on June 30, 1999; and

- b. Three members recommended by the Speaker of the House of Representatives, including two members of the general public for terms to begin on September 1, 1996 and to expire on June 30, 1999, and one member selected from the North Carolina Association of County Commissioners who is a member of, or an employee working directly for, the governing board of a North Carolina county for a term to begin on September 1, 1996 and to expire on June 30, 1997.
- (3) Two members appointed by the Attorney General, including one member who is an employee of the Attorney General for a term to begin on September 1, 1996 and to expire on June 30, 1997, and one member from the North Carolina Sheriffs' Association for a term to begin on September 1, 1996 and to expire on June 30, 1999.
- (4) Two members appointed by the Chief Justice of the North Carolina Supreme Court, including the Director or an employee of the Administrative Office of the Courts for a term to begin on September 1, 1996 and to expire on June 30, 1997, and one member who is either a clerk of the superior court or a district attorney, or employee of a district attorney, for a term to begin on September 1, 1996 and to expire on June 30, 1999.
- (5) One member appointed by the Chair of the Information Resource Management Commission, who is the Chair or a member of that Commission, for a term to begin on September 1, 1996 and to expire on June 30, 1999.
- (6) One member appointed by the President of the North Carolina Chapter of the Association of Public Communications Officials International, who is an active member of the Association, for a term to begin on September 1, 1996 and to expire on June 30, 1999.

The respective appointing authorities are encouraged to appoint persons having a background in and familiarity with criminal information systems and networks generally and with the criminal information needs and capacities of the constituency from which the member is appointed.

As the initial terms expire, subsequent members of the Board shall be appointed to serve four-year terms. At the end of a term, a member shall continue to serve on the Board until a successor is appointed. A member who is appointed after a term is begun serves only for the remainder of the term and until a successor is appointed. Any vacancy in the membership of the Board shall be filled by the same appointing authority that made the appointment, except that vacancies among members appointed by the General Assembly shall be filled in accordance with G.S. 120-122.

(c) Members of the Board shall not be employed by or serve on the board of directors or other corporate governing body of any information systems, computer hardware, computer software, or telecommunications vendor of goods and services to the State or to any unit of local government in the State. No member of the Board

shall vote on an action affecting solely the member's own State agency or local governmental unit or specific judicial office.

"§ 143-662. Compensation and expenses of Board members; travel reimbursements.

Members of the Board shall serve without compensation but may receive travel and subsistence as follows:

- (1) Board members who are officials or employees of a State agency or unit of local government, in accordance with G.S. 138-6.
- (2) All other Board members, at the rate established in G.S. 138-5.

"§ 143-663. Powers and duties.

(a) The Board shall have the following powers and duties:

- (1) To establish and operate the Network as an integrated system of State and local government components for effectively and efficiently storing, communicating, and using criminal justice information at the State and local levels throughout North Carolina's law enforcement, judicial, and corrections agencies, with the components of the Network to include electronic devices, programs, data, and governance and to set the Network's policies and procedures.
- (2) To develop and adopt uniform standards and cost-effective information technology, after thorough evaluation of the capacity of information technology to meet the present and future needs of the State and, in consultation with the Information Resource Management Commission, to develop and adopt standards for entering, storing, and transmitting information in criminal justice databases and for achieving maximum compatibility among user technologies.
- (3) To identify the funds needed to establish and maintain the Network, identify public and private sources of funding, and secure funding to:
 - a. Create the Network and facilitate the sharing of information among users of the Network; and
 - b. Make grants to local government users to enable them to acquire or improve elements of the Network that lie within the responsibility of their agencies or State agencies; provided that the elements developed with the funds must be available for use by the State or by local governments without cost and the applicable State agencies join in the request for funding.
- (4) To provide assistance to local governments for the financial and systems planning for Network-related automation and to coordinate and assist the Network users of this State in soliciting bids for information technology hardware, software, and services in order to assure compliance with the Board's technical standards, to gain the most advantageous contracts for the Network users of this State, and to assure financial accountability where State funds are used.
- (5) To provide a liaison among local government users and to advocate on behalf of the Network and its users in connection with legislation affecting the Network.
- (6) To facilitate the sharing of knowledge about information technologies among users of the Network.
- (7) To take any other appropriate actions to foster the development of the Network.

(b) All grants or other uses of funds appropriated or granted to the Board shall be conditioned on compliance with the Board's technical and other standards.

"§ 143-664. Election of officers; meetings; staff, etc.

(a) The Governor shall call the first meeting of the Board. At the first meeting the Board shall elect a chair and a vice-chair, each to serve a one-year term, with subsequent officers to be elected for one-year terms. The Board shall hold at least two regular meetings each year, as provided by policies and procedures adopted by the Board. The Board may hold additional meetings upon the call of the chair or any three Board members. A majority of the Board membership constitutes a quorum.

(b) Pending permanent staffing, the Department shall provide the Board with professional and clerical staff and any additional support the Board needs to fulfill its mandate. The Board may meet in an area provided by the Department of Justice and the Board's staff shall use space provided by the Department."

(b) G.S. 143B-426.21(a) is amended by adding a new subdivision to read:

"(9) The Chair of the Criminal Justice Information Network Governing Board."

(c) The Criminal Justice Information Network Governing Board shall report by April 1, 1997, 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 organization, operations, and expenditures of the Board, including the Board's progress in developing data-sharing standards, the progress in the coordination and cooperation of State and local agencies in establishing standards, the Board's recommendations on permanent staffing needs, and the estimated time of completion of the standards. The Board shall also provide a long-term strategic plan and cost analysis for statewide implementation of the Criminal Justice Information Network as well as a report on the State and local law enforcement agencies' 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.

(d) Of the funds appropriated in this act to the reserve for the Criminal Justice Information Network Governing Board, the sum of three hundred thousand dollars (\$300,000) shall be used to fund the development of data standards for the Network and the sum of one hundred thousand dollars (\$100,000) shall be used to support the operation of the Board, including staff salaries, benefits, and related expenses. Funds appropriated to the reserve for the Criminal Justice Information Network Governing Board shall not revert.

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

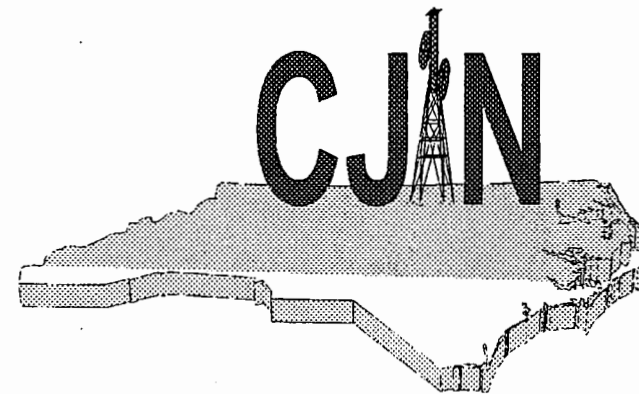
REPAIRS AND RENOVATIONS OF THE WESTERN JUSTICE ACADEMY

Sec. 23.4. (a) The Department of Justice, in consultation with the Office of State Construction of the Department of Administration, shall contract for and supervise all aspects of administration, technical assistance, design, construction, or demolition of facilities in order to implement the repairs and renovations of the Western Justice Academy under the provisions of this section without being subject to the following statutes and rules implementing those statutes: G.S. 143-135.26, 143-131, 143-132, 113A-1 through 113A-10, 113A-50 through 113A-66, and 133-1.1(g). The Department of Justice shall let contracts for all repairs and renovations of the Academy as soon as possible, but not later than December 1, 1996.

The Department of Justice shall have a verifiable ten percent (10%) goal for participation by minority and women-owned businesses. All contracts for the

IV. PROPOSED SITES: (Interstate Highway Corridor)

	<u>Counties</u>	<u>Sites</u>
1.	Buncombe County	2
2.	Burke County	1
3.	Catawba County	1
4.	Cleveland County	1
5.	Davie County	1
6.	Duplin County	2
7.	Forsyth County	1
8.	Haywood County	2
9.	Henderson County	2
10.	Iredell County	2
11.	Johnston County	2
12.	McDowell County	1
13.	Nash County	1
14.	New Hanover County	1
15.	Pender County	2
16.	Polk County	2
17.	Sampson County	1
18.	Surry County	2
19.	Warren County	1
20.	Wilson County	1
21.	Yadkin County	<u>1</u>
	TOTAL	30



Criminal Justice Information Network

III. PROPOSED BUDGET: (Average site)

<u>Item Description</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Costs</u>
Data Ready Base Station: Base Station Configuration for Data Transmitter/Receiver RDLAP Protocol Base Station Cabinet	\$46,000	30	\$1,380,000
Base Station Antenna: 10dBd Gain Omni Antenna Mount Hardware Installation	\$14,000	30	\$ 420,000
RF Transmission Facility: Duplexer Triple Circulator Peripheral Tray LDF Line Hanger Kit Round Member Adapter Kit Grounding Kit Hoisting Grip Weatherproofing Kit N Jack Connector Coax Protector	\$15,000	30	\$ 450,000
<u>Subtotal:</u>	<u>\$75,000</u>	<u>30</u>	<u>\$2,250,000</u>
Lease or Rental (Recurring annual costs)			
Equipment space at tower sites	\$ 4,800/yr	30	\$ 144,000
T-1 Telephone line @ SHP/IMU	\$ 12,600/yr	1	\$ 12,600
<u>Subtotal:</u>			<u>\$ 156,600</u>
TOTAL EQUIPMENT:			\$2,250,000
TOTAL EXPANSION COSTS:			<u>\$2,406,600</u>

WORKSHEET II. EXPANSION BUDGET REQUEST

Priority No.

27

of

34

State Highway Patrol

BUDGET CODE: 24960 DEPARTMENT: Crime Control and Public Safety
FUND NUMBER: 2610 FUND TITLE: State Highway Patrol
PROGRAM NUMBER: 1900 PROGRAM TITLE: Safe Transportation
TITLE OF REQUEST: Mobile Data Computers

STATUTORY CHANGES/SPECIAL PROVISIONS REQUIRED TO IMPLEMENT?

YES

NO

NO

IF YES, ATTACH A COPY OF THE DRAFT.

	1997-98	1998-99
6b TOTAL REQUIREMENTS	1,700,000	
7b TOTAL RECEIPTS		
8b APPROPRIATION	1,700,000	
9b TOTAL POSITIONS	0.0	0.0

NARRATIVE:

PURPOSE STATEMENT:

To provide needed and technological equipment in order to enhance the Highway Patrol in fulfilling its' responsibilities.

DESCRIPTION:

Having current information at the right time can often mean the difference between life and death for a law enforcement officer. There has never been a time, for the officer working the street, when critical information is as important as it is in today's society. Technological advances in the field of digital communication have the capability of making an officer more efficient and providing a safer working environment.

Mobile Data Computers (MDCs) can be used to access local, state, and national databases, and receive responses in seconds. The dispatcher is not disturbed while the officer, using MDCs, performs license plate checks, driver's license and vehicle registration information checks from their vehicles. This is completed by digital communication using 800 Megahertz (MHz) radio systems. Digital communication is not detectable by radio scanners like voice communication. The use of MDCs can make law enforcement officers more efficient and effective as well as help protect the officer's safety.

The costs of these units is approximately \$8,500.00 each which includes the radio. The Patrol would like to start with these units near the larger cities and expand as funds become available.

JUSTIFICATION:

The State Highway Patrol, like many other law enforcement agencies, has seen an increased demand for traffic services. Increases in registered vehicles, licensed drivers and miles driven by the citizens of North Carolina continues to place more demands on the Patrol's limited resources.

To aid the road Trooper, and to alleviate some of the enormous work load experienced by our telecommunicators, the State Highway Patrol proposes to purchase Mobile Data Computers (intelligent work station) for installation in Highway Patrol Vehicles. This system will allow Troopers to transmit and receive vital information such as driver's license status, in-state and out-of-state vehicle registration and ownership information, vehicle theft information, and wanted criminal bulletins originating on local, state, and national levels. The MDCs will save time during a traffic stop and will provide a critical margin of safety for the Troopers.

This system will allow the Trooper to create his own reports while on the road, via the MDC, thus saving time required to write them out by hand and eliminating the duplication of entering the reports into a computer by someone else. This will also increase the Trooper's on the road patrol time. The MDCs will allow information to be more up-to-date and accurate.

Having current and precise information is very important in the field of collision investigation. The Federal Highway Administration (FHA) and the North Carolina Department of Transportation (DOT) are concerned with the quality of collision data. One area of importance, to the FHA and DOT, is the specific location of a collision. A highway could have an engineering flaw which is causing loss of life, serious injury, and property damage collisions. In order to ensure accurate collision location for engineering studies, the MDC with the Global Positioning System will enable collision data to be gathered and analyzed at a much faster rate than before. Accuracy in reporting all the facts is very important to the various groups concerned and affected by traffic safety.

There are several advantages provided by mobile data computers that would fulfill the needs of the Patrol:

1. Mobile data computers provide capabilities to access Department of Motor Vehicle and National Crime Information Center files to retrieve information without audio (voice) communications.

2. Sensitive information can be transmitted and received digitally; therefore, bypassing the general public and criminals who own and monitor police scanners.
3. While ensuring privacy and security, mobile data computers free up a tremendous amount of air time over conventional radio frequencies.
4. Mobile data computers allow for data to be logged and saved through our Computer Assisted Dispatch System (CAD), resulting in both an effective investigative and management tool while increasing the efficiency of the Trooper.
5. In the field of collision investigation the mobile data computers will:
 - * Improve the timeliness of collision data.
 - * Reduce data input errors and omissions.
 - * Reduce the central agency's costs for coding and keypunching.
 - * Improve the overall quality of all data elements.
 - * Reduce demands on report processing personnel at central agency.
 - * Improve information management and accessibility of collision data.

CJIN

Fingerprint Capture & Electronic Transmission Solutions

The following information is provided in regard to the statewide North Carolina Automated Fingerprint Identification System (SAFIS).

I. Facts and Assumptions -

A. As quoted in part from the State of North Carolina CJIN Study:

Establishment of a statewide automated fingerprint identification system (SAFIS) which supports the following goals:

- SAFIS will provide to user positive identification based on fingerprints, in less than two hours.

SAFIS will consist of the following components:

- A centralized arrest intake facility in each county with a live scan device that is electronically linked to the State Bureau of Investigation's (SBI) Division of Criminal Information (DCI) to record fingerprints of all felons and misdemeanants.

B. Currently 93 counties submit on average eight or less criminal fingerprint cards per day. (See attached Projected Fingerprint Submissions documents.) Fifteen of these counties currently have an agency that has a live scan device that interfaces to the SBI or is capable of interfacing but does not at this time. (See attached AFIS & Live Scan Agencies document.)

C. Currently six counties submit on average eight to twenty criminal fingerprint cards per day. (See attached Projected Fingerprint Submissions documents.) The counties of Wake & Forsyth currently have a live scan interface. Cumberland county will have a live scan interface. The Pitt County Sheriff's Department and Greenville Police Department have old generation live scan that can not interface. (See attached AFIS & Live Scan Agencies document.) The counties of Guilford and Alamance have no live scan.

D. Considering the above facts, 81 counties have no agency that has a live scan device capable of interfacing to the SBI.

The estimated cost per device is \$10,000. This figure does not include items such as maintenance costs and sales tax. Additional interface costs could occur if an agency wished to interface the data capture workstation to a local Computerized Criminal History file and thereby eliminate redundant data entry.

III. Estimated Costs -

The following costs are estimates. Flexibility exists in determining location and numbers of devices but certain requirements such as a contract programmer must be addressed prior to any implementation.

<u>Cost</u>	<u>Requirement</u>
\$ 1,560,000	Fingerprint Capture Workstations (78)
\$ 180,000	Live scan devices (3)
\$ 200,000	AFIS verification stations (4)
\$ 50,000	Contract Programmer (1)
 \$ 1,990,000	 Total Estimated Cost

Johnston CO SD	Procurement process
Morehead City PD	DBI live scan - Does not interface but is capable
Nash CO SD	DBI live scan - Does not interface but is capable
Onslow CO SD	Printrak live scan interface
Pasquotank CO SD	DBI live scan - Does not interface but is capable
Pitt CO SD	DBI live scan - Not capable of interfacing (Old generation)
Randolph CO SD	Printrak live scan interface
Transylvania CO SD	Procurement process
Wilkes CO SD	Procurement process
Wilmington PD	Procurement process

AFIS Data Entry Terminal³ & Live Scan Terminal²

Mecklenburg County	Printrak AFIS
Court Services - Charlotte	Printrak live scan (3)
N.C. Department of Correction - Raleigh	Printrak AFIS Printrak live scan (Thirteen remote and one local device interface to DOC's fingerprint repository in Raleigh)
SBI/DCI - Raleigh	Printrak AFIS

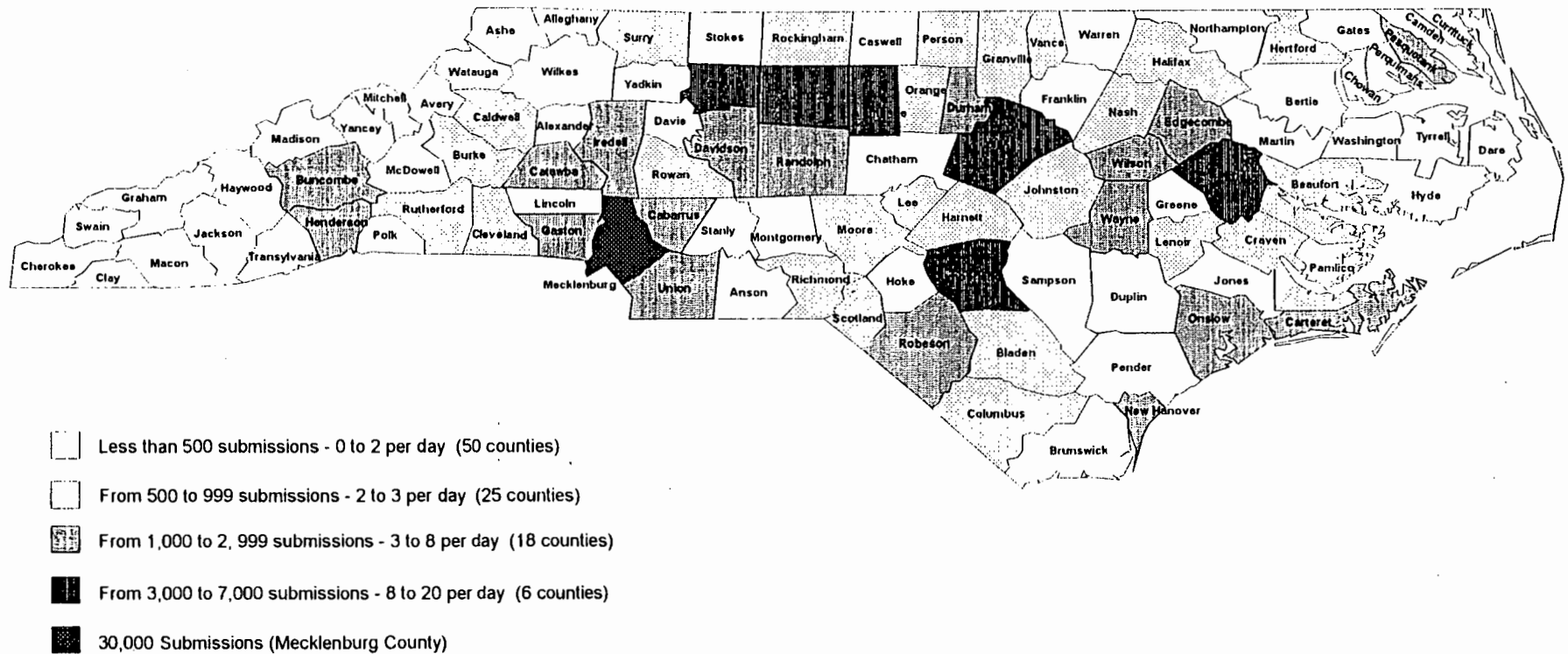
³ A Printrak AFIS data entry terminal allows an agency to remotely search, verify and update the SBI AFIS 2000 database.

**Fingerprint Submissions
By County¹**

County	No. of Submissions	County	No. of Submissions
1. Alamance	3,200	51. Johnston	900
2. Alexander	250	52. Jones	70
3. Alleghany	50	53. Lee	600
4. Anson	300	54. Lenoir	650
5. Ashe	100	55. Lincoln	425
6. Avery	110	56. Macon	125
7. Beaufort	510	57. Madison	75
8. Bertie	200	58. Martin	200
9. Bladen	630	59. McDowell	400
10. Brunswick	375	60. Mecklenburg	30,000
11. Buncombe	1,700	61. Mitchell	75
12. Burke	700	62. Montgomery	400
13. Cabarrus	1,000	63. Moore	900
14. Caldwell	550	64. Nash	600
15. Camden	75	65. New Hanover	2,000
16. Carteret	1,000	66. Northampton	200
17. Caswell	180	67. Onslow	1,900
18. Catawba	2,000	68. Orange	900
19. Chatham	325	69. Pamlico	125
20. Cherokee	130	70. Pasquotank	1,200
21. Chowan	360	71. Pender	300
22. Clay	40	72. Perquimans	250
23. Cleveland	750	73. Person	525
24. Columbus	575	74. Pitt	3,300
25. Craven	825	75. Polk	125
26. Cumberland	3,300	76. Randolph	1,000
27. Currituck	325	77. Richmond	600
28. Dare	450	78. Robeson	1,300
29. Davidson	1,400	79. Rockingham	550
30. Davie	275	80. Rowan	700
31. Duplin	400	81. Rutherford	650
32. Durham	2,800	82. Sampson	450
33. Edgecombe	1,800	83. Scotland	500
34. Forsyth	3,000	84. Stanly	350
35. Franklin	350	85. Stokes	350
36. Gaston	2,400	86. Surry	525
37. Gates	175	87. Swain	100
38. Graham	100	88. Transylvania	150
39. Granville	550	89. Tyrrell	40
40. Greene	175	90. Union	1,000
41. Guilford	5,700	91. Vance	550
42. Halifax	725	92. Wake	6,700
43. Harnett	850	93. Warren	85
44. Haywood	350	94. Washington	75
45. Henderson	1,200	95. Watauga	275
46. Hertford	575	96. Wayne	1,900
47. Hoke	250	97. Wilkes	350
48. Hyde	30	98. Wilson	1,000
49. Iredell	1,150	99. Yadkin	125
50. Jackson	175	100. Yancey	50
		Total	110,060

¹These figures are based on a review of 1995 and 1996 submissions. This represents the highest submission for those years.

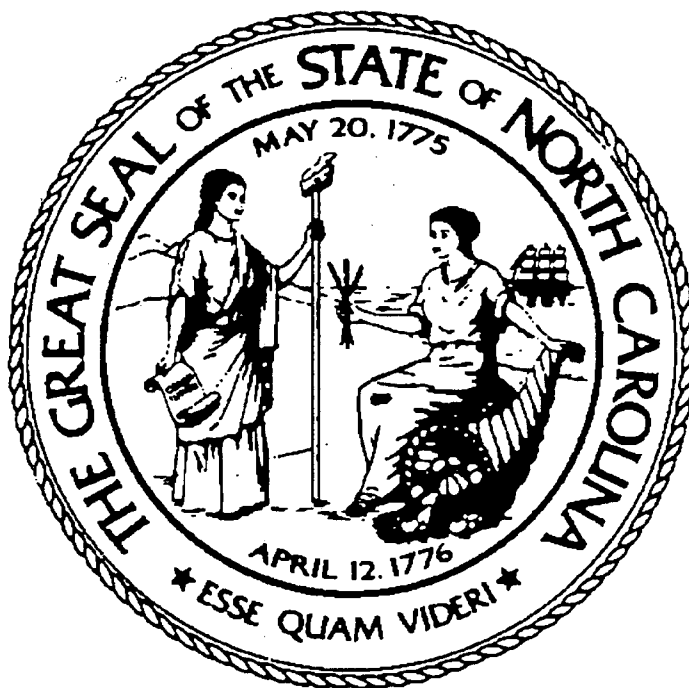
State Bureau of Investigation Fingerprint Submissions by County¹



¹ These figures are based on a review of 1995 and 1996 submissions. This represents the highest submission for those years.

March 27, 1997

**The North Carolina
Criminal Justice Information Network
Governing Board:
Fingerprint Capture & Electronic Transmission**



April 3, 1997

THE PROBLEM

Every day, hundreds of individuals are arrested and fingerprinted in North Carolina and those fingerprints are submitted to the North Carolina State Bureau of Investigation's (SBI) Identification Division. Those fingerprints are mailed and it may take months before a response can be returned to the law enforcement agency. Therefore, law enforcement, magistrates and judges are unable to use criminal history record information (CHRI) based on positive fingerprint identification in their decisions. This has been the process relied on by law enforcement for years to support their need of positive identification.

Although most offenders are known, there are those instances when a person uses false identification at the time of arrest. We have all heard of cases where an individual was arrested, fingerprinted, released from custody only to learn they were wanted for other crimes. All too often, we learn of this when the individual has committed another crime, such as murder or rape. If the criminal record had been available to the magistrate at the time of the arrest, it is likely the person would not have been free to commit the subsequent crime. This flaw in the system should not continue.

This is further complicated by the fact fingerprint submissions to the SBI continue to rise. Law enforcement is responding to the need to identify all perpetrators and thus more and more misdemeanants are being fingerprinted. As an example, the SBI has seen close to a 500% increase in the fingerprint submission rate from one agency which began submitting all misdemeanors in February 1997.

In addition to the criminal fingerprint cards, we have seen unprecedented growth in non criminal justice work. The increased authorization for use of fingerprint-based record checks as a matter of public safety has greatly stressed the existing process.

A NEED TO MOVE FORWARD

This problem does not have to continue. There is technology available that allows agencies to electronically submit fingerprint cards to the SBI in a matter of minutes. We have the ability to move forward and locate electronic fingerprint workstations in every county of North Carolina.

On April 7, 1995, the State of North Carolina released the comprehensive Criminal Justice Information Network Study (CJIN Study). This CJIN Study and the April 1, 1997, report of the CJIN Governing Board to the General Assembly detail the need for a statewide automated fingerprint identification system (SAFIS) that provides electronic submission of fingerprints.

As quoted in part from the State of North Carolina CJIN Study:

Establishment of a statewide automated fingerprint identification system (SAFIS) which supports the following goal:

- SAFIS will provide the user positive identification based on fingerprints in less than two hours.

SAFIS will consist of the following components:

- A centralized arrest intake facility in each county with a live scan device that is electronically linked to the State Bureau of Investigation's (SBI) Division of Criminal Information (DCI) to record fingerprints of all felons and misdemeanants.

The SBI's Division of Criminal Information (DCI) is responsible for the management of the SAFIS. In this role, DCI has recognized the need to continue SAFIS expansion by upgrading the SAFIS during the past three years. A planned business recovery upgrade in late 1997 will position the SAFIS to meet the CJIN and SBI goal of immediate and positive identification from the point of fingerprinting. The forthcoming upgrade will increase the fingerprint data base capacity from 900,000 to 1,700,000 sets of fingerprints and also provide disaster recovery capabilities at another site.

RECOMMENDATIONS

North Carolina is positioned to take a significant step forward in the fight against crime. The solution, if implemented, would address this public safety need. The recommended solution is to provide each county with the ability to submit fingerprints electronically. Based on an individual agency's needs and requirements, one of several workstations would be used to allow for electronic submission to the SBI's Identification Division. Using these workstations, law enforcement agencies in North Carolina would receive positive identification of criminals during their initial contacts.

- **Live scan fingerprint workstation -**
This device eliminates the need take any inked fingerprints by electronically capturing an individual's actual fingerprints on a scanner. The fingerprint image data along with descriptor and charge data entered at the live scan fingerprint workstation can be electronically transmitted to the SBI.

- **Fingerprint capture workstation -**
This work station would utilize one set of inked fingerprint impressions which were scanned into electronic format. The fingerprint image data along with descriptor and charge data entered at the fingerprint capture workstation would be electronically transmitted to the SBI.
- **Data capture workstation -**
The data capture workstation would generate a 2D Bar Code that contains descriptor and charge data. This would generate a fingerprint card which could then be scanned into electronic format.

SUPPORTING DATA

With funds made available through the federal government and Governor Hunt's 1993 special crime session, the SBI has developed an AFIS that can now accept electronic fingerprint card submissions from different vendors. Agencies with live scan workstations in nineteen North Carolina counties have the capacity to submit electronic fingerprint cards. That leaves eighty-one counties without the ability to electronically submit fingerprints. The North Carolina Governor's Crime Commission is considering live scan funding for four agencies that would reduce to seventy-seven the number of counties without this capability. The projected costs reflect coverage for all counties in North Carolina.

Using the numbers of fingerprints submissions (See attachments A, B & C for fingerprint submissions by county), the CJIN Governing Board will work with the sheriffs and chiefs to develop a plan for deploying these workstations. This approach is scalable through the use of a phased implementation schedule.

ESTIMATED COST

<u>Requirement</u>	<u>Number</u>	<u>Cost Per</u>	<u>Total</u>
Fingerprint capture workstations	74	\$ 20,000	\$ 1,480,000
Live scan fingerprint workstations	3	\$ 50,000	\$ 150,000
AFIS verification stations	4	\$ 50,000	\$ 200,000
Communications hardware	N/A	\$ 160,000	
Network			
One time line installation	77	\$ 1,600	\$ 123,200
One year recurring line charge	77	\$ 9,625	\$ 741,125
Total Estimated Cost			\$ 2,854,325

Attachment A
Fingerprint Submissions
By the Number of Submissions¹

County	No. of Submissions	County	No. of Submissions
1. Hyde	30	51. Scotland	500
2. Clay	40	52. Beaufort	510
3. Tyrrell	40	53. Person	525
4. Alleghany	50	54. Surry	525
5. Yancey	50	55. Caldwell	550
6. Jones	70	56. Granville	550
7. Camden	75	57. Rockingham	550
8. Madison	75	58. Vance	550
9. Mitchell	75	59. Columbus	575
10. Washington	75	60. Hertford	575
11. Warren	85	61. Lee	600
12. Ashe	100	62. Nash	600
13. Graham	100	63. Richmond	600
14. Swain	100	64. Bladen	630
15. Avery	110	65. Lenoir	650
16. Macon	125	66. Rutherford	650
17. Pamlico	125	67. Burke	700
18. Polk	125	68. Rowan	700
19. Yadkin	125	69. Halifax	725
20. Cherokee	130	70. Cleveland	750
21. Transylvania	150	71. Craven	825
22. Gates	175	72. Harnett	850
23. Greene	175	73. Johnston	900
24. Jackson	175	74. Moore	900
25. Caswell	180	75. Orange	900
26. Bertie	200	76. Cabarrus	1,000
27. Martin	200	77. Carteret	1,000
28. Northampton	200	78. Randolph	1,000
29. Alexander	250	79. Union	1,000
30. Hoke	250	80. Wilson	1,000
31. Perquimans	250	81. Iredell	1,150
32. Davie	275	82. Henderson	1,200
33. Watauga	275	83. Pasquotank	1,200
34. Anson	300	84. Robeson	1,300
35. Pender	300	85. Davidson	1,400
36. Chatham	325	86. Buncombe	1,700
37. Currituck	325	87. Edgecombe	1,800
38. Franklin	350	88. Onslow	1,900
39. Haywood	350	89. Wayne	1,900
40. Stanly	350	90. Catawba	2,000
41. Stokes	350	91. New Hanover	2,000
42. Wilkes	350	92. Gaston	2,400
43. Chowan	360	93. Durham	2,800
44. Brunswick	375	94. Forsyth	3,000
45. Duplin	400	95. Alamance	3,200
46. McDowell	400	96. Cumberland	3,300
47. Montgomery	400	97. Pitt	3,300
48. Lincoln	425	98. Guilford	5,700
49. Dare	450	99. Wake	6,700
50. Sampson	450	100. Mecklenburg	30,000
		Total	110,060

¹These figures are based on a review of 1995 and 1996 submissions. These numbers represent the highest submission for those years.

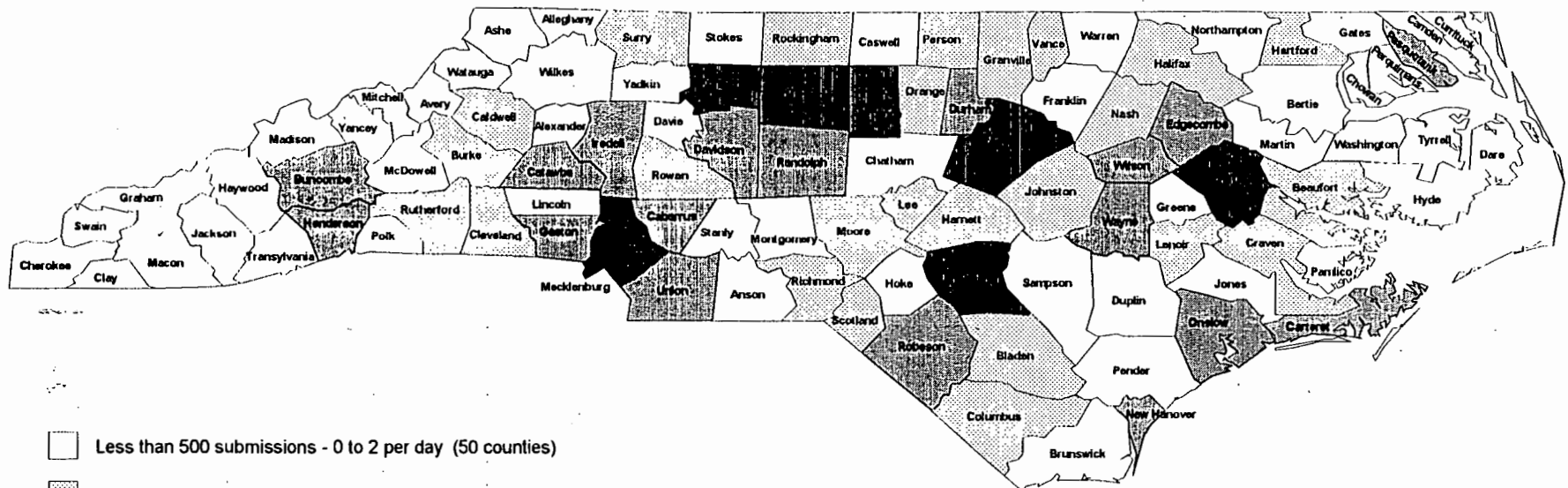
Attachment B
Fingerprint Submissions
By County¹






County	No. Of Submissions	County	No. of Submissions
1. Alamance	3,200	51. Johnston	900
2. Alexander	250	52. Jones	70
3. Alleghany	50	53. Lee	600
4. Anson	300	54. Lenoir	650
5. Ashe	100	55. Lincoln	425
6. Avery	110	56. Macon	125
7. Beaufort	510	57. Madison	75
8. Bertie	200	58. Martin	200
9. Bladen	630	59. McDowell	400
10. Brunswick	375	60. Mecklenburg	30,000
11. Buncombe	1,700	61. Mitchell	75
12. Burke	700	62. Montgomery	400
13. Cabarrus	1,000	63. Moore	900
14. Caldwell	550	64. Nash	600
15. Camden	75	65. New Hanover	2,000
16. Carteret	1,000	66. Northampton	200
17. Caswell	180	67. Onslow	1,900
18. Catawba	2,000	68. Orange	900
19. Chatham	325	69. Pamlico	125
20. Cherokee	130	70. Pasquotank	1,200
21. Chowan	360	71. Pender	300
22. Clay	40	72. Perquimans	250
23. Cleveland	750	73. Person	525
24. Columbus	575	74. Pitt	3,300
25. Craven	825	75. Polk	125
26. Cumberland	3,300	76. Randolph	1,000
27. Currituck	325	77. Richmond	600
28. Dare	450	78. Robeson	1,300
29. Davidson	1,400	79. Rockingham	550
30. Davie	275	80. Rowan	700
31. Duplin	400	81. Rutherford	650
32. Durham	2,800	82. Sampson	450
33. Edgecombe	1,800	83. Scotland	500
34. Forsyth	3,000	84. Stanly	350
35. Franklin	350	85. Stokes	350
36. Gaston	2,400	86. Surry	525
37. Gates	175	87. Swain	100
38. Graham	100	88. Transylvania	150
39. Granville	550	89. Tyrrell	40
40. Greene	175	90. Union	1,000
41. Guilford	5,700	91. Vance	550
42. Halifax	725	92. Wake	6,700
43. Harnett	850	93. Warren	85
44. Haywood	350	94. Washington	75
45. Henderson	1,200	95. Watauga	275
46. Hertford	575	96. Wayne	1,900
47. Hoke	250	97. Wilkes	350
48. Hyde	30	98. Wilson	1,000
49. Iredell	1,150	99. Yadkin	125
50. Jackson	175	100. Yancey	50
		Total	110,060

¹These figures are based on a review of 1995 and 1996 submissions. These numbers represent the highest submission for those years.

Attachment C

State Bureau of Investigation¹ Fingerprint Submissions by County



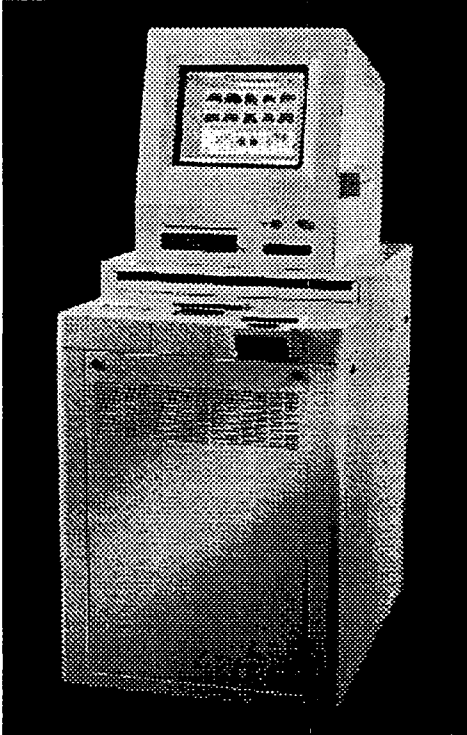
-  Less than 500 submissions - 0 to 2 per day (50 counties)
-  From 500 to 999 submissions - 2 to 3 per day (25 counties)
-  From 1,000 to 2,999 submissions - 3 to 8 per day (18 counties)
-  From 3,000 to 7,000 submissions - 8 to 20 per day (6 counties)
-  30,000 Submissions (Mecklenburg County)

¹ These figures are based on a review of 1995 and 1996 submissions. These numbers represent the highest submission for those years.

April 3, 1997

Ten-Print Fingerprint Capture and Electronic Submission

Live Scan Fingerprint Capture Workstation



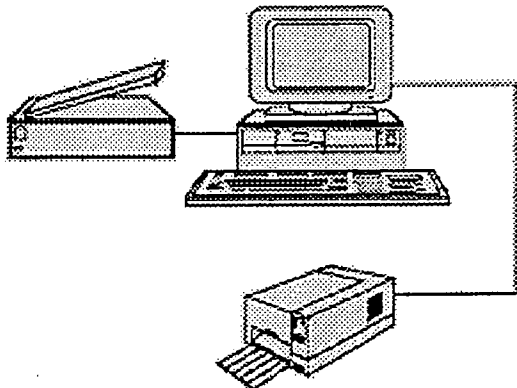
■ Process

- ◆ 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.

Fingerprint Capture Workstation



■ Process

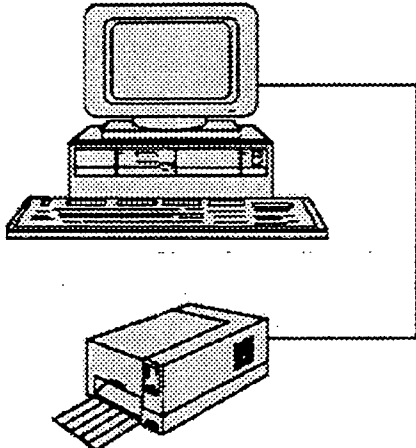
- ◆ An individual is fingerprinted using traditional ink methods.
- ◆ A set of inked fingerprints is scanned into a flatbed scanner.

■ 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.
- ◆ Eliminates redundant data entry.

Ten-Print Fingerprint Capture and Electronic Submission

Data Capture Workstation



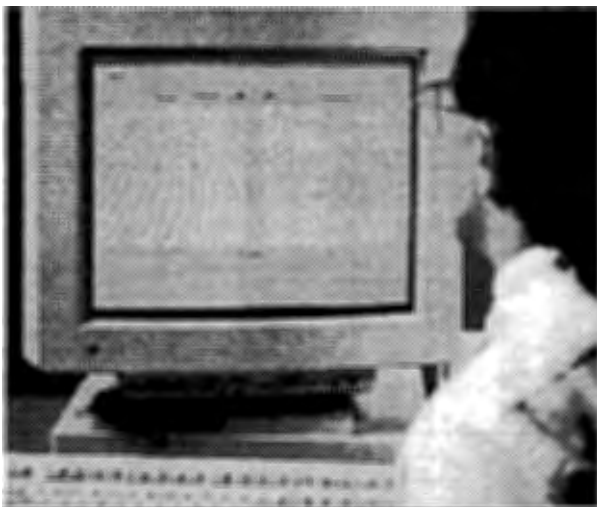
■ Process

- ◆ A data capture workstation will produce a 2D bar code that contains descriptor and charge data.
- ◆ After the 2D bar code is printed to a fingerprint card, a set of inked fingerprints is placed on the same fingerprint card.
- ◆ This completed fingerprint card is either scanned into a fingerprint capture workstation at another location or mailed to the SBI.

■ Benefits

- ◆ Eliminates redundant data entry.
- ◆ Builds to Fingerprint Capture Workstation.

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.

VISITOR REGISTRATION SHEET

Committee: _____ Date: _____

VISITORS: Please sign below and return to Committee Clerk.

NAME	FIRM OR STATE AGENCY AND ADDRESS
Neil Woodcock	CC+PS / LESS
Bruce Humphrey	OSTM
Frank Lewis	NCJA
Paula Stanford	NC Justice Academy
E. J. Boette	NCJA
Colleen Horton	JHP
Buddy Jackson	NCEM
Billy R. Cam	CC+PS

SENATE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Wednesday April 9, 1997 – 8:30a.m.
Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

II. PRESENTATIONS

- Review Department of Correction's Capital Budget Requests

Jim Mills, Fiscal Analyst
Department of Correction Staff

- Review Department of Justice's Capital Budget Requests

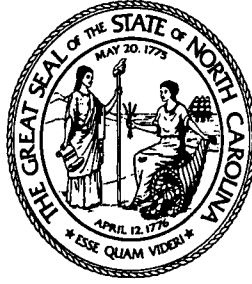
Jane Gray, Deputy Attorney General

- Review JPS Pilot Programs and Programs Funded with Non-Recurring Funds in FY 1996-97

Elisa Wolper, Fiscal Analyst

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT



MINUTES
SENATE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY
APRIL 9, 1997

The Senate Appropriations Subcommittee on Justice and Public Safety met at 8:30 AM on Wednesday, April 9, 1997 in Room 421 of the Legislative Office Building. Five members were present. Senator Wib Gulley, Chairman, presided.

Jim Mills, Fiscal Analyst, reviewed the Department of Corrections capital budget requests (see attached). The Subcommittee was told that the Department's priority list was the same as the handout, except item #5 is number 3 on their priority list and item #6 is number 4 on their list. Federal grants totaling \$22 million is coming to the state for the construction of the three close custody facilities.

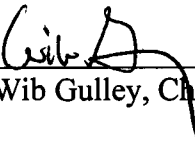
Mr. Mills pointed out to the Subcommittee that page nine of the handout shows the prison population compared to the number of beds for 1997. He stated that the chart does not take into account any of the bills that have been introduced during this session and there are eighteen Sentencing Commission bills. Also, most of the new beds are minimum security beds that may not be needed in a few years because of sentencing changes. Senator Gulley asked if it is less expensive to built new beds for more violent offenders or renovate the minimum security beds that may not be needed. Mr. Lynn Phillips with the Department of Corrections replied that conversions have been done in the past, but there are no facilities now that it would be feasible to convert.

Next, Mr. Jim Coman with the SBI explained the \$17.4 million requests for construction for a SBI operations building. He stated that 265 people would be housed at this facility as well as the SBI mainframe. Also, the Western Justice Academy wanted to build a driving range and fire arms range in Henderson County. A dormitory is needed for small law enforcement units to have a place to stay in order to make it financially feasible for them to come to use the facility.

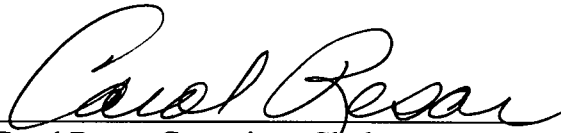
Next, Elisa Wolper, Fiscal Analyst, went over the Community Correction Pilot programs that were funded with non-recurring funds and that were not included in the continuation budget (see attached). Ms. Wolper told the Subcommittee that the first four programs

will disappear this year and #5 will end in 1998 if no action is taken. Senator Gulley told the Subcommittee that the Appropriations Chairs has not yet told him how much money is available for the expansion and capital budgets. Senator Gulley asked the Subcommittee, however, to give him a sense of how they feel about these five pilot programs. It was decided that all of them should be continued except the Guilford Alamance Pilot Project.

The meeting was adjourned at 10:00 AM.



Senator Wib Gulley, Chair



Carol Resar, Committee Clerk

DEPARTMENT OF CORRECTION – CAPITAL BUDGET

SENATE APPROPRIATIONS SUBCOMMITTEE ON

JUSTICE AND PUBLIC SAFETY

APRIL 9, 1997

defend themselves, to enforce the observance of discipline in compliance with confinement facility rules, to secure the person of a prisoner, and to prevent escape. Private firms under this subsection shall employ inmate disciplinary and grievance policies of the North Carolina Department of Correction."

Requested by: Representative Thompson, Senator Perdue
PRIVATE PRISON SITES

Sec. 20.19. The two 500-bed private confinement facilities awarded to United States Corrections Corporation pursuant to the provisions of G.S. 148-37(g) and State purchasing and contract procedures shall be located at the Pamlico and Avery/Mitchell sites. Construction shall begin by December 31, 1996, at both of these sites.

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:

<u>Facility</u>	<u>Location</u>	<u>Number of Beds</u>	<u>Custody</u>
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	208	-
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.

State Budget, 1997-99: Summary of Recommendations
Improvement
Culture - Continued

	<u>1997-98</u>	<u>1998-99</u>
Maritime Museum - Land Acquisition An appropriation of \$1.5 million is recommended for the purchase of a 3.6 acre natural site located on the Intracoastal Waterway in Beaufort (Carteret County). The museum will later develop the property as a natural and historic resource center to preserve and interpret the unique maritime heritage and coastal marine ecology of North Carolina. The total cost of the tract is \$3.2 million. Previously, \$1.5 million was allocated from the General Fund and \$200,000 from the Natural Heritage Trust Fund for this purpose.	\$ 1,500,000	\$ -
Total for Department of Agriculture	<u>\$ 11,600,000</u>	<u>\$ -</u>

Department of Commerce - State Ports Authority

State Port - Wilmington

Funds are recommended for the continued development of the State Port at Wilmington. Expenditures will be in accordance with priorities as established by the State Ports Authority.

\$ 2,500,000	\$ -
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State Port - Morehead City

Funds are recommended for the continued development of the State Port at Morehead City. Expenditures will be in accordance with priorities as established by the State Ports Authority.

<u>2,500,000</u>	-
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Total for Department of Commerce - State Ports

<u>\$ 5,000,000</u>	<u>\$ -</u>
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Department of Correction

GOVERNOR

Planning Funds for Single Cell Facility - Alexander County

It is recommended that funds be appropriated to continue advance planning for a 520 bed, close custody single cell prison in Alexander County. The 1996 General Assembly authorized the initial phase of design for this facility.

\$ 300,000	\$ -
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Total for Department of Correction

<u>\$ 300,000</u>	<u>\$ -</u>
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**STATUS REPORT
1996 Prison Projects
February 4, 1997**

TABLE "D"

PROJECT	CUSTODIAL LEVEL	NO. OF BEDS	TOTAL FUNDS	PROJECT STATUS	DATE
Warren Correctional Center - Phase III	Medium	168	\$14,093,915	Fee Proposal Received	1/21/97
NCCIW - Dorm and Food Service Bldg.	Medium	208	9,770,845	Fee Proposal Requested	11/27/96
Brown Creek Correctional Inst. - Close Custody Inst. METRO	Close	520	57,589,665	Executed Letter Agreement Received	1/21/97
Central Prison Diagnostic Center	Maximum	196	17,455,965	Executed Letter Agreement Received	1/24/97
Eastern Modular Dormitories	N/A	360	2,376,757	Working Drawing Submittal Due	3/15/97
Alexander Correctional Center - Close Custody Inst.	Close	520	57,589,665	Executed Letter Agreement Received	1/15/97
Scotland Correctional Center - Close Custody Inst.	Close	712	66,983,740	Executed Letter Agreement Received	1/15/97
Western Modular Dormitories	N/A	360	2,376,757	Design Contract Being Negotiated	
DOC Central Office Building	N/A	N/A	24,021,200	Fee Proposal Received	1/15/97

TOTALS: 1988 \$252,258,509

LEGEND:

PROJECT IN DESIGN

UNDER CONSTRUCTION

CONSTRUCTION COMPLETE

2324 P+D (247,414,995)
720 MODS

ALL UNITS IN DESIGN

✓ Plan and Design Funds in 96-97 -- \$2.35 MILLION

SUMMARY LIST OF CAPITAL BUDGET REQUESTS

Capital Priority Number	Project Description		1997 - 1998	1998-1999
1	Construct a 196 Diagnostic Center Central Prison	Requirements	18,189,300	
		Receipts (Source)	<u>0</u>	
		Appropriation	18,189,300	
2	Construct a 168 Cell Addition Warren Correctional Institution	Requirements	14,840,200	
		Receipts (Source)	<u>0</u>	
		Appropriation	14,840,200	
3	Construct a 520 Cell Close Custody Institution Metro Area	Requirements	9,097,000	51,549,900
		Receipts (Source)	<u>0</u>	<u>0</u>
		Appropriation	9,097,000	51,549,900
4	Construct a 712 Cell Close Custody Institution Scotland County	Requirements	10,580,600	59,956,900
		Receipts (Source)	<u>0</u>	<u>0</u>
		Appropriation	10,580,600	59,956,900
5	Construct a 208 Bed Dormitory and Food Service Bldg. NC Correctional Institution for Women	Requirements	10,181,300	
		Receipts (Source)	<u>0</u>	
		Appropriation	10,181,300	
6	Construct a 520 Cell Close Custody Institution Alexander County (Gov.)	Requirements	9,107,200	51,607,700
		Receipts (Source)	<u>0</u>	<u>0</u>
		Appropriation	9,107,200	51,607,700

F

7	Construct a DOC Consolidated Office Building Wake County	Requirements	7,108,700	40,282,900
		Receipts (Source)	<u>0</u>	<u>0</u>
		Appropriation	7,108,700	40,282,900
8	Purchase Auxiliary Services Warehouse Garner, NC	Requirements	2,201,600	
		Receipts (Source)	<u>0</u>	
		Appropriation	2,201,600	
9	Repairs and Renovations to the Shore Building Raleigh, NC	Requirements	419,200	
		Receipts (Source)	<u>0</u>	
		Appropriation	419,200	
10	Repairs and Renovations Construction and Major Maintenance Warehouse Raleigh, NC	Requirements	2,100,200	
		Receipts (Source)	<u>0</u>	
		Appropriation	2,100,200	
11	Purchase Property Adjacent to the Randall Building Raleigh, NC	Requirements	550,400	
		Receipts (Source)	<u>0</u>	
		Appropriation	550,400	
12	Construct Acute Care Ward Central Prison	Requirements	4,264,700	24,166,400
		Receipts (Source)	<u>0</u>	<u>0</u>
		Appropriation	4,264,700	24,166,400
13	Construct Fresh Vegetable Distribution System Dan River Work Farm, Caledonia Farm, Tyrrell Work Farm (Estimated Using Inmate Labor Forces)	Requirements	7,228,700	
		Receipts (Source)	<u>0</u>	
		Appropriation	7,228,700	
14	Construct Cannery Replacement Facility Caledonia Farm (Estimated Using Inmate Labor Forces)	Requirements	1,075,100	6,092,100
		Receipts (Source)	<u>0</u>	<u>0</u>
		Appropriation	1,075,100	6,092,100

67

15	Purchase and Upfit the Megastar Building to Replace the Janitorial Products Plant Warren Correctional Institution (Estimated Using Inmate Labor Forces)	Requirements	2,013,800	3,478,000
		Receipts (Source)	<u>0</u>	<u>0</u>
		Appropriation	2,013,800	3,478,000
16	Enlarge Food Service Buildings Greene CC, Columbus CC, Johnston CC	Requirements	1,008,700	
		Receipts (Source)	<u>0</u>	
		Appropriation	1,008,700	
17	Reserve for Roof Replacements Statewide	Requirements	1,000,000	
		Receipts (Source)	<u>0</u>	
		Appropriation	1,000,000	
18	Construct Bus Terminal Alamance County	Requirements	1,418,600	
		Receipts (Source)	<u>0</u>	
		Appropriation	1,418,600	
19	Repairs and Renovations to the Campus DART Cherry Goldsboro, NC	Requirements	3,272,000	
		Receipts (Source)	<u>0</u>	
		Appropriation	3,272,000	
20	Construct Acute Care Ward Eastern, NC	Requirements	2,152,300	12,196,100
		Receipts (Source)	<u>0</u>	<u>0</u>
		Appropriation	2,152,300	12,196,100
21	Construct Acute Care Ward Western, NC	Requirements	2,152,300	12,196,100
		Receipts (Source)	<u>0</u>	<u>0</u>
		Appropriation	2,152,300	12,196,100
22	Construct a Mental Health Activities Building Foothills Correctional Institution	Requirements	535,900	
		Receipts (Source)	<u>0</u>	
		Appropriation	535,900	

23	Construct Visitor Information Building NC Correctional Institution for Women	Requirements Receipts (Source) Appropriation	1,418,600 <u>0</u> 1,418,600
24	Replace Depleted Farm Buildings Caledonia Farm (Estimated Using Inmate Labor Forces)	Requirements Receipts Appropriation	1,262,300 <u>0</u> 1,262,300
25	Expand Facility Odom Farm (Estimated Using Inmate Labor Forces)	Requirements Receipts (Source) Appropriation	196,400 <u>0</u> 196,400
26	Purchase Equipment for Optical Lens Production Nash Correctional Institution	Requirements Receipts (Source) Appropriation	550,400 <u>0</u> 550,400
27	Construct Box Carton Plant Hyde Correctional Center	Requirements Receipts (Source) Appropriation	2,986,500 <u>0</u> 2,986,500
28	Construct Modular Workstation Plant Pasquotank Correctional Institution	Requirements Receipts (Source) Appropriation	2,320,800 <u>0</u> 2,320,800
29	Reserve for Asbestos Abatement Statewide	Requirements Receipts (Source) Appropriation	842,700 <u>0</u> 842,700
30	Install Dedicated Air System in Infirmary NC Institution for Women	Requirements Receipts (Source) Appropriation	367,000 <u>0</u> 367,000

31 Removal of Underground Storage Tanks
Statewide

Requirements	1,254,900
Receipts (Source)	<u>0</u>
Appropriation	1,254,900

32 Construct Administration Buildings
Six Locations

Requirements	7,344,900
Receipts (Source)	<u>0</u>
Appropriation	7,344,900

33 Construct Multi-Purpose Modular Units
Caswell CC, Lumberton CC, Pender CI

Requirements	919,500
Receipts (Source)	<u>0</u>
Appropriation	919,500

Total Requirements	129,961,800	261,526,100
Total Receipts	<u>0</u>	<u>0</u>
Total Appropriation	<u>129,961,800</u>	<u>261,526,100</u>

**PRISON POPULATION VERSUS EXPANDED DOC CAPACITY - NO NEW BEDS
USING "MOST LIKELY" PRISON POPULATION SCENARIO**

End of Fiscal Year	Prison Population Projections - Best*	DOC Prison Beds Expanded Capacity**	Beds Over/Under Population	Population Projections Sent. Comm Bills ***	Beds Over/Under Population****
6-30-97	32,849	31,661	(1,188)	0	(1,188)
6-30-98	31,762	34,133	+2,371	0	+2,371
6-30-99	30,371	35,599 (30,389)	+5,228	930	+4,298
6-30-2000	30,060	35,599	+5,539	1,307	+4,232
6-30-01	30,610	35,599	+4,989	1,711	+3,278
6-30-02	31,259	35,599	+4,340	2,044	+2,296
6-30-03	32,051	35,599	+3,548,	2,302	+1,246
6-30-04	32,847	35,599	+2,752	2,497	+255
6-30-05	33,741	35,599	+1,858	2,708	(-850)
6-30-06	34,630	35,599	+969	2,832	(-1863)

*The Sentencing and Policy Advisory Commission projects three possible scenarios for population projections - low; best; and high; the "best" is the middle ground or most likely scenario.

** Prison expanded capacity represents all prison beds available when currently funded prison construction is completed (also assumes approximately 130% of capacity as of February 19, 1997 as allowed by court consent decrees --100% is standard operating capacity which would be 30,389 on 6/30/99 while expanded capacity would be 35,599 on 6/30/99). The prison bed capacity numbers do not include out of state or jail contract beds or the 2,000 net new beds that would be established if all of the prison projects that received planning and design funds (\$2.3 million) in the 1996 session were fully funded. The planned, unfunded new beds would be primarily close custody for violent offenders.

*** The Sentencing Commission has recommended 18 bills for consideration by the General Assembly in the 1997 Session. The population numbers in this column reflect the cumulative impact on the prison population if all of these bills were ratified.

****Assumes all Sentencing Commission bills are ratified as proposed.

**PRISON POPULATION VERSUS EXPANDED DOC CAPACITY - NO NEW BEDS
USING "WORST CASE" PRISON POPULATION SCENARIO**

End of Fiscal Year	Prison Population Projections - High*	DOC Prison Beds Expanded Capacity**	Beds Over/Under Population	Population Projections Sent. Comm Bills ***	Beds Over/Under Population****
6-30-97	34,073	31,661	(2,412)	0	(2,412)
6-30-98	33,731	34,133	+402	0	+402
6-30-99	32,076	35,599	+3,523	930	+2,593
6-30-2000	31,361	35,599	+4,238	1,307	+2,931
6-30-01	31,636	35,599	+3,963	1,711	+2,252
6-30-02	32,090	35,599	+3,509	2,044	+1,465
6-30-03	32,752	35,599	+2,847	2,302	545
6-30-04	33,443	35,599	+2,156	2,497	(-341)
6-30-05	34,273	35,599	+1,326	2,708	(1,382)
6-30-06	35,125	35,599	470	2,832	(2,362)

* The Sentencing and Policy Advisory Commission projects three possible scenarios for population projections - low; best; and high; the "high" is the "worst case" scenario. (e.g. no parole and other factors).

** Prison expanded capacity represents all prison beds available when currently funded prison construction is completed (also assumes approximately 130% of prison capacity as of February 19, 1997 as allowed by court consent decrees (100% is standard operating capacity which would be 30,389 on 6/30/99 while expanded capacity would be 35,599 on 6/30/99). The prison bed capacity numbers do not include out of state or jail contract beds or the 2,000 net new beds that would be established if all of the prison projects that received planning and design funds (\$2.3 million) in the 1996 session were fully funded. The planned, unfunded beds would be primarily close custody for housing violent offenders.

*** The Sentencing Commission has recommended 18 bills for consideration by the General Assembly in 1997 Session. The population numbers in this column reflect the cumulative impact on the prison population if all of these bills were ratified.

**** Assumes all Sentencing Commission bills are ratified as proposed.

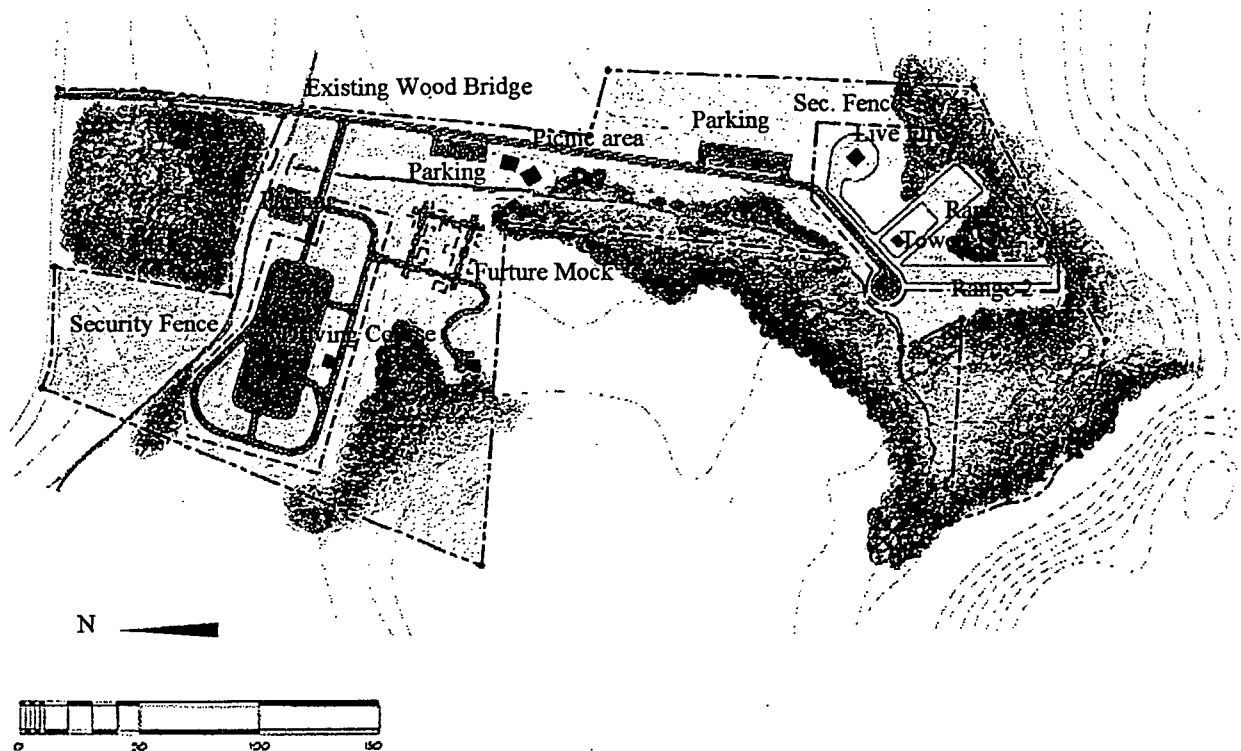
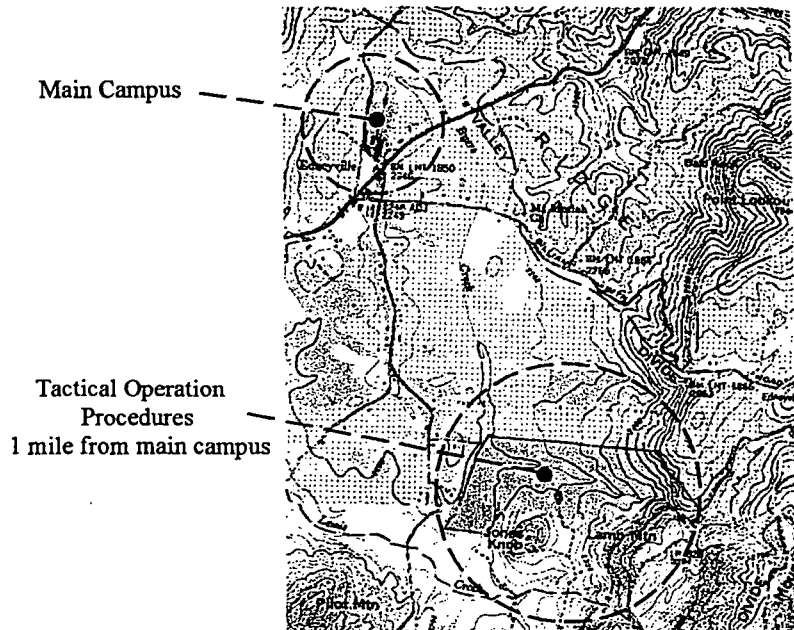
3/97 FRD

10

Tactical Operations Driving Range & Fire Arms

The Fire Arms and Driving Course will be located at a remote 100 acre site approximately one mile from the main campus in Edneyville.

The course itself will have two firing ranges and a live Fire house. Parking and picnic areas are also being provided. The multipurpose range includes a two-story tower. The driving course is located in a separate area of the site. The driving course and the firing range have individual perimeter security fences. The Mock Crime Scene has been masterplanned as a future phase.



Fire Arms and Driving Course

COMMUNITY CORRECTION PILOTS THAT EXPIRE THIS FISCAL YEAR

1) **IMPACT (Boot Camp) AFTERCARE**

The 1994 General Assembly appropriated \$452,619 to pilot an aftercare program for 180 offenders who have completed boot camp and return to their communities on probation. The pilots began this fiscal year in 4 sites; Wilmington, Forsyth, Mecklenburg and Nash/Edgecombe. The program contracts with TASC in DHR to provide case management and includes a community work project for the offender. Graduation from aftercare requires 12 months free of drug or alcohol use. National research on boot camps emphasizes that the programs have little effect in the absence of aftercare. If both boot camps are fully utilized, approximately 2,600 offenders should graduate each year. The Division projects that \$80,000 funds follow-up for 40 offenders in 1 county or judicial district, roughly \$2,000 per offender.

2) **DART AFTERCARE**

A community aftercare program for offenders leaving the DWI facility at DART-Cherry or leaving prison having participated in the in-unit DART program is operating this fiscal year. This year's \$375,000 in funding came from (1) an \$125,000 appropriation for a pilot program from the 1995 General Assembly and (2) \$250,000 from unused funds transferred from the Guilford Alamance Pilot. Funding is used to contract with providers in the communities where offenders will be living for 12 weeks of outpatient treatment. About 270 offenders will be served this year.

3) **GUILFORD ALAMANCE PILOT PROJECT**

The 1994 Special Session on Crime provided \$583,000 for a pilot program for treatment for 100 offenders, coordinated by the Departments of Human Resources and Corrections. Most of the funds were carried over to the current fiscal year. About \$183,000 will be spent 1996-7.

4) **WOMEN AT RISK PROGRAM**

This project works with women probationers in the Buncombe County area. It has been funded with \$115,000 in non-recurring funds each year since 1994-5. The program provides group therapy, individual case management and court advocacy to 60-100 women a year.

5) **DRUG TREATMENT COURT PILOT (AOC)**

The Drug Treatment Court Pilot operates in 5 Judicial Districts (Wake, Warren, Person/Caswell, Forsyth and Mecklenburg) and was established by the 1994-5 Legislature. \$800,000 was appropriated for the project in 1995-6 and 1996-7 and is included in the continuation budget for 1997-8. The Judicial Branch is to report on the effectiveness of the program by May 1, 1998. The funding and enabling statute expires June 30, 1998. State funds are used to pay a statewide director, local program directors and substance abuse treatment services. The current funding level is sufficient to provide treatment/supervision for about 450 offenders.

VISITOR REGISTRATION SHEET

JRS

April 9, 1995

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR STATE AGENCY AND ADDRESS

Frank Lewis

N.C. Justice Academy

Markie Stanford

11

Rex Hawley

NC DOT/SBI

Daniel C. Cypriani

SBI

Jim Coman

SBI

Bobby Humphrey

OSTM

Dennis A. Seesoms

DOC

Gregg Stoltz

DOC

Ed Boelter

NCJA

Garry Phillips

DOC

Joe Hamilton

DOC

Charles Cunn

OSPL

Jane Gray

DOJ

Spro of Hledge

State Court Office

Laura Hartwell

MCIC

SENATE APPROPRIATIONS SUBCOMMITTEE

ON

JUSTICE AND PUBLIC SAFETY

Monday, April 14, 1997 – 4:00p.m..

Room 415, Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairman: Senator Wib Gulley

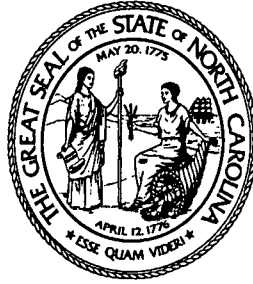
II. PRESENTATIONS

- Review *Draft* Continuation and Expansion Budget Report
Justice and Public Safety

Senator Wib Gulley
Fiscal Research Staff
Justice and Public Safety Agencies

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT



MINUTES
SENATE APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY
APRIL 14, 1997

The Senate Appropriations Subcommittee on Justice and Public Safety met at 4:00 PM on Monday, April 14, 1997 in Room 421 of the Legislative Office Building. Six members were present. Senator Wib Gulley, Chairman, presided.

Senator Gulley asked Charles Perusse, Fiscal Analyst, to review the continuation budget recommendations for the Judicial Department which are the first five items of the handout (see attached). Items 6 through 33 of the handout are the expansion budget requests.

Next, Andy Willis, Fiscal Analyst, went over the continuation budget recommendations for the Justice Department which begin on page five of the handout. Senator Rand asked if there was any money for the Safe Neighborhoods program. Mr. Willis said no there was not. He then asked if there was an evaluation of the program and Ms. Elisa Wolper, Fiscal Analyst, said no. Senator Rand then told the Subcommittee that the program was quite effective in his district and he requested that the money try to be found to continue it.

With regard to the NC LEAF program (item #42), Ms. Jane Gray with the Justice Department told the Subcommittee that it would be helpful if the required reporting could be eliminated. Senator Rand asked the staff to see if it would be possible for the NC Bar to do the reporting if money was given to them. Ms. Gray responded that would be very helpful.

Next, Jim Mills, Fiscal Analyst, went over the Department of Corrections continuation budget items which begin on page seven of the handout. After his review, a discussion followed regarding the modular units (item #59). Also, item #71, the GPAC units that are recommended to be closed were discussed. Mr. Gregg Stahl with the Department of Corrections told the Subcommittee that the Henderson and Haywood facilities are furthest west and it would be a hardship on the families of the inmates if they were relocated there to fill these two facilities. Also, it would be difficult to reassign the 58

employees at these two facilities in 120 days if these two facilities were closed on September 1, 1997 as stated in item #71.

Elisa Wolper then reviewed items 55, 57, 75 and 77 which are items from the Department of Corrections.

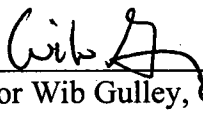
Senator Ballance moved to approve the items in the Judicial Department budget as presented. Motion carried. Then, Senator Ballance moved to approve the Justice Department budget items as presented and to look further at the NC LEAF and Safe Neighborhoods programs as discussed. Motion carried.

Next, Senator Ballance moved to approve the budget items for the Department of Corrections. Motion carried. As a separate motion, Senator Ballance moved to approve items 55 and 57 of the Department of Corrections continuation budget and items #75 and 77 of its expansion budget. Motion carried.

Next, Andy Willis went over the Department of Crime Control and Public Safety continuation budget items which begin on page 12. Senator Ballance moved to approve these items. Motion carried.

Next, the Subcommittee discussed the special provisions to the Justice and Public Safety budget (see attached). On page 39 of the handout, the fiscal staff told the Subcommittee that the improvements to NCCIW on page 39 of the handout, may not meet the federal criteria and this item may have to be removed. The Subcommittee agreed that would be all right. After the review, Senator Wellons moved to adopt all the provisions as presented. Motion carried.

The meeting was adjourned at 6:30 PM.



Senator Wib Gulley, Chair



Carol Resar, Committee Clerk

Judicial

Handout #1
3:10pm 4/14

DRAFT

GENERAL FUND

FY 97-98

FY 98-99

Recommended Continuation Budget

\$310,944,929

\$316,264,917

Legislative Changes

1 Salary Reserve Funds	(\$1,500,000)	R	(\$1,500,000)	R
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.				
2 Wayne Dispute Settlement Center Funds	(\$5,000)	R	(\$5,000)	R
Eliminate state funds for the Wayne Dispute Settlement Center since the Center discontinued operations on July 1, 1995.				
3 Indigent Defense Funds	(\$1,961,789)	R	(\$2,415,236)	R
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 March 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 \$4,111,744 in FY 1997-98 and \$6,335,144 in FY 1998-99 are more likely which allow for a reduction of \$1,961,789 and \$2,415,236 respectively.				
4 Mecklenburg Drug Court Program	(\$13,394)	R	(\$13,394)	R
Reduce the net State appropriation for this program by increasing receipts received from Mecklenburg County to reflect the 25% local match.				
5 Drug Treatment Court Pilot Program			(\$52,551)	R
Eliminate funding for the Program Administrator position in FY 1998-99 since the program sunsets on June 30, 1998.				
			-1.00	
6 Victim Witness Assistants	\$1,068,003	R	\$1,386,296	R
Provide funds for 41 additional Victim Witness Assistant positions in District Attorneys Offices due to current workload and workload anticipated due to implementing the Victim Rights Constitutional Amendment.				
	\$210,757	NR		
	41.00		41.00	
7 Equipment Replacement	\$354,236	R	\$354,236	R
Statewide funding to replace worn and outdated office equipment, computer equipment, and other related areas.				
	\$4,129,674	NR		

Senate Subcommittee on Justice and Public Safety

8 Drug Court Program	\$299,792	R	\$399,720	
Funds to implement an additional Drug Court Program in order to expedite felony drug cases. These funds will be used to hire one permanent deputy clerk and legal assistant position along with contractual funds for assistant district attorneys, assistant public defenders, judges, and court reporters. Funding will be matched by 25% local funds.	2.00		2.00	
9 Access to Civil Justice	\$1,000,000	NR		
Provide additional funds to the North Carolina Bar for representation of indigent defendants in civil cases.				
10 Center for Death Penalty Litigation	\$250,000	NR		
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.				
11 Guardian Ad Litem Attorney and Training Manual	\$60,615	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 10/1/97. This item was recommended by the Guardian Ad Litem Study Commission.	\$10,087	NR		
	1.00		1.00	
12 Software Upgrades	\$330,000	R	\$330,000	
Provide funds to purchase database conversion software and to upgrade existing software for systems statewide.	\$225,000	NR		
13 Replace Telephone Systems	\$36,000	R	\$36,000	R
Funds to replace 12 worn and outdated telephone systems in FY 1997-98.	\$360,000	NR		
14 Reserve for Technology	\$993,487	R	\$1,819,689	R
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), and new technology support personnel. (Special provision requires task force study and report prior to expenditure of funds).	\$4,077,020	NR		
	22.00		22.00	
15 Data Center Upgrades	\$125,000	R	\$125,000	R
Funds for additional frame relay lines which allow data to be transmitted more efficiently between the central criminal information system and offices statewide.				
16 LAN Connectivity Funds	\$50,000	NR		
Provide funds to connect existing local area networks in Mecklenberg County to allow for sharing of information between court officials.				

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17 Laptop Computers	\$24,000	R	\$24,000	R
Provide funds in FY 1997-98 to purchase 40 laptop computers for superior and district court judges.	\$240,000	NR		
18 Assistant District Attorneys	\$1,969,200	R	\$2,623,920	R
Provide funding for 40 additional Assistant District Attorney positions effective 10/1/97.	\$39,600	NR		
	40.00		40.00	
19 District Attorney Support Staff	\$1,326,930	R	\$1,753,345	R
Provide funding for 55 additional legal assistant positions in District Attorneys Offices effective 10/1/97.	\$311,245	NR		
	55.00		55.00	
20 Magistrate Positions	\$124,840	R	\$165,010	R
Provide funds for 5 additional magistrate positions to be located in the following counties -- Edgecombe, Wayne, Wilson, Franklin, and Durham. All positions are effective 10/1/97.	\$26,135	NR		
	5.00		5.00	
21 Clerks of Superior Court	\$380,700	R	\$507,060	R
Provide funding for 20 additional deputy clerk positions effective 10/1/97.	\$22,100	NR		
	20.00		20.00	
22 Superior Court Judges	\$320,049	R	\$414,516	R
Provide funds for 3 additional Superior Court Judges to be located in Districts 8B, 2, and 15B. All positions are effective 10/1/97.	\$31,788	NR		
	3.00		3.00	
23 District Court Judges	\$501,258	R	\$647,010	R
Provide funds for 6 additional District Court Judges to be located in Districts 15B, 11, 10, 22, 3B and 14. All positions are effective 10/1/97.	\$55,350	NR		
	6.00		6.00	
24 Court Reporters in Superior Court	\$331,160	R	\$441,240	R
Provide funds to reestablish 8 vacant positions eliminated in 1995 and to establish 2 new positions to meet court reporting needs in superior court. All positions are effective 10/1/97.	\$6,180	NR		
	10.00		10.00	
25 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.	\$46,672	NR		
	10.00		10.00	
26 Transfer Indigent Defense Funds for Assistant PD's	\$0	R	\$0	R
Allows the Department to transfer up to \$401,464 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 10/1/97.	8.00		8.00	

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27 Juvenile Court Counselors	\$1,800,950	R	\$2,399,100	R
Provide funds for additional intake, probation / aftercare, and intensive juvenile court counselors to assist in getting caseloads to a more manageable level.	\$65,750	NR		
	50.00		50.00	
28 Additional Supply Funds	\$100,000	R	\$100,000	R
Provide additional funds for general office supplies which would be distributed statewide based on need.				
29 Mecklenburg Drug Court - Make Positions Permanent	\$31,308	R	\$31,308	R
Funds to make the 4 contractual assistant district attorneys and 2 public defenders working with the Mecklenburg Drug Court permanent.	6.00		6.00	
30 Community Penalties	\$500,000	R	\$500,000	R
Provide funds to expand the Community Penalties Program to the 4 remaining districts. This extends the program statewide.				
31 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	NR		
	2.00		2.00	
32 Custody Mediation Program	\$250,000	R	\$250,000	R
Provide funds to expand the custody mediation program to 8 additional district court districts. The program would be operational in 25 of 39 districts.				
33 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.				
Total Legislative Changes	\$7,873,351	R	\$10,957,938	R
	\$11,168,068	NR		
Position Changes	281.00		280.00	
Revised Budget	\$329,986,348		\$327,222,855	

Justice

GENERAL FUND

	FY 97-98	FY 98-99
Recommended Continuation Budget	\$61,166,247	\$63,233,877

Legislative Changes

34 SBI - Vehicle Replacement	(\$317,500)	R	(\$78,000)	R
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.				
35 Criminal Justice Information Network	\$2,000,000	NR		
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.				
36 SBI Pay Equity - One Time Adjustment	\$808,645	R	\$808,645	R
Fund \$808,645 for each year of the biennium to provide a salary adjustment for sworn law enforcement positions within the State Bureau of Investigation.				
37 Consumer Protection Attorney	\$51,637	R	\$68,850	R
Fund an Attorney III position to handle antitrust cases in the Citizen Rights Division, effective 10/1/97.	\$6,000	NR		
	1.00		1.00	
38 Capital Litigation Unit	\$190,718	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	NR		
	3.00		3.00	
39 Legal Services --Information Systems	\$297,239	NR		
Provide funds to complete the Department's transition to a local area network (LAN).				
40 Training and Standards Attorney	\$58,116	R	\$58,116	R
Fund an Attorney II position to represent the Department of Correction on correctional officer certification issues before the Training and Standards Commission. Position is currently funded by DOC on contract to Justice.				
	1.00		1.00	
41 General Administration Positions	\$63,567	R	\$84,756	R
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.	\$9,240	NR		
	2.00		2.00	

Senate Subcommittee on Justice and Public Safety

42 NC LEAF Funds

Provide funding to the NC Legal Education Assistance Foundation to assist with loan repayment for public service attorneys.

\$75,000 NR

43 SBI-DCI Technology Improvements and Staff

Provide funds to establish five new positions, effective October 1, 1997, within the Division of Criminal Information of the State Bureau of Investigation. Positions funded will include one computer consultant, two fingerprint technicians, and two processing assistants. Provide ~~\$75,000~~ ^{\$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.

\$129,786 R

\$173,048 R

\$158,000 NR
5.00

5.00

44 SBI Field Agents

Provide funds to hire eight new field agents for the State Bureau of Investigation. Recurring funds in the first year are based 10/1/97 hiring date.

\$291,402 R

\$388,536 R

\$138,712 NR
8.00

8.00

45 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.

\$31,300 R

\$31,300 R

\$134,025 NR
1.00

1.00

Total Legislative Changes

\$1,307,671 R

\$1,799,540

\$2,833,276 NR

Position Changes

21.00

21.00

Revised Budget

\$65,307,194

\$65,033,418

Correction

GENERAL FUND

FY 97-98

FY 98-99

Recommended Continuation Budget

\$889,010,472

\$925,266,138

Legislative Changes

46 Out of State Housing of Inmates

(\$16,557,256) R

(\$20,819,756) R

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.

47 County Jail Contracts

(\$5,818,800) R

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 the Subcommittee 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.

48 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

49 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. Both prisons are now scheduled for completion in October, 1998.

(\$9,500,000) NR

50 Reduction in Inmate Food Budget

(\$5,000,000) R

(\$5,000,000) R

The Governor recommended a \$5,000,000 reduction in the inmate food budget due to system efficiencies that have lowered the cost per meal.

Senate Subcommittee on Justice and Public Safety

51 Reserve for Repeal of Prison Cap

(\$500,000) R (\$500,000)

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.

52 Adjust Operating Budget for Probation and Parole

(\$3,500,000) R (\$3,500,000) R

The operating budget (travel, telephones etc) was adjusted to a more realistic level of need.

53 Title VII Program

(\$150,000) R (\$150,000) R

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.

-2.00

-2.00

54 Further Reduction in Inmate Food Cost

(\$1,655,896) R (\$3,675,559) R

The Subcommittee further reduced 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.

55 Reduce Staff at Parole Commission

(\$116,522) R (\$116,522) R

Eliminate vacant positions at the Post-Release Supervision and Parole Commission due to declining numbers of inmates eligible for parole.

-4.00

-4.00

56 Reserve -- Repeal Prison Cap -- Further Reduction

(\$79,568) R (\$79,568) R

The Subcommittee identified additional funds that should have been deleted from the Prison Cap reserve. Total reduction will be \$579,568.

57 Reduce Reserves for Structured Sentencing

(\$572,755) R (\$658,963) R

Reduction in amount in reserves for new probation parole staff due to structured sentencing. The cost is reduced because a decline in the projected total supervised population and in the intensive population will necessitate fewer intensive teams being hired. The cost is also lowered to reflect a phase-in of intermediate punishment officers. Caseload averages for intermediate punishment officers will fall to 65:1 in 1998-9.

-14.00

0.00

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58 Title VII Program -- Further Reduction	(\$276,797)	R	(\$276,797)	R
The Governor reduced this program by \$150,000, including two positions. The Subcommittee reviewed the program and took a reduction of 7 additional positions since 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	
59 Modular Housing -- Reduce Reserve	(\$543,132)	NR		
One-time reduction in reserve in 1997-98 due to delays in purchasing and siting modular housing units.				
60 Operating Cost for Inmate Work Crews	(\$70,000)	NR		
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 cost can be taken.				
61 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	
62 Private Prisons -- Substance Abuse Reserve	\$0	R	\$0	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 \$1.2 million of the \$2.7 million in 1997-98 funding (approximately 70 of 150 beds) be diverted to offender aftercare programs (primarily substance abuse aftercare) that were funded in 1996-97 on a pilot basis only (See Special Provision).				
63 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	
64 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 (thus pushing back staff hiring dates).	(\$548,779) -30.00	NR	-30.00	
65 Span of Control Study -- Department wide	(\$1,059,349)	R	(\$1,059,992)	R
Eliminate 18 positions department-wide. These positions were identified as part of the Span Of Control Study.	-18.00		-18.00	

Senate Subcommittee on Justice and Public Safety

66 Polk Youth Institution	(\$1,320,181)	R	(\$1,320,181)	R
Reduce inmate operating costs for new prison (food, clothing, medical).				
67 Private Prisons Reserve -- Further Reduction	(\$1,646,952)	NR	(\$641,824)	NR
The Governor reduced this reserve by (\$2,900,000) due to delays in signing private prison contracts which changed construction completion dates. The Subcommittee took an additional one-time reduction 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.				
68 Reimbursement for Housing Aliens	(\$670,000)	R	(\$670,000)	R
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.				
69 Salary Reserve	(\$628,000)	R	(\$628,000)	R
Reduce salary reserve (funds generated by filling positions at salaries lower than budgeted).				
70 Health Services Budget	(\$2,357,972)	R	(\$3,088,686)	R
Based on revised projections of the average daily prison population, the Correction Health Services budget can be reduced.				
71 Close GPAC Prison Units	(\$3,302,599)	R	(\$3,964,705)	R
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. Of the remaining 14 units, three units are too costly to operate -- Davie (\$89.40 per day in 1995-96 compared to statewide average of \$62 for medium security units); Haywood (\$61.53 per day compared to statewide average of \$47.87 for minimum security units); and, Henderson (\$70.45 compared to statewide average of \$47.87). Closings would be effective September 1, 1997.				
	-117.00		-117.00	
72 Guilford Diagnostic Center	(\$112,510)	R	(\$133,275)	R
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 additional diagnostic center is recommended for closing.				
	-5.00		-5.00	
73 Title VII Program -- Reserve Fund	(\$5,500,000)	NR		
The General Assembly authorized a \$5.5 million dollar reserve for payment to claimants as part of the settlement of the Title VII lawsuit. It now appears that it will be at least 1998-99 before all claims are received so the amount needed to pay claims cannot be determined at this time.				
74 Salary Reserve -- Further Reduction	(\$872,000)	R	(\$872,000)	R
This additional reduction would still leave Correction with approximately 25% of their salary reserve.				

Senate Subcommittee on Justice and Public Safety

75 Additional Supervision for Sex Offenders

Additional Probation/Parole Staff (17 officers, 2 Chief Officers and 2 Clerks) to supervise sex offenders at a caseload average of 60:1. All positions effective October 1, 1997.

\$672,699 R \$896,932 R

21.00 21.00

76 Additional Road Squads

Funding to add additional medium security inmate road squads at prisons recently completed or opening in 1997-98. 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)

\$625,351 R \$781,689 R

\$400,000 NR
27.00 27.00

77 ECO, Inc. Aftercare Program

Funds to establish a residential program in Mecklenburg County for women leaving prison.

\$100,000 NR

78 Reserve for Enhanced Criminal Penalties

Establishment of a reserve for funding additional prison beds in 1998-99 due to enhanced criminal penalties as proposed by the Sentencing Commission. Given several factors -- increased prison beds needed due to these enhanced penalties; fluctuations in prison population projections; and, the need to maintain prison capacity at a reasonable level (at or below 130% of capacity) -- it was determined a reserve was necessary.

\$500,000 NR

Total Legislative Changes

(\$40,416,327) R (\$53,937,155) R

(\$21,497,496) NR (\$141,824) NR

Position Changes

-170.00 -156.00

Revised Budget

\$827,096,649 \$871,187,159

Crime Control and Public Safety

GENERAL FUND

	FY 97-98		FY 98-99	
Recommended Continuation Budget	\$33,548,678		\$33,530,244	
Legislative Changes				
79 Administration -- Span of Control	(\$68,510)	R	(\$68,510)	R
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.				
80 Emergency Management -- Span of Control	(\$17,202)	R	(\$17,202)	R
Reduce funding of Hazardous Materials Response Teams to local governments by \$17,202 to amount actually needed (\$382,798 remains in continuation budget).				
81 Victim & Justice Services -- Span of Control	(\$46,604)	R	(\$46,604)	R
Eliminate 1 supervisory position based on recommendations of the Span of Control Study.				
	-1.00		-1.00	
82 Governor's Crime Commission -- Span of Control	(\$43,797)	R	(\$43,797)	R
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).				
83 Crime Prevention -- Span of Control	(\$96,419)	R	(\$96,419)	R
Eliminate 2 Community Development Specialists positions as recommended by the Span of Control Study.				
	-2.00		-2.00	
84 Drug Enforcement - State Agency Match	(\$70,398)	R	(\$70,398)	R
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.)				
85 Additional Community Service Coordinators	\$118,999	R	\$158,665	R
Fund 5 additional community service work program coordinators to be allocated to the districts with the highest caseload averages. All positions are effective 10/1/97.				
	\$15,830	NR		
	5.00		5.00	

Senate Subcommittee on Justice and Public Safety

86 CJIN Hardware/Software *plus Mobile units*

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. (All funds for this portion of the Criminal Justice Information Network project are provided by the Highway Fund.)

\$0	R	\$0	R
\$0	NR	\$0	NR

87 Emergency Management Personnel

Provides funding for four new positions within the Division of Emergency Management. These four positions include two Planner I positions, a Budget/Finance Officer position, and a Disaster Recovery Manager. Positions are effective October 1, 1997.

\$120,086	R	\$160,118	R
\$36,000	NR		
4.00		4.00	

Total Legislative Changes

(\$103,845)	R	(\$24,147)	R
\$51,830	NR	\$0	NR

Position Changes

6.00	6.00
------	------

Revised Budget

\$33,496,663	\$33,506,097
--------------	--------------

SUMMARY OF SENATE JUSTICE& PUBLIC SAFETY ACTIONS AS OF APRIL 14,

	1997-8	1998-9
REDUCTIONS		
CORRECTION	-\$41,714,377 R -\$21,997,496 NR	-\$55,615,776 -\$641,824
JUDICIAL	-\$3,480,183 R NR	-\$3,986,181
JUSTICE	-\$317,500 R NR	-\$78,000
CRIME CONTROL	-\$342,930 R NR	-\$342,930
TOTAL	-\$45,854,990 R -\$21,997,496 NR	-\$60,022,887 -\$641,824

EXPANSION

CORRECTION	\$1,298,050 R \$500,000 NR	\$1,678,621 \$500,000
JUDICIAL	\$11,353,534 R \$11,168,068 NR	\$14,944,119
JUSTICE	\$1,625,171 R \$2,833,276 NR	\$1,877,541
CRIME CONTROL	\$239,085 R \$51,830 NR	\$318,783

TOTAL	\$14,515,840 R \$14,553,174 NR	\$18,819,064 \$500,000
GRAND TOTAL	-\$31,339,150 R -\$7,444,322 NR	-\$41,203,823 -\$141,824

Gov. Budget -98-99
~~97-98~~
 30,326M # 34,809M

NET CHANGE BY DEPARTMENT

CORRECTION	-\$40,416,327 R	-\$53,937,155
	-\$21,497,496 NR	-\$141,824
JUDICIAL	\$7,873,351 R	\$10,957,938
	\$11,168,068 NR	\$0
JUSTICE	\$1,307,671 R	\$1,799,541
	\$2,833,276 NR	\$0
CCPS	-\$103,845 R	-\$24,147
	\$51,830 NR	\$0

SENATE JUSTICE AND PUBLIC SAFETY
APPROPRIATIONS SUBCOMMITTEE

DRAFT JUSTICE AND PUBLIC SAFETY
CONTINUATION AND EXPANSION PROVISIONS

APRIL 14, 1997

1

2 CODE NO. 97AOC-S002-P

3

4 Requested by: Senator Gulley

5

6 TRANSFER OF EQUIPMENT AND SUPPLY FUNDS

1 Section @. Funds appropriated to the Judicial
2 Department in the 1997-99 biennium for equipment and supplies
3 shall be certified in a reserve account. The Administrative
4 Office of the Courts shall have the authority to transfer these
5 funds to the appropriate programs and between programs as the
6 equipment priorities and supply consumptions occur during the
7 operating year. These funds may not be expended for any other
8 purpose. The Administrative Office of the Courts shall make
9 quarterly reports on transfers made pursuant to this section to
10 the Joint Legislative Commission on Governmental Operations and
11 the Chairs of the Senate and House Appropriations Subcommittees
12 on Justice and Public Safety.

2
CODE NO. 97AOC-S003A

Requested by: Senator Gulley

N.C. STATE BAR FUNDS

1 Section @. (a) Of the funds appropriated in the
2 continuation budget as a grant-in-aid to the North Carolina State
3 Bar for the 1997-99 fiscal biennium, the North Carolina State Bar
4 may in its discretion use up to the sum of two hundred fifty
5 thousand dollars (\$250,000) for the 1997-98 fiscal year and up to
6 the sum of two hundred fifty thousand dollars (\$250,000) for the
7 1998-99 fiscal year to contract with the Center for Death Penalty
8 Litigation to provide training, consultation, brief banking, and
9 other assistance to attorneys representing indigent capital
10 defendants.

11 (b) Of the non-recurring funds appropriated in the
12 expansion budget as a grant-in-aid to the North Carolina State
13 Bar for the 1997-98 fiscal year, the North Carolina State Bar may
14 in its discretion use up to the sum of two hundred fifty thousand
15 dollars (\$250,000) to contract with the Center for Death Penalty
16 Litigation to provide training, consultation, brief banking, and
17 other assistance to attorneys representing indigent capital
18 defendants.

1 CODE NO. 97AOC-S004-P

2

3 Requested by: Senator Gulley

4

5 INDIGENT PERSONS' ATTORNEY FEE FUND

1 Section @. (a) Effective July 1, 1997, the
2 Administrative Office of the Courts shall each year of the 1997-
3 99 biennium reserve funds for adult, juvenile, and guardian ad
4 litem cases from the Indigent Persons' Attorney Fee Fund. These
5 funds shall be allotted to each judicial district in which the
6 superior and district courts are coterminous, and otherwise by
7 county, according to the caseload of indigent persons who were
8 not represented by the public defender in the districts or
9 counties during 1996-97 and 1997-98, respectively. The remaining
10 available funds in the Indigent Persons' Attorney Fee Fund shall
11 be budgeted for capital cases and for transcripts, professional
12 examinations, expert witness fees, and other supporting services.

13 The Administrative Office of the Courts shall notify all
14 senior resident superior court judges, all chief district court
15 judges, and the clerk of superior court within the district or
16 county immediately after the allotment is made and shall provide
17 a monthly report on the status of the allotment for the district
18 or county.

19 The senior resident superior court judge and the chief
20 district court judge of each district or county shall ask all
21 judges holding court within the district or county: (i) to take
22 into consideration the amount of money allotted at the beginning
23 of the fiscal year and the amount of money remaining in the
24 allotment when they award counsel fees to attorneys of indigent
25 persons, and (ii) to make an effort to award fees equally and
26 justly for legal services provided. The clerk of superior court
27 for each county shall ensure that all judges holding court within
28 the county receive this request from the senior resident superior
29 court judge and the chief district court judge.

30 (b) If the funds allotted pursuant to subsection (a) of
31 this section are depleted in a district or county prior to the
32 end of the fiscal year, the Administrative Office of the Courts
33 shall allot any available funds from the reserve fund specified
34 in subsection (a) or from unanticipated receipts. However, if
35 necessary and appropriate due to unusual and unanticipated
36 circumstances occurring in the current year, the Administrative
37 Office of the Courts may allocate available funds to a district
38 or county in a manner calculated to result in the reasonably fair
39 distribution of remaining funds.

1 (c) If funds allocated in subsections (a) and (b)
2 this section are depleted in a district or county prior to
3 end of the fiscal year, the Administrative Office of the Courts
4 shall allot available funds from the Public Defender program.

5 (d) If the funds allotted pursuant to subsections (a),
6-(b), and (c) of this section are depleted in a district or county
7 prior to the end of the fiscal year, the Administrative Office of
8 the Courts is authorized to transfer funds between districts or
9 counties only if the Administrative Office of the Courts
10 determines that the funds transferred will not be needed to meet
11 the obligations incurred by the Indigent Persons' Attorney Fee
12 Fund for the county or district from which the funds are
13 transferred for the fiscal year.

14

CODE NO. 97AOC-S001B-P

Requested by:

REPORT ON DISPUTE SETTLEMENT CENTERS

- 1 Section @. (a) All local dispute settlement centers
2 currently receiving State funds shall report annually to the
3 Judicial Department on the program's funding and activities,
4 including:
- 5 (1) Types of dispute settlement services provided;
 - 6 (2) Clients receiving each type of dispute settlement
7 service;
 - 8 (3) Number and type of referrals received, cases
9 actually mediated, cases resolved in mediation, and
10 total clients served in the cases mediated;
 - 11 (4) Total program funding and funding sources;
 - 12 (5) Itemization of the use of funds, including
13 operating expenses and personnel;
 - 14 (6) Itemization of the use of State funds appropriated
15 to the center;
 - 16 (7) Level of volunteer activity; and
 - 17 (8) Identification of future service demands and budget
18 requirements.
- 19 The Judicial Department shall compile and summarize the
20 information provided pursuant to this subsection and shall
21 provide the information to the Chairs of the House and Senate
22 Appropriations Committees and the Chairs of the House and Senate
23 Appropriations Subcommittees on Justice and Public Safety by
24 February 1 of each year.
- 25 (b) A local dispute settlement center requesting State
26 funds for the first time shall provide the General Assembly with
27 the information enumerated in subsection (a) of this section, or
28 projections where historical data is not available, as well as a
29 detailed statement justifying the need for State funding.
- 30 (c) Each local dispute settlement center receiving
31 State funds for the first time shall document in the information
32 provided pursuant to G.S. 7A-346.1 that, after the second year of
33 receiving State funds, at least ten percent (10%) of total
34 funding comes from non-State sources.
- 35 (d) Each local dispute settlement center receiving
36 State funds for the third, fourth, or fifth year shall document
37 that at least twenty percent (20%) of total funding comes from
38 non-State sources.

1 (e) Each local dispute settlement center receiving
2 State funds for six or more years shall document that at least
3 fifty percent (50%) of total funding comes from non-State
4 sources.

5 (f) Each local dispute settlement center currently
6 receiving State funds that has achieved a funding level from non-
7 State sources greater than that provided for that center by
8 subsection (c), (d), or (e) of this section shall make a good
9 faith effort to maintain that level of funding.

10 (g) The percentage that State funds comprise of the
11 total funding of each dispute settlement center shall be
12 determined at the conclusion of each fiscal year with the
13 information provided pursuant to G.S. 7A-346.1 and is intended as
14 a funding ratio and not a matching funds requirement. Local
15 dispute settlement centers may include the market value of
16 donated office space, utilities, and professional legal and
17 accounting services in determining total funding.

18 (h) A local dispute settlement center having difficulty
19 meeting the funding ratio provided for that center by subsection
20 (c), (d), or (e) of this section may request a waiver or special
21 consideration through the Administrative Office of the Courts for
22 consideration by the Senate and House Appropriations
23 Subcommittees on Justice and Public Safety.

24 (i) The provisions of G.S. 143-31.4 do not apply to
25 local dispute settlement centers receiving State funds.

1 CODE NO. 97AOC-S005-P

2

3 Requested by: Senator Gulley

4

5 COMMUNITY PENALTIES PROGRAM

1 Section @. (a) Of the funds appropriated from the
2 General Fund to the Judicial Department for the 1997-99 biennium
3 to conduct the Community Penalties program, the sum of three
4 million nine hundred five thousand three hundred eighty-two
5 dollars (\$3,905,382) for the 1997-98 fiscal year and the sum of
6 three million nine hundred five thousand three hundred eighty-two
7 dollars (\$3,905,382) for the 1998-99 fiscal year may be allocated
8 by the Judicial Department in each year of the biennium in any
9 amount among existing community penalties programs, including any
10 State-operated programs, or may be used to establish new State-
11 operated community penalties programs.

12 (b) The Judicial Department shall report annually to
13 the Senate and House Appropriations Subcommittees on Justice and
14 Public Safety and to the Fiscal Research Division on the
15 administrative expenditures of the community penalties programs.
16 The Judicial Department shall report quarterly to the Joint
17 Legislative Commission on Governmental Operations on any
18 elimination or reduction of funding for community penalties
19 programs funded in the 1996-97 fiscal year or any program
20 receiving initial funding during the 1997-99 biennium.

21

8

1 CODE NO. 97AOC-S006-P
2
3 Requested by: Senator Gulley
4
5 DRUG TREATMENT COURT FUNDS
6 Section @. (a) Funds appropriated to the Judicial
7 Department for the 1997-98 fiscal year for the North Carolina
8 Drug Treatment Court Program shall be used primarily for
9 substance abuse treatment and related program needs, but the sum
10 of fifty-two thousand five hundred fifty-one dollars (\$52,551)
11 may be used to fund one program administrator position.
12 (b) Of the funds appropriated to the Judicial
13 Department in the 1996-97 fiscal year for the North Carolina Drug
14 Treatment Court Program, the sum of one hundred thousand dollars
15 (\$100,000) shall not revert at the end of the fiscal year, but
shall remain in the Department during the 1997-98 fiscal year to
be used for nonrecurring program items.
(c) Subsection (b) of this section becomes effective
June 30, 1997.

CODE NO. 97AOC-S022

Requested by: Senator Gulley

MAKE SENTENCING COMMISSION PERMANENT

1 Section @. (a) Section 8 of Chapter 1076 of the 1989
2 Session Laws, as amended by Chapters 812 and 816 of the 1991
3 Session Laws, Chapters 253, 321, and 591 of the 1993 Session
4 Laws, and Chapter 236 of the 1995 Session Laws, reads as
5 rewritten:

6 "Sec. 8. This act is effective ~~upon ratification, and shall~~
7 ~~expire July 1, 1997.~~ ratification."

8 (b) G.S. 164-38 reads as rewritten:

9 "§ 164-38. Terms of members; compensation; expenses.

10 The terms of existing members shall expire on June 30, ~~1995,~~
11 1997, unless they resign or are removed. New members shall be
12 appointed or the existing members reappointed by the appointing
13 authorities to serve ~~until July 1, 1997,~~ terms of two years,
14 unless they resign or are removed. Members serving by virtue of
15 elective or appointive office or as designees of such
16 officeholders may serve only so long as the officeholders hold
17 those respective offices. Members appointed by the Speaker of the
18 House and the President Pro Tempore of the Senate may be removed
19 by the appointing authority without cause. Vacancies occurring
20 before the expiration of a term shall be filled in the manner
21 provided for the members first appointed. A member of the
22 Commission may be removed only for disability, neglect of duty,
23 incompetence, or malfeasance in office. Before removal, the
24 member is entitled to a hearing. Effective with respect to
25 members designated on or after July 1, 1992, a person making a
26 designation pursuant to G.S. 164-37 may not make another
27 designation, except that the person's successor in elective or
28 appointive office may make a new designation.

29 The Commission members shall receive no salary for serving. All
30 Commission members shall receive necessary subsistence and travel
31 expenses in accordance with the provisions of G.S. 120-3.1, 138-
32 5, and 138-6 as applicable."

33 (c) G.S. 164-36 reads as rewritten:

34 "§ 164-36. Powers and duties.

35 Sentences established for violations of the State's criminal
36 laws should be based on the established purposes of our criminal
37 justice and corrections systems. The Commission shall evaluate
38 sentencing laws and policies in relationship to both the stated
39 purposes of the criminal justice and corrections systems and the

10

1 availability of sentencing options. The Commission shall make
2 recommendations to the General Assembly for the modification
3 sentencing laws and policies, and for the addition, deletion, or
4 expansion of sentencing options as necessary to achieve policy
5 goals. The Commission shall make a report of its
6 recommendations, including any recommended legislation, to the
7 General Assembly annually."

11
1 CODE NO. 97AOC-S009

2

3 Requested by: Senator Gulley

4

5 **VICTIM WITNESS ASSISTANTS**

1 Section @. The victim witness assistants funded in this
2 act are intended to address the current workload and to support
3 the implementation of the Victims' Rights Amendment to the North
4 Carolina Constitution. These positions shall be allocated on the
5 basis of workload and population. The Judicial Department shall
6 report to the Joint Legislative Commission on Governmental
7 Operations on the allocation of these positions by November 1,
8 1997.

12

1 CODE NO. 97AOC-S010

2

3 Requested by: Senator Gulley

4

5 **COMPUTER TRAINING**

1 Section @. Prior to the allocation of laptop computers
2 funded in this act for superior court and district court judges,
3 each judge requesting a laptop computer shall complete a training
4 course provided by the Administrative Office of the Courts in the
5 use of a laptop computer and the appropriate software.

CODE NO. 97AOC-S011

Requested by: Senator Gulley

CRIMINAL CASE MANAGEMENT FUNDS

1 Section @. (a) The criminal case docket management
 2 programs funded in this act shall be distributed in a manner that
 3 ensures representation in all areas of the State.
 4 (b) The Administrative Office of the Courts shall report
 5 by April 1, 1998 to the Chairs of the Senate and House
 6 Appropriations Committees and the Chairs of the Senate and House
 7 Appropriations Subcommittees on Justice and Public Safety on the
 8 criminal case management programs established in ten judicial
 9 districts. The report shall assess the success of these ten
 10 programs in reducing the backlog of court cases and resolving new
 11 court cases more quickly, and shall include recommendations for
 12 the location of additional criminal case management programs in
 13 the 1998-99 fiscal year.

Requested by: Senator Gulley

RESERVE FOR TECHNOLOGY

1 Section @. The Administrative Office of the Courts
2 shall establish a task force consisting of representatives of
3 clerks of superior court, district attorneys, superior and
4 district court judges, and magistrates to formulate a plan for
5 the most efficient and effective use of funds appropriated to the
6 Reserve for Technology. The plan shall address those items
7 requested in the Administrative Office of the Courts' expansion
8 budget, including:

- 9 (1) Automated forms in courtrooms, clerks' offices, and
10 district attorneys' offices;
- 11 (2) District attorney and public defender case
12 management systems;
- 13 (3) New personal computers for district attorneys,
14 public defenders, and clerks of court;
- 15 (4) Technology support personnel; and
- 16 (5) Magistrate criminal information system.

17 If the task force determines that the funding amounts for the
18 projects should be adjusted or that other projects not enumerated
19 above should receive funding from the Reserve for Technology, it
20 shall make those recommendations to the Administrative Office of
21 the Courts.

22 Prior to the expenditure of funds appropriated to the Reserve
23 for Technology, the Administrative Office of the Courts shall
24 report the findings of the task force by November 1, 1997 to the
25 Joint Legislative Commission on Governmental Operations, the
26 Chairs of the Senate and House Appropriations Committees, and the
27 Chairs of the Senate and House Appropriations Subcommittees on
28 Justice and Public Safety.

CODE NO. 97AOC-S013

15

Requested by: Senator Gulley

DRUG COURT STUDY

1 Section @. Prior to the expenditure of funds
2 appropriated in this act for an additional drug court program,
3 the Administrative Office of the Courts shall study the
4 feasibility of establishing that court as a regional drug court
5 that could serve several districts on a rotating basis. If the
6 Administrative Office of the courts determines that such an
7 arrangment is not feasible, the funds shall be allocated to a
8 district experiencing a backlog of drug cases.
9 The Administrative Office of the Courts shall report its
10 findings to the Joint Legislative Commission on Governmental
11 Operations by September 1, 1997.

16

1 CODE NO. 97AOC-S015

2

3 Requested by: Senator Gulley

4

5 ADDITIONAL DISTRICT COURT JUDGES

1 Section @. G.S. 7A-133(a) reads as rewritten:

2 "(a) Each district court district shall have the numbers of
3 judges as set forth in the following table:

4

5
6 DistrictJudges

County

7

8	1	4	Camden
9			Chowan
10			Currituck
11			Dare
12			Gates
13			Pasquotank
14			Perquimans
15	2	3	Martin
16			Beaufort
17			Tyrrell
18			Hyde
19			Washington
20	3A	3	Pitt
21	3B	4 5	Craven
22			Pamlico
23			Carteret
24	4	6	Sampson
25			Duplin
26			Jones
27			Onslow
28	5	6	New Hanover
29			Pender
30	6A	2	Halifax
31	6B	3	Northampton
32			Bertie
33			Hertford
34	7	6	Nash
35			Edgecombe
36			Wilson
37	8	5	Wayne
38			Greene
39			Lenoir

1	9	4	Granville
2			(part of Vance
3			see subsection (b))
4			Franklin
5	9A	2	Person
6			Caswell
7	9B	1	Warren
8			(part of Vance
9			see subsection (b))
10	10	12 <u>13</u>	Wake
11	11	6 <u>7</u>	Harnett
12			Johnston
13			Lee
14	12	6	Cumberland
15	13	4	Bladen
16			Brunswick
17			Columbus
18	14	5 <u>6</u>	Durham
19	15A	3	Alamance
20	15B	3 <u>4</u>	Orange
21			Chatham
22	16A	2	Scotland
23			Hoke
24	16B	5	Robeson
25	17A	2	Rockingham
26	17B	3	Stokes
27			Surry
28	18	10	Guilford
29	19A	3	Cabarrus
30	19B	5	Montgomery
31			Moore
32			Randolph
33	19C	3	Rowan
34	20	6	Stanly
35			Union
36			Anson
37			Richmond
38	21	7	Forsyth
39	22	7 <u>8</u>	Alexander
40			Davidson
41			Davie
42			Iredell
43	23	3	Alleghany
44			Ashe

18

1			Wilkes
2			Yadkin
3	24	3	Avery
4			Madison
5			Mitchell
6			Watauga
7			Yancey
8	25	7	Burke
9			Caldwell
10			Catawba
11	26	14	Mecklenburg
12	27A	5	Gaston
13	27B	4	Cleveland
14			Lincoln
15	28	5	Buncombe
16	29	5	Henderson
17			McDowell
18			Polk
19			Rutherford
20			Transylvania
21	30	4	Cherokee
22			Clay 2
23			Graham 3
24			Haywood
25			Jackson
26			Macon
27			Swain."

1 CODE NO. 97AOC-S014

2

3 Requested by: Senator Gulley

4

5 ADDITIONAL SUPERIOR COURT JUDGES

1 Section @. G.S. 7A-41(a) reads as rewritten:

2 "(a) The counties of the State are organized into judicial
3 divisions and superior court districts, and each superior court
4 district has the counties, and the number of regular resident
5 superior court judges set forth in the following table, and for
6 districts of less than a whole county, as set out in subsection
7 (b) of this section:

8		Superior		
9	Judicial	Court		No. of Resident
10	Division	District	Counties	Judges
11				
12	First	1	Camden, Chowan,	2
13			Currituck,	
14			Dare, Gates,	
15			Pasquotank,	
16			Perquimans	
17		2	Beaufort, Hyde,	1 2
18			Martin,	
19			Tyrrell, Washington	
20		3A	Pitt	2
21		3B	Carteret, Craven,	2
22			Pamlico	
23		4A	Duplin, Jones,	1
24			Sampson	
25		4B	Onslow	1
26		5	New Hanover,	3
27			Pender	
28		6A	Halifax	1
29		6B	Bertie, Hertford,	1
30			Northampton	
31		7A	Nash	1
32		7B	(part of Wilson,	1
33			part of Edgecombe,	
34			see subsection (b))	
35		7C	(part of Wilson,	1
36			part of Edgecombe,	
37			see subsection (b))	
38		8A	Lenoir and Greene	1
39		8B	Wayne	1 2
40	Second	9	Franklin, Granville,	2
41			Vance, Warren	
42		9A	Person, Caswell	1
43		10A	(part of Wake,	2
44			see subsection (b))	
45		10B	(part of Wake,	2

1		see subsection (b))	
2	10C	(part of Wake,	1
3		see subsection (b))	
4	10D	(part of Wake,	1
5		see subsection (b))	
6	11A	Harnett,	1
7		Lee	
8	11B	Johnston	1
9	12A	(part of Cumberland,	1
10		see subsection (b))	
11	12B	(part of Cumberland,	1
12		see subsection (b))	
13	12C	(part of Cumberland,	2
14		see subsection (b))	
15	13	Bladen, Brunswick,	2
16		Columbus	
17	14A	(part of Durham,	1
18		see subsection (b))	
19	14B	(part of Durham,	3
20		see subsection (b))	
21	15A	Alamance	2
22	15B	Orange, Chatham	1 2
23	16A	Scotland, Hoke	1
24	16B	Robeson	2
25	Third 17A	Rockingham	2
26	17B	Stokes, Surry	2
27	18A	(part of Guilford,	1
28		see subsection (b))	
29	18B	(part of Guilford,	1
30		see subsection (b))	
31	18C	(part of Guilford,	1
32		see subsection (b))	
33	18D	(part of Guilford,	1
34		see subsection (b))	
35	18E	(part of Guilford,	1
36		see subsection (b))	
37	19A	Cabarrus	1
38	19B	Montgomery, Moore,	2
39		Randolph	
40	19C	Rowan	1
41	20A	Anson,	1
42		Richmond	
43	20B	Stanly, Union	2
44	21A	(part of Forsyth,	1
45		see subsection (b))	
46	21B	(part of Forsyth,	1
47		see subsection (b))	
48	21C	(part of Forsyth,	1
49		see subsection (b))	
50	21D	(part of Forsyth,	1
51		see subsection (b))	
52	22	Alexander, Davidson,	2
53		Davie, Iredell	

1	23	Alleghany, Ashe,	1
2		Wilkes, Yadkin	
3 Fourth	24	Avery, Madison,	1
4		Mitchell,	
5		Watauga, Yancey	
6	25A	Burke, Caldwell	2
7	25B	Catawba	2
8	26A	(part of Mecklenburg,	2
9		see subsection (b))	
10	26B	(part of Mecklenburg,	2
11		see subsection (b))	
12	26C	(part of Mecklenburg,	2
13		see subsection (b))	
14	27A	Gaston	2
15	27B	Cleveland, Lincoln	2
16	28	Buncombe	2
17	29	Henderson,	2
18		McDowell, Polk,	
19		Rutherford,	
20		Transylvania	
21	30A	Cherokee, Clay,	1
22		Graham, Macon,	
23		Swain	
24	30B	Haywood, Jackson	1"

1 CODE NO. 97AOC-S017

2

3 Requested by: Senator Gulley

4

5 AUTHORIZE ADDITIONAL MAGISTRATES

1 Section @. G.S. 7A-133(c) reads as rewritten:

2 "(c) Each county shall have the numbers of magistrates and
3 additional seats of district court, as set forth in the following
4 table:

	County	Magistrates Min.-Max.	Additional Seats of Court
10	Camden	1 2	
11	Chowan	2 3	
12	Currituck	1 3	
13	Dare	3 8	
14	Gates	2 3	
15	Pasquotank	3 5	
16	Perquimans	2 3	
17	Martin	5 8	
18	Beaufort	4 8	
19	Tyrrell	1 3	
20	Hyde	2 4	
21	Washington	3 4	
22	Pitt	10 12	Farmville
23			Ayden
24	Craven	7 10	Havelock
25	Pamlico	2 3	
26	Carteret	5 8	
27	Sampson	6 8	
28	Duplin	9 11	
29	Jones	2 3	
30	Onslow	8 14	
31	New Hanover	6 11	
32	Pender	4 6	
33	Halifax	9 14	Roanoke
34			Rapids,
35			Scotland Neck
36	Northampton	5 7	
37	Bertie	4 6	
38	Hertford	5 6	
39	Nash	7 10	Rocky Mount
40	Edgecombe	4 6 7	Rocky Mount
41	Wilson	4 6 7	
42	Wayne	5 11 12	Mount Olive
43	Greene	2 4	
44	Lenoir	4 10	La Grange
45	Granville	3 7	
46	Vance	3 6	

1	Warren	3	4	
2	Franklin	3	6 7	
3	Person	3	4	
4	Caswell	2	5	
5	Wake	12	20	Apex,
6				Wendell,
7				Fuquay-
8				Varina,
9				Wake Forest
10	Harnett	7	11	Dunn
11	Johnston	10	12	Benson,
12				Clayton,
13				Selma
14	Lee	4	6	
15	Cumberland	10	17	
16	Bladen	4	6	
17	Brunswick	4	7	
18	Columbus	6	8	Tabor City
19	Durham	8	12 13	
20	Alamance	7	10	Burlington
21	Orange	4	11	Chapel Hill
22	Chatham	3	8	Siler City
23	Scotland	3	5	
24	Hoke	4	5	
25	Robeson	8	16	Fairmont,
26				Maxton,
27				Pembroke,
28				Red Springs,
29				Rowland,
30				St. Pauls
31	Rockingham	4	9	Reidsville,
32				Eden,
33				Madison
34	Stokes	2	5	
35	Surry	5	9	Mt. Airy
36	Guilford	20	26	High Point
37	Cabarrus	5	9	Kannapolis
38	Montgomery	2	4	
39	Randolph	5	10	Liberty
40	Rowan	5	10	
41	Stanly	5	6	
42	Union	4	6	
43	Anson	4	5	
44	Richmond	5	6	Hamlet
45	Moore	5	8	Southern
46				Pines
47	Forsyth	3	15	Kernersville
48	Alexander	2	3	
49	Davidson	7	10	Thomasville
50	Davie	2	3	
51	Iredell	4	9	Mooresville
52	Alleghany	1	2	
53	Ashe	3	4	

24

1	Wilkes	4	6
2	Yadkin	3	5
3	Avery	3	4
4	Madison	4	5
5	Mitchell	3	4
6	Watauga	4	6
7	Yancey	2	4
8	Burke	4	7
9	Caldwell	4	7
10	Catawba	6	10
11	Mecklenburg	15	26
12	Gaston	11	20
13	Cleveland	5	8
14	Lincoln	4	7
15	Buncombe	6	15
16	Henderson	4	7
17	McDowell	3	5
18	Polk	3	4
19	Rutherford	6	8
20	Transylvania	2	4
21	Cherokee	3	4
22	Clay	1	2
23	Graham	2	3
24	Haywood	5	7
25	Jackson	3	4
26	Macon	3	4
27	Swain	2	3."

Hickory

Canton

1 CODE NO. 97AOC-S020

2

3 Requested by: Senator Gulley

4

5 ASSISTANT PUBLIC DEFENDERS

1 Section @. From funds appropriated to the Indigent
2 Persons' Attorney Fee Fund for the 1997-99 biennium, the
3 Administrative Office of the Courts may use up to four hundred
4 one thousand four hundred sixty-four dollars (\$401,464) in the
5 1997-98 fiscal year, and up to five hundred twenty-four thousand
6 three hundred eighty-four dollars (\$524,384) in the 1998-99
7 fiscal year for salaries, benefits, and related expenses to
8 establish up to eight new assistant public defenders.

9

CODE NO. 97AOC-S019

Requested by: Senator Perdue

JUVENILE RECORDS FOR RECIDIVISM

1 Section @. (a) Article 54 of Chapter 7A of the General
2 Statutes is amended by adding a new section to read:

3 "§ 7A-675.1. Records to determine recidivism rates.

4 (a) The Administrative Office of the Courts shall maintain a
5 record of every juvenile who is adjudicated delinquent for an
6 offense that would be a Class A, B1, B2, C, D, or E felony if
7 committed by an adult for the purpose of computing statistics on
8 the number of juveniles adjudicated delinquent for those offenses
9 who subsequently are adjudicated delinquent or convicted. The
10 record shall include the dispositional order and any subsequent
11 orders of the court for each adjudication.

12 (b) The Chief Court Counselor of each judicial district shall
13 forward the information and records required by this section to
14 the Administrative Office of the Courts as soon as practicable
15 but at least within thirty days of the adjudication.

16 (c) The record required pursuant to this section shall be
17 withheld from public inspection and may be examined only by order
18 of the court."

19 (b) The Administrative Office of the Courts shall use funds
20 available to the Office to implement this section.

Requested by:

REIMBURSE COUNTIES FOR HOUSING AND EXTRAORDINARY MEDICAL COSTS
FOR INMATES, PAROLEES, AND POST-RELEASE SUPERVISEES AWAITING
TRANSFER TO STATE PRISON SYSTEM

1 Sec. ②. (a) G.S. 148-29 reads as rewritten:

2 "§ 148-29. Transportation of convicts to prison; reimbursement
3 to counties; sheriff's expense affidavit.

4 (a) The sheriff having in charge any prisoner to be taken to
5 the State prison system shall send the prisoner to the custody of
6 the Department of Correction within five days after sentencing
7 and the disposal of all pending charges against the prisoner, if
8 no appeal has been taken. Beginning on the sixth day after
9 sentencing and disposal of all pending charges against the
10 prisoner and continuing through the day the prisoner is received
11 by the Division of Prisons, the Department of Correction shall
12 pay the ~~county~~ a county:

13 (1) A standard sum set by the General Assembly in its
14 appropriations acts for the cost of providing food,
15 clothing, personal items, supervision, and
16 necessary ordinary medical services to the prisoner
17 awaiting transfer to the State prison ~~system~~
18 system; and

19 (2) Extraordinary medical costs, as defined in G.S.
20 148-32.1(a), incurred by prisoners awaiting
21 transfer to the State prison system.

22 (b) The sheriff having in charge any parolee or post-release
23 supervisee to be taken to the State prison system shall send the
24 prisoner to the custody of the Department of Correction within
25 five days after preliminary hearing held under G.S. 15A-1368.6(b)
26 or G.S. 15A-1376(b). Beginning on the sixth day after the
27 hearing and continuing through the day the prisoner is received
28 by the Division of Prisons, the Department of Correction shall
29 pay the county:

30 (1) A standard sum set by the General Assembly in its
31 appropriations acts for the cost of providing food,
32 clothing, personal items, supervision, and
33 necessary ordinary medical services to the parolee
34 or post-release superviseer awaiting transfer to
35 the State prison system; and

36 (2) Extraordinary medical costs, as defined in G.S.
37 148-32.1(a), incurred by parolees or post-release

28

1 supervisees awaiting transfer to the State prison
2 system.

3 (c) The sheriff shall file with the board of commissioners of
4 his county a copy of his affidavit as to necessary guard,
5 together with a copy of his itemized account of expenses, both
6 certified to by him as true copies of those on file in his
7 office."

8 (b) Of the funds appropriated to the Department of
9 Correction for the 1997-99 biennium, the Department may use up to
10 the sum of six million five hundred thousand dollars (\$6,500,000) ✓
11 for the 1997-98 fiscal year and up to the sum of four million
12 dollars (\$4,000,000) for the 1998-99 fiscal year to pay the sum ✓
13 of forty dollars (\$40.00) per day as reimbursement to counties
14 for the cost of housing convicted inmates and parolees and post-
15 release supervisees awaiting transfer to the State prison system,
16 as provided in G.S. 148-29. The Department shall report
17 quarterly to the Joint Legislative Commission on Governmental
18 Operations and the Joint Legislative Correction Oversight
19 Committee on the expenditure of funds to reimburse counties for
20 prisoners awaiting transfer and on its progress in reducing the
21 jail backlog.

1
2 CODE NO. 97CORR-S003-P
3

4 Requested by: Senator Gulley
5

6 INMATE HOUSING FUNDS

1 Section @. The Department of Correction may use funds
2 appropriated to the Department for the 1997-98 fiscal year to
3 contract for prison beds to house inmates in out-of-state prisons
4 or in local jails. The Department shall report quarterly to the
5 Joint Legislative Commission on Governmental Operations, the
6 Joint Legislative Corrections Oversight Committee, the Chairs of
7 the Senate and House Appropriations Subcommittees on Justice and
8 Public Safety on these contracts. The report shall include the
9 amount expended monthly for each contract, the source of funding
10 used to pay for the contracts, the status of each contract, and
11 the projected dates for returning the inmates housed out-of-state
12 or in local jails to the State prison system. \$6m

13 Prior to the expenditure of more than ✓
14 to fund contracts for out-of-state and local jail beds, the
15 Department of Correction and the Office of State Budget and
16 Management shall report to the Joint Legislative Commission on
17 Governmental Operations on the necessity of that expenditure.

18

1 CODE NO. 97CORR-S004-P

2

3 Requested by: Senator Gulley

4

5 EXEMPTION FROM LICENSURE AND CERTIFICATE OF NEED

1 Section @. (a) Inpatient chemical dependency or
2 substance abuse facilities that provide services exclusively to
3 inmates of the Department of Correction shall be exempt from
4 licensure by the Department of Human Resources under Chapter 122C
5 of the General Statutes. If an inpatient chemical dependency or
6 substance abuse facility provides services both to inmates of the
7 Department of Correction and to members of the general public,
8 the portion of the facility that serves inmates shall be exempt
9 from licensure.

10 (b) Any person who contracts to provide inpatient
11 chemical dependency or substance abuse services to inmates of the
12 Department of Correction may construct and operate a new chemical
13 dependency or substance abuse facility for that purpose without
14 first obtaining a certificate of need from the Department of
15 Human Resources pursuant to Article 9 of Chapter 131E of the
16 General Statutes. However, a new facility or addition developed
17 for that purpose without a certificate of need shall not
18 licensed pursuant to Chapter 122C of the General Statutes and
19 shall not admit anyone other than inmates unless the owner or
20 operator first obtains a certificate of need.

21 (c) This section applies to existing facilities, as
22 well as future facilities contracting with the Department of
23 Correction.

31

1 CODE NO. 97CORR-S005-P

2

3 Requested by: Senator Gulley

4

5 LIMIT USE OF OPERATIONAL FUNDS

1 Section @. Funds appropriated in this act to the
2 Department of Correction for operational costs for additional
3 facilities shall be used for personnel and operating expenses set
4 forth in the budget approved by the General Assembly in this act.
5 These funds may not be expended for any other purpose, except as
6 provided for in this act, and may not be expended for additional
7 prison personnel positions until the new facilities are within 90
8 days of projected completion, except for certain management,
9 security, and support positions necessary to prepare the facility
10 for opening, as authorized in the budget approved by the General
11 Assembly.

12

1 CODE NO. 97CORR-S006-P

2

3 Requested by: Senator Gulley

4

5 USE OF FACILITIES CLOSED UNDER GPAC

1 Section @. In conjunction with the closing of small
2 expensive prison units recommended for consolidation by the
3 Government Performance Audit Committee, the Department of
4 Correction shall consult with the county or municipality in which
5 the unit is located or any private for-profit or nonprofit firm
6 about the possibility of converting that unit to other use.
7 Consistent with existing law, the Department may provide for the
8 lease of any of these units to counties, municipalities, or
9 private firms wishing to convert them to other use. The
10 Department of Correction may also consider converting some of the
11 units recommended for closing from medium security to minimum
12 security, where that conversion would be cost-effective.

13 The Department of Correction shall report quarterly to
14 the Joint Legislative Corrections Oversight Committee on the
15 conversion of these units to other use.

16

1 CODE NO. 97CORR-S007-P

2

3 Requested by: Senator Gulley

4

5 FEDERAL GRANT REPORTING

1 Section @. The Department of Correction, the Department
2 of Justice, the Department of Crime Control and Public Safety,
3 and the Judicial Department shall report by December 1 and May 1
4 of each year to the Joint Legislative Commission on Governmental
5 Operations, the Chairs of the Senate and House Appropriations
6 Committees, and the Chairs of the Senate and House Appropriations
7 Subcommittees on Justice and Public Safety on federal grant funds
8 received or pre-approved for receipt by those departments. The
9 report shall include information on the amount of grant funds
10 received or preapproved for receipt by each department, the use
11 of the funds, and the State match expended to receive the funds.
12

1 CODE NO. 97CORR-S008-P
 2
 3 Requested by: Senator Gulley
 4
 5 HARRIET'S HOUSE FUNDS/FUNDS SHALL NOT REVERT
 6 Section @. (a) Funds appropriated in this act to the
 7 Department of Correction to support the programs of Harriet's
 8 House may be used for program operating costs, the purchase of
 9 equipment, and the rental of real property. Harriet's House
 10 shall report by December 1 and May 1 of each year to the Joint
 11 Legislative Commission on Governmental Operations on the
 12 expenditure of State appropriations and on the effectiveness of
 13 the program including information on the number of clients served
 14 and the number of clients who successfully complete the Harriet's
 15 House program.
 16 (b) The balance of the two hundred thousand dollars
 17 (\$200,000) appropriated in Chapter 507 of the 1995 Session Laws
 18 to the Department of Correction for the 1996-97 fiscal year to
 19 support the programs at Harriet's House shall not revert at the
 20 end of the fiscal year but shall remain available to the
 Department during the 1997-98 fiscal year to be used for program
 operating costs, the purchase of equipment, and the rental
 real property.
 (c) This section becomes effective June 30, 1997.

Requested by: Senator Gulley

REPORT ON SUMMIT HOUSE

- 1 Section @. (a) Summit House shall report by December 1
2 and May 1 of each year to the Joint Legislative Commission on
3 Governmental Operations on the (i) expenditure of State
4 appropriations and on the effectiveness of the program, including
5 information on the number of clients served, the number of
6 clients who have their probation revoked, and the number of
7 clients who successfully complete the program while housed at
8 Summit House; and (ii) the expansion of its program into
9 Mecklenburg and Wake Counties.
- 10 (b) Summit House shall report by December 1, 1998 to
11 the Joint Legislative Commission on Governmental Operations on
12 (i) possible expansion of the programs in Mecklenburg and
13 Guilford Counties; (ii) on possible expansion to other areas of
14 the State; and (iii) the status of the Wake County program. This
15 report shall include the estimated size of the population to be
16 served, estimated costs and anticipated obstacles to
17 establishment of a residential program.
- 18 (c) The balance of the one million one hundred three
19 thousand seven hundred fifty-eight dollars (\$1,103,758)
20 appropriated in Chapter 507 of the 1995 Session Laws and Chapter
21 18 of the Session Laws of the 1996 Second Extra Session to the
22 Department of Correction for the 1996-97 fiscal year for support
23 and expansion of the programs at Summit House in Greensboro and
24 Mecklenburg and Wake Counties shall not revert at the end of the
25 fiscal year but shall remain in the Department during the 1997-98
26 fiscal year for that purpose.
- 27 (d) This section becomes effective June 30, 1997.

1 CODE NO. 97CORR-S010-P

2

3 Requested by: Senator Gulley

4

5 MODIFICATION OF FUNDING FORMULA FOR THE NORTH CAROLINA STATE-
6 COUNTY CRIMINAL JUSTICE PARTNERSHIP ACT

1 Section @. Notwithstanding the funding formula set
2 forth in G.S. 143B-273.15, grants made through the North Carolina
3 State-County Criminal Justice Partnership Act for the 1997-98
4 fiscal year shall be distributed to the counties as specified in
5 G.S. 143B-273.15(2) only, and not as discretionary funds. The
6 Department may also use funds from the State-County Criminal
7 Justice Partnership Account in order to maintain the counties'
8 allocations of nine million six hundred thousand dollars
9 (\$9,600,000) as provided in previous fiscal years.
10 Appropriations not claimed or expended by the counties during the
11 1997-99 biennium shall be distributed as specified in G.S. 143B-
12 273.15(1).

13

1 CODE NO. 97CORR-S011-P

2

3 Requested by: Senator Gulley

4

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

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

13

1 CODE NO. 97CORR-S017

2

3 Requested by: Senator Gulley

4

5 **FEDERAL MATCHING FUNDS**

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

1 CODE NO. 97CORR-S018

2

3 Requested by: Senator Gulley

4

5 USE OF FEDERAL PRISON CONSTRUCTION GRANT FUNDS

1 Section @. The Department of Correction shall use any
2 grant funds received through the federal government for prison
3 construction for the further planning and design and construction
4 of the following facilities, provided that the project meets the
5 criteria of the grant program:

6

7 <u>Facility</u>	8 <u>Location</u>	9 <u>Number of Beds</u>	10 <u>Custody</u>
11 Central Prison	Wake	196	Close
12 Diagnostic Center			
13 Warren Correctional	Warren	168	Med/Close
14 Institution			
15 Metro Facility	Charlotte	520	Close
16	Area		
17 Improvements to	Wake	208	Med/Close
18 NCCIW			
19 Scotland Facility	Scotland	712	Close
20 Alexander Facility	Alexander	520	Close

40

1 CODE NO. 97CORR-S013

2

3 Requested by: Senator Gulley

4

5 **SUBSTANCE ABUSE FUNDS**

1 Section @. (a) Of the funds appropriated in the
2 continuation budget to the Department of Correction for the 1997-
3 99 biennium for private prison substance abuse beds, the
4 Department shall allocate for the 1997-98 fiscal year up to the
5 sum of one million two hundred thousand dollars (\$1,200,000) to a
6 Reserve for Substance Abuse and Impact Program Aftercare for
7 community corrections programs that emphasize offender aftercare,
8 with emphasis on substance abuse aftercare programs. These
9 programs shall include the aftercare program for the DART/DWI
10 program at Cherry Hospital, the IMPACT aftercare program, and
11 other aftercare programs for parolees, probationers, and post-
12 release supervisees. The Department shall allocate at least the
13 sum of five hundred thousand dollars (\$500,000) to the DART/DWI
14 aftercare program and at least the sum of sixty thousand dollars
15 (\$60,000) for an evaluation of the Department's substance abuse
16 programs. The evaluation study shall review and update findings
17 from the study of Department of Correction substance abuse
18 programs funded by the General Assembly in Section 19.1
19 Chapter 507 of the 1995 Session Laws, expand the study to include
20 aftercare programs funded in this section, and develop proposed
21 performance measures for the Department's substance abuse
22 programs.

23 (b) Prior to the expenditure of more than the sum of six
24 hundred thousand dollars (\$600,000) of the funds allocated to the
25 Reserve for Substance Abuse and Impact Program Aftercare, the
26 Secretary of Correction shall report to the Joint Legislative
27 Corrections Oversight Committee, the Chairs of the Senate and
28 House Appropriations Committees, and the Chairs of the Senate and
29 House Appropriations Subcommittees on Justice and Public Safety
30 by November 1, 1997 on the allocation of funding to date for
31 community corrections programs, the justification for those
32 allocations, and the proposed allocation of the remaining funds
33 in the Reserve. The Secretary shall also report to the Joint
34 Legislative Corrections Oversight Committee, the Chairs of the
35 Senate and House Appropriations Committees, and the Chairs of the
36 Senate and House Appropriations Subcommittees on Justice and
37 Public Safety by March 15, 1998 on the cost and benefits of those
38 programs funded and the results of the substance abuse evaluation

41

1 study. Both of these reports shall also address the Department's
2 progress in contracting for additional private treatment beds.

CODE NO. 97CORR-S020

Requested by: Senator Gulley

REPORT ON DART/DWI PROGRAM AT CHERRY HOSPITAL

1 Section @. The Department of Correction shall report by
2 December 1, 1997 and by May 1, 1998 to the Joint Legislative
3 Corrections Oversight Committee, the Chairs of the Senate and
4 House Appropriations Committees, and the Chairs of the
5 Appropriations Subcommittees on Justice and Public Safety on the
6 residential DWI/Substance abuse treatment program for
7 probationers and parolees at the DART facility at Cherry
8 Hospital. The report shall include monthly statistical summaries
9 of population versus capacity and comparisons of the percentage
10 of offenders entering the program versus those completing the
11 program, for both probationers and parolees. The report shall
12 also include a budget report showing expenditures by purpose. If
13 the program is not operating at capacity by the end of each
14 reporting period, the Department of Correction shall explain the
15 reasons for underutilization and its proposed strategies for
16 addressing the problem of underutilization. Any new initiative
17 that would revise or expand the treatment model at the facility
18 along with the accompanying costs, shall also be included in each
19 report.

4/3

1 CODE NO. 97ATTY-S001-P

2

3 Requested by: Senator Gulley

4

5 DEPARTMENT OF JUSTICE SALARY FUNDS

1 Section @. Of the funds appropriated in this act to the
2 Department of Justice, the sum of ninety-three thousand four
3 hundred fifty-three dollars (\$93,453) for the 1997-98 fiscal year
4 and the sum of ninety-three thousand four hundred fifty-three
5 dollars (\$93,453) for the 1998-99 fiscal year may be used for
6 one-time salary adjustments for attorneys who are eligible for
7 the adjustments based upon outstanding job performance for the
8 preceding year.

9

44

1 CODE NO. 97ATTY-S002-P

2

3 Requested by: Senator Gulley

4

5 SBI FUNDS/SPENDING PRIORITIES

1 Section @. Of the funds appropriated in this act to the
2 Department of Justice, State Bureau of Investigation, for the
3 1997-99 biennium for overtime payments, the first priority for
4 use of the funds by the Department shall be:

5 (1) To make overtime payments to SBI agents in the
6 Field Investigations Division; and

7 (2) To make overtime payments to supervisory personnel
8 receiving overtime payments as of June 30, 1997, up
9 to a maximum of five thousand two hundred dollars
10 (\$5,200) annually per individual.
11

45

1 CODE NO. 97ATTY-S003-P

2

3 Requested by: Senator Gulley

4

5 SBI USE OF COURT-ORDERED REIMBURSEMENT FUNDS

1 Section @. The State Bureau of Investigation (SBI) may
2 use funds available from court-ordered reimbursement in
3 undercover drug operations.

4

46

1 CODE NO. 97ATTY-S004-P

2

3 Requested by: Senator Gulley

4

5 PRIVATE PROTECTIVE SERVICES AND ALARM SYSTEMS LICENSING BOARDS

6 PAY FOR USE OF STATE FACILITIES AND SERVICES

1 Section @. The Private Protective Services and Alarm
2 Systems Licensing Boards shall pay the appropriate State agency
3 for the use of physical facilities and services provided to those
4 boards by the State.

1 CODE NO. 97ATTY-S005-P

2

3 Requested by: Senator Gulley

4

5 LIMITS ON COMPUTER SYSTEM UPGRADE

1 Section @. Any proposed increase in mainframe computer
2 capacity or system upgrade for the Judicial Department, the
3 Department of Correction, the Department of Justice, or the
4 Department of Crime Control and Public Safety, to be funded from
5 the Continuation Budget, shall be reported to the Joint
6 Legislative Commission on Governmental Operations, to the Senate
7 and House of Representatives Chairs of the Appropriations
8 Committees, and to the Senate and House Chairs of the
9 Appropriations Subcommittees on Justice and Public Safety before
10 the department enters into any contractual agreement. This
11 report is to be made jointly by the Information Resource
12 Management Commission, the Office of State Budget and Management,
13 and the requesting department.

48

1 CODE NO. 97ATTY-S006-P

2

3 Requested by: Senator Gulley

4

5 CERTAIN LITIGATION EXPENSES TO BE PAID BY CLIENTS

1 . Section @. Client departments, agencies, and boards
2 shall reimburse the Department of Justice for reasonable court
3 fees, attorney travel and subsistence costs, and other costs
4 directly related to litigation in which the Department of Justice
5 is representing the department, agency, or board.

6

1 CODE NO. 97ATTY-S007-P

2

3 Requested by: Senator Gulley

4

5 REIMBURSEMENT FOR UNC BOARD OF GOVERNORS LEGAL REPRESENTATION

1 Section @. The Department of Justice shall be
2 reimbursed by the Board of Governors of The University of North
3 Carolina for two Attorney III positions to provide legal
4 representation to The University of North Carolina System.

5

1 CODE NO. 97ATTY-S008-P

2

3 Requested by: Senator Gulley

4

5 USE OF SEIZED AND FORFEITED PROPERTY TRANSFERRED TO STATE LAW
6 ENFORCEMENT AGENCIES BY THE FEDERAL GOVERNMENT

1 Section @. (a) Assets transferred to the Department of
2 Justice during the 1997-99 biennium pursuant to 19 U.S.C. § 1616a
3 shall be credited to the budget of the Department and shall
4 result in an increase of law enforcement resources for the
5 Department. Assets transferred to the Department of Crime
6 Control and Public Safety during the 1997-99 biennium pursuant to
7 19 U.S.C. § 1616a shall be credited to the budget of the
8 Department and shall result in an increase of law enforcement
9 resources for the Department. The Departments of Justice and
10 Crime Control and Public Safety shall report to the Joint
11 Legislative Commission on Governmental Operations upon receipt of
12 the assets and, before using the assets, shall report on the
13 intended use of the assets and the departmental priorities on
14 which the assets may be expended.

15 The General Assembly finds that the use of assets
16 transferred pursuant to 19 U.S.C. § 1616a for new personnel
17 positions, new projects, the acquisition of real property, repair
18 of buildings where the repair includes structural change, and
19 construction of or additions to buildings may result in
20 additional expenses for the State in future fiscal periods.
21 Therefore, the Department of Justice and the Department of Crime
22 Control and Public Safety are prohibited from using these assets
23 for such purposes without the prior approval of the General
24 Assembly, except during the 1997-98 fiscal year, the Department
25 of Justice may:

26 (1) Use an amount not to exceed the sum of twenty-five
27 thousand dollars (\$25,000) of the funds to extend
28 the lease of space in the Town of Salemburg for SBI
29 training; and

30 (2) Use an amount not to exceed fifty thousand dollars
31 (\$50,000) of the funds to lease space for its
32 technical operations unit, storage of its equipment
33 and vehicles, and command post vehicle.

34 (b) Nothing in this section prohibits North Carolina
35 law enforcement agencies from receiving funds from the United
36 States Department of Justice pursuant to 19 U.S.C. § 1616a.

37

1 CODE NO. 97ATTY-S009A

2

3 Requested by: Senator Gulley

4

5 DEPARTMENT OF JUSTICE RECORD CHECKS FUNDS AND REPORTS

1 Section @. (a) The Department of Justice may use, for
2 each year of the 1997-99 biennium, the sum of up to two hundred
3 ten thousand five hundred sixty-three dollars (\$210,563) to add
4 up to 5 positions in the State Bureau of Investigation to
5 facilitate record checks for concealed weapons permits. The
6 Office of State Budget and Management may adjust the allotment of
7 appropriations to the Department of Justice until receipts are
8 realized. If the number of criminal record checks performed by
9 the Department of Justice falls below the level of 10,000 checks
10 per one and one-half positions, the number of positions
11 performing records checks shall be reduced by the Department
12 accordingly.

13 (b) The Department of Justice shall report by January 15 each
14 year to the Joint Legislative Commission on Governmental
15 Operations, the Co-chairs of the Joint Appropriations Committee,
16 and the Co-chairs of the Subcommittees on Justice and Public
17 Safety on the receipts, costs for, and number of criminal record
18 checks performed in connection with applications for concealed
19 weapons permits. The report by the Department of Justice shall
20 also include information on the number of applications received
21 and approved for firearms safety courses.

1 CODE NO. 97ATTY-S011

2

3 Requested by: Senator Gulley

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5 SALARY EQUITY FOR SBI LAW ENFORCEMENT

1 Section @. Of the funds appropriated in this act to the
2 Department of Justice for the State Bureau of Investigation, the
3 sum of eight hundred eight thousand six hundred forty-five
4 dollars (\$808,645) for the 1997-98 fiscal year and the sum of
5 eight hundred eight thousand six hundred forty-five dollars
6 (\$808,645) for the 1998-99 fiscal year shall be used to adjust
7 the salaries of law enforcement positions in the State Bureau of
8 Investigation. Within each salary grade, each position shall
9 receive at least a three percent (3%) increase and no more than a
10 ten percent (10%) increase in salary. Salary increases shall be
11 based upon criteria determined by the Department and established
12 for the purpose of achieving equity among personnel within each
13 position classification or level.

1 CODE NO. 97CCPS-S001-P

2

3 Requested by: Senator Gulley

4

5 LEGISLATIVE REVIEW OF DRUG LAW ENFORCEMENT AND OTHER GRANTS

1 Section @. (a) Section 1303(4) of the Omnibus Crime
2 Control and Safe Streets Act of 1968 provides that the State
3 application for Drug Law Enforcement Grants is subject to review
4 by the State legislature or its designated body. Therefore, the
5 Governor's Crime Commission of the Department of Crime Control
6 and Public Safety shall report on the State application for
7 grants under the State and Local Law Enforcement Assistance Act
8 of 1986, Part M of the Omnibus Crime Control and Safe Streets Act
9 of 1968 as enacted by Subtitle K of P.L. 99-570, the Anti-Drug
10 Abuse Act of 1986, to the Senate and House Appropriations
11 Subcommittees on Justice and Public Safety when the General
12 Assembly is in session. When the General Assembly is not in
13 session, the Governor's Crime Commission shall report on the
14 State application to the Joint Legislative Commission on
15 Governmental Operations.

16 (b) Unless a State statute provides a different forum
17 for review, when a federal law or regulation provides that an
18 individual State application for a grant must be reviewed by the
19 State legislature or its designated body and at the time of the
20 review the General Assembly is not in session, that application
21 shall be reviewed by the Joint Legislative Commission on
22 Governmental Operations.

23

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1 CODE NO. 97CCPS-S003-P

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3 Requested by: Senator Gulley

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5 VICTIMS ASSISTANCE NETWORK FUNDS

1 Section @. Of the funds appropriated in this act to the
2 Department of Crime Control and Public Safety, the sum of one
3 hundred fifty thousand dollars (\$150,000) for the 1997-98 fiscal
4 year and the sum of one hundred fifty thousand dollars (\$150,000)
5 for the 1998-99 fiscal year shall be used to support the Victims
6 Assistance Network. These funds shall be used by the Victims
7 Assistance Network to perform the following functions under the
8 direction of and as required by the Department of Crime Control
9 and Public Safety:

- 10 (1) Conduct surveys and gather data on crime victims
11 and their needs;
- 12 (2) Act as a clearinghouse for crime victims services;
- 13 (3) Provide an automated crime victims bulletin board
14 for subscribers;
- 15 (4) Coordinate and support the activities of other
16 crime victims advocacy groups;
- 17 (5) Identify training needs of crime victims service
18 providers and criminal justice personnel and
19 coordinate training efforts for those persons; and
- 20 (6) Provide other services as identified by the
21 Governor's Crime Commission or the Department of
22 Crime Control and Public Safety.
23

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1 CODE NO. 97CCPS-S004-P

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3 Requested by: Senator Gulley

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5 REPORT ON COMMUNITY SERVICE WORKERS

1 Section @. The Department of Crime Control and Public
2 Safety shall report to the Joint Legislative Commission on
3 Governmental Operations and the Fiscal Research Division by March
4 1 and September 1 of each fiscal year of the 1997-99 biennium on
5 the number of community service workers who were available during
6 each month of the time period preceding that report to perform
7 repairs and maintenance of the parks and when and where they were
8 available.

9

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CODE NO. 97CCPS-S005A

Requested by: Senator Gulley

REPORT ON CRIME VICTIMS COMPENSATION FUND

- 1 Section @. The Department of Crime Control and Public
2 Safety shall report to the Chairs of the Senate and House
3 Appropriations Committees, the Chairs of the Senate and House
4 Appropriations Subcommittees on Justice and Public Safety, and
5 the Fiscal Research Division of the General Assembly by December
6 31 each year on the North Carolina Crime Victims Compensation
7 Fund. The report shall include a statement regarding:
- 8 (1) The administrative expenses of the Fund for the
9 prior fiscal year and the current fiscal year on
10 the date of the report;
- 11 (2) The current unencumbered balance of the Fund;
- 12 (3) The amount of funds carried over from the prior
13 fiscal year;
- 14 (4) The amount of funds received in the prior fiscal
15 year from the Department of Correction and from the
16 compensation fund established pursuant to the
17 Victims Crime Act of 1984, 42 U.S.C. § 10601, et.
18 seq.;
- 19 (5) The amount of funds expected to be received in the
20 current fiscal year, as well as the amount actually
21 received in the current fiscal year on the date of
22 the report, from the Department of Correction and
23 from the compensation fund established pursuant to
24 the Victims Crime Act of 1984, 42 U.S.C. § 10601,
25 et. seq.; and
- 26 (6) The total amount of funds paid to victims in the
27 prior fiscal year and in the current fiscal year on
28 the date of the report.